



## **SECTION 32 EVALUATION REPORT**

FOR

**41-43 Brigham Creek, Whenuapai**

9 August 2022 (Updated)



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## Quality control

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## 1. INTRODUCTION

This report has been prepared to fulfil the statutory requirements of Section 32 of the Resource Management Act 1991 (RMA). It is a record of the processes and evaluation undertaken for the proposed 41-43 Brigham Creek Road Plan Change (plan change) to the Auckland Unitary Plan (Operative in Part) (AUP (OP)), in accordance with section 32 of the RMA.

The Applicant proposes to rezone the 5.2ha site from Future Urban zone (FUZ) to Residential – Mixed Housing Urban (MHU) with a Stormwater Management Area Flow 1 control (SMAF1) to the site to manage delivery of infrastructure to support the development.

### 1.1 Overview of the plan change site

Whenuapai is located approximately 23 kilometres northwest of central Auckland, with a vast majority of the area being currently zoned Future Urban under the AUP (OP). Currently only land located north of Brigham Creek Road has been developed for medium density housing. This plan change proposes to rezone the site of approximately 5.2ha, located in the western part of Whenuapai, to a Residential – Mixed Housing Urban (MHU) zone. Most of the Whenuapai area is subject to the Whenuapai Structure Plan 2016 (WSP) and a number of plan changes to give effect to and enable urban development. The Application site and existing AUP (OP) zoning are shown in *Figure 1* below.

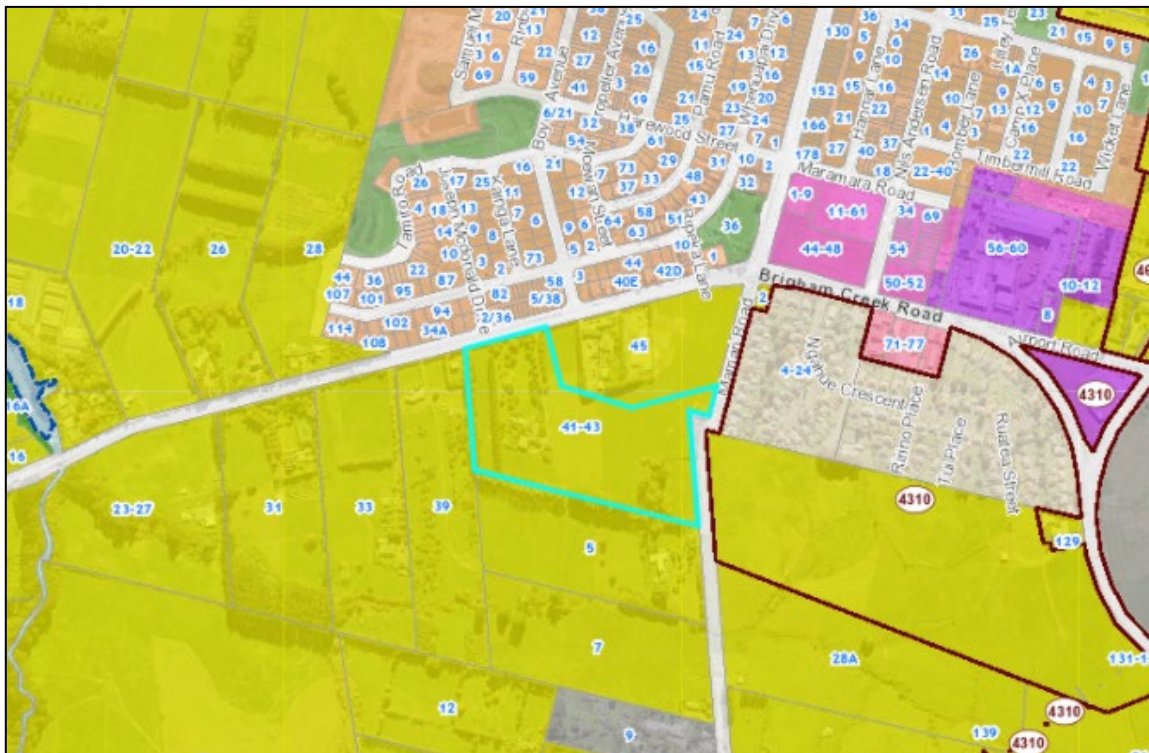


Figure 1: Site and AUP OP zoning

This plan change follows the submission of a resource consent application for a 230-unit landuse and subdivision of the Application site. The consent is currently being processed by Auckland Council.

## 1.2 Scope and Purpose

When preparing a plan change (proposal) under the RMA, an evaluation under section 32 of the Act must be carried out. This Evaluation must occur prior to the notification of any proposed plan change. A section 32 evaluation report examines:

- the extent to which the objectives of the proposals are the most appropriate way to achieve the purpose of the RMA – these are specific objectives being introduced or amended, or the purpose of the proposal (if they do not relate to specific objectives); and
- whether the provisions of the proposal are the most appropriate way to achieve the objectives – these are the specific policies, rules and other methods that implement, or give effect to, the objectives of the proposal.

The purpose of the PPC Request is to enable the transition of semi-rural land uses to the urban residential development in a comprehensive and integrated manner. This is achieved by undertaking an Evaluation to identify the most appropriate residential zoning to apply to the site, and environmental effects can be effectively managed through the AUP OP provisions.

As demonstrated in the following Evaluation, the PPC will deliver on social, economic, and environmental benefits. The PPC will enable residential development to the growing Whenuapai community and support the local economy by encouraging demand for services and supporting expansion of the Whenuapai Local Centre. The urban development of the site is supported by Plan provisions that ensure environmental effects, in particular, infrastructure and stormwater runoff from the development is appropriately managed.

In accordance with Section 32(6) of the RMA and for the purposes of this Report:

- the ‘objectives’ means the purpose of the proposal/PPC which is to enable the comprehensive and integrated residential development of the site.
- the ‘proposal’ means the proposed PPC which is to rezone the land in question from FUZ to MHU and SMAF1 control.
- the ‘provisions’ means the policies, rules, or other methods that give effect to the objectives of the PPC for the rezoning of the land.

This report should be read in conjunction with the Assessment of Environmental Effects and technical assessments prepared in support of this private plan change.

## 2. RESOURCE MANAGEMENT ACT 1991

The Resource Management Act (RMA) provides a legislative framework for the sustainable management of natural and physical resources in New Zealand. The purpose of the RMA is to promote the sustainable management of natural and physical resources in a way, or at a rate, which enables

people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety.

The principles of the RMA are stated in sections 6, 7 and 8 of the RMA. An assessment against Part 2 of the RMA is provided in the evaluation of objectives for each topic in section 3 of this report.

Section 6 of the RMA contains the matters of national importance that are required to be recognised and provided for:

*In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:*

- (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) *the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development;*
- (c) *the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna;*
- (d) *the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers;*
- (e) *the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga;*
- (f) *the protection of historic heritage from inappropriate subdivision, use, and development;*
- (g) *the protection of protected customary rights;*
- (h) *the management of significant risks from natural hazards.*

In particular, Section 6(h) is relevant in so far as there are natural hazards that traverse the site that will require detailed investigation at the time of redevelopment. No other subsections are relevant considerations for this plan change as the site is not subject to any outstanding natural features or landscapes, significant vegetation or items/sites of cultural significance. The matters of national importance are discussed further in section 6.1 of the AEE.

Section 7 of the RMA contains other matters which shall be given particular regard to:

*In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to—*

- (a) *kaitiakitanga:*

- (aa) *the ethic of stewardship:*
- (b) *the efficient use and development of natural and physical resources:*
- (ba) *the efficiency of the end use of energy:*
- (c) *the maintenance and enhancement of amenity values:*
- (d) *intrinsic values of ecosystems:*
- (e) *[Repealed]*
- (f) *maintenance and enhancement of the quality of the environment:*
- (g) *any finite characteristics of natural and physical resources:*
- (h) *the protection of the habitat of trout and salmon:*
- (i) *the effects of climate change:*
- (j) *the benefits to be derived from the use and development of renewable energy.*

Of these matters, section 7(a), (b), (c), and (f) are considered to have particular relevance to this plan change. The proposed plan change seeks to ensure the development that will be enabled is an efficient use of the site where amenity values and the quality of the environment is maintained. These matters are discussed in section 6.1 of the AEE.

The principles of the Treaty of Waitangi must also be taken into account under section 8 of the RMA. Section 5 of the AEE describes the engagement undertaken with mana whenua.

### **3. ASSESSMENT OF OPTIONS**

In accordance with Section 32(1)(b) and 32(2) of the RMA, the following assessment considers the most appropriate way to achieve the objectives of the plan change. In the preparation of this plan change, a number of options are considered. These are:

- Option 1: Do nothing/retain the status quo – retain Future Urban zone for the site.
- Option 2: Rezone site from Future Urban Zone to Mixed Housing Urban (MHU) zone with Stormwater Management Area Flow 1 (SMAF1) Control.
- Option 3: Rezone site to MHU zone with Stormwater Management Area Flow 1 (SMAF1) Control and site-specific precinct.

These options have been chosen to align with the WSP that the site is appropriate for medium rather than high density housing.

### 3.1 Evaluation of Options

#### 1. Retain the Status Quo – Future Urban Zone

The status quo option is retaining the existing Future Urban zoning of the site where the land can only be used for a range of general rural activities and not for urban activities until the site is rezoned for urban purpose. Only one dwelling per site is permitted.

Urban redevelopment of the site requires seeking a non-complying resource consent. A resource consent for the development of the site has been submitted with Council, however, the process is high risk, and does not future proof the site for residential development and use as the underlying zoning continues to be FUZ.

Overall, this option is not efficient or effective in achieving the outcomes for medium density residential development on the site.

#### 2. Rezoning Options

In considering the appropriate zone for the site, a review of the AUP OP zones was undertaken as a process of elimination. In considering the development outcomes of the WSP, the following urban zones have not been considered appropriate or reasonably practicable for the ongoing use and redevelopment of the site.

*Table 4: Zones that have been ruled out*

<b>Zones removed from further evaluation</b>	<b>Reason</b>
Lower Intensity Residential Zones (Mixed Housing Suburban, Single House, Large Lot) and Terrace Housing and Apartment Building (THAB)	<ul style="list-style-type: none"><li>• Does not address the medium density activity characterised to the north and east of the site.</li><li>• Development intensity is much lower than what exists and is anticipated in surrounding area.</li><li>• Does not fit with the rationale of the AUP OP and its strategic intent.</li></ul>
Business Zones (Centres, Mixed Use, and Industrial)	<ul style="list-style-type: none"><li>• This could provide for similar land uses and development that currently exist, and are planned for, on site.</li><li>• Application of the zone is not appropriate due to potential for commercial / industrial uses that could significantly detract from residential amenity.</li></ul>

Through a process of elimination, the **Residential – MHU Zone** is the most appropriate and reasonably practicable zoning option to be explored that would be entirely consistent with the WSP.



Through engineering investigation, the application of the Stormwater Management Area Flow 1 (SMAF1) applies to the site as it is within a catchment that discharges to sensitive or high value streams that have relatively low levels of existing impervious area. The FUZ zoning of the site and existing development means that there is low level of existing impervious area, and the proposal for development under the MHU zone will increase the impervious area and stormwater runoff from the site into streams.

### **3. Precinct option**

The application of a Precinct to a suitable underlying zone (ie, Residential – MHU Zone) would be appropriate only to provide site-specific conditions that maintain the integrity of the underlying zone. The Precinct option is considered in accordance with the Interim Guidance, prepared by the Auckland Unitary Plan Independent Hearings Panel, *“Interim Guidance: Best practice approaches to re-zoning, precincts and changes to the Rural Urban Boundary (RUB) 31 July 2015”*.

As assessed in the AEE, the Applicant has sought consent as a non-complying activity for the proposed residential development of the site. This consent application clearly shows that the effects of developing the site for MHU scale development can be appropriately managed and mitigated to a level that is no more than minor and is generally consistent with the AUP OP objectives. The use of a Precinct could arguably reinforce this and provide greater precision as to the timing of development and its integration with infrastructure funding and development.

Specifically with regards to the demands and requirement of infrastructure to service the future urban development of the site, specialist input is relied on from the civil engineers, traffic engineers and ecologist, to determine whether any site-specific provisions are required. Those specialists have concluded that the standard provisions of the AUP OP, namely those in the SMAF1, Transport, and MHU Chapters are sufficient to manage effects of urban development on the site. Site-specific provisions could provide clarity and ensure the delivery of infrastructure provisions and upgrades are provided. However, there are alternative mechanisms and approval processes available to relevant Council organisations to ensure that development does not occur prior to the delivery of such provisions and upgrades.

Accordingly, while site-specific precinct provisions could support the provisions of the MHU zoning to address additional infrastructure requirements of the site, such site-specific provisions are not considered to be necessary. Further, it is understood to be the Council's position that the inclusion of site-specific precinct provisions would comprise an “amendment” to the underlying MHU zoning, which would therefore preclude the Council from accepting or adopting the Request under clause 25(4A) of Schedule 1 and clause 35 of Schedule 12 of the RMA. Accordingly, the use of site specific precinct provisions is neither necessary, nor available in the context of this Request.

Table 5: Options Analysis

<b>Options</b>	<b>Costs</b>	<b>Benefits</b>	<b>Efficiency</b>	<b>Effectiveness</b>
<p><b>Option 1</b> Status quo – retain Future Urban zoning of the site.</p>	<p>Landowners and developers will need to submit non-complying resource consents or private plan changes to develop Future Urban land.</p> <p>Does not add to Auckland’s housing supply to accommodate growth.</p> <p>This option is contrary to the council’s Future Urban Land Supply Strategy.</p>	<p>No administrative costs for plan change process.</p>	<p>No efficiency in processing resource consents for ad hoc development.</p>	<p>Piecemeal and ad hoc land development may occur.</p> <p>This option is inconsistent with the medium term goals of the WSP 2016.</p> <p>Land is not released in a timely manner for residential development.</p> <p>Smaller population to support local businesses.</p> <p>This option is not an effective option for the reasons stated above.</p>
<p><b>Option 2</b> Rezone site from Future Urban Zone to MHU Zone.</p>	<p>Cost of preparing a plan change, including technical work to support the rezoning.</p> <p>Site specific requirements, in this case for any infrastructure delivery, to be addressed at consent stage through discussions with relevant authorities.</p>	<p>Zoning is consistent with WSP and will implement the NPSUD and other national direction.</p> <p>Site adopts standard AUP OP zoning and scale of development anticipated.</p>	<p>Development relies on MHU zones and other provisions in the AUP OP, without unnecessary complexity added to planning framework and consent processes.</p>	<p>Zoning is consistent with WSP and will implement the NPSUD and other national direction.</p> <p>Land is rezoned for residential uses, contributing to residential variety and capacity.</p> <p>Infrastructure required to be provided to accommodate the development – no risk to Council.</p>
<p><b>Option 3</b> Rezone site to MHU Zone with a new precinct.</p>	<p>Cost of preparing a plan change, including technical work to support the rezoning.</p>	<p>Zoning is consistent with WSP.</p> <p>Site adopts standard AUP OP zoning and scale of development</p>	<p>Infrastructure will need to be addressed in the immediate term to manage stormwater and wastewater from the</p>	<p>Zoning is consistent with WSP.</p> <p>Land is rezoned for residential uses, contributing to residential</p>

<i>Options</i>	<i>Costs</i>	<i>Benefits</i>	<i>Efficiency</i>	<i>Effectiveness</i>
	Tailored approach to prepare a Precinct is more time consuming.	anticipated.	development.	variety and capacity.
	Process costs due to additional complexity of the planning framework applying to the site.	Certainty provided in terms of specific requirements and timing set out in Precinct to deliver.	Provides greater certainty on scale and nature of development on the site.	Infrastructure required to be provided to accommodate the development – no risk to Council.
	Council position is that RMA amendments have precluded this approach.		The requirements for applicants are clearly set out in the precinct provisions, rather than needing to be addressed in further discussions with relevant authorities.	Certainty can be provided as to specifics and timing of infrastructure upgrades to support development.
			However, Council position is that precinct provisions would render the Request unable to be accepted pursuant to clause 25(4A) of Schedule 1 and clause 35 of Schedule 12 to the RMA.	However, Council position is that precinct provisions would render the Request unable to be accepted pursuant to clause 25(4A) of Schedule 1 and clause 35 of Schedule 12 to the RMA.

## 4. EVALUATION OF PROVISIONS

Section 32(1)(a) requires an evaluation to assess the extent to which the objectives of the proposal are the most appropriate way to achieve the purpose of the RMA.

The following assessment determines that relying on the identified objectives of the MHU zone, relevant Auckland wide objectives (including SMAF1 control) is the most appropriate way to achieve the purpose of the RMA. These objectives seek to provide for intensive residential development in a way that meets capacity requirements while maintaining amenity and natural values and appropriately managing significant natural hazard risks.

### 4.1 Evaluation of Objectives

An assessment of the relevant objectives of the AUP OP is provided below. This indicates that, the Plan Change can rely on AUP OP objectives to achieve regional and national direction and the purpose of the RMA.

#### 4.1.1 Relevance

The relevant AUP OP objectives relate to the purpose of the plan change and the key issues the plan change seeks to address. The MHU, Overlay and the Auckland wide objectives generally address the relevant resource management issues identified in sections 4 and 8.6 of the AEE. These issues include integrated subdivision, use and development, transport, water supply and wastewater servicing, stormwater management, natural hazards, and reverse sensitivity.

The plan change seeks to enable residential activity of scale that is consistent with the scale of urban development in the surrounding environment, which gives effect to the WSP. The residential development of the site in accordance with the MHU zone will ensure it is in keeping with the neighbourhoods planned urban built character which is currently a mixture of medium density development. The MHU zoning applies to land near Centres and close to public transport networks which enables higher density residential living, providing an increase in housing capacity and choice. MHU objectives will also help achieve RPS objectives B2.2.1 (1), (5) and B2.4.1 (1), (2), (3), (4) as they will ensure a high-quality urban environment with integrated social and physical infrastructure that helps to meet residential development capacity and land supply targets inside the Rural Urban Boundary. To this end MHU objectives are more relevant to this site than the Future Urban Zone objectives H18 that seek limited subdivision and development in the Future Urban Zone until areas are rezoned for urban purposes.

Urban development of the site can rely on the objectives of D24 Aircraft Noise Overlay, where only development in the south eastern corner of the site is subject to this reverse sensitivity overlay. Whilst NZDF require a no-complaints covenant across the entire site, the AUP OP only requires consent for activities that are subject to this overlay. Resource consent has been sought for residential development within this overlay and recommendations from Marshall Day Acoustic (refer to **Appendix 11**) adopted as part of the application. This recommendation includes designing buildings to have internal noise levels meeting AUP OP requirements. As the objectives of D24 can be relied on

to ensure the Airbase is protected from reverse sensitivity effects, no further site-specific provisions are considered necessary.

The proposal includes the application of the SMAF1 control to the plan change site, which applies to the Whenuapai catchment area. The hydrological mitigation requires retention and detention of rainfall from impervious areas which will ensure that high value hydrological environments in urbanised catchments are protected from further adverse effects of stormwater runoff. The application of this control will ensure the natural environment will be protected.

As provided in the ITA (refer to **Appendix 5**), the subject site is well served by roading, bus and cycling infrastructure in the future, the proposal is integrated with all modes of transport, achieving Objectives E27.2(1) and (2). Motor vehicle traffic effects are expected to be accommodated within the existing transport network with minimal impact on public transport, walking and cycling networks. The anticipated increased vehicle movements at peak hours, shared between two intersections (Brigham Creek and Mamari Road), is expected to continue to provide acceptable levels of service on the local roading network during these peak periods. Resource consent is required for land use or subdivision accommodating more than 100 lots<sup>1</sup> or 4 or more dwellings on a site<sup>2</sup>, which would trigger effects assessment on the road network including the location and design of any intersection on the safe and efficient operation of the adjacent transport network. The objectives are considered to be sufficient to enable residential/urban development of the site whilst ensuring effects on the roading network are assessed.

The site is subject to natural hazards and flood prone areas. Irrespective of the underlying zoning of the site, it is subject to the provisions of E36 where development must not exacerbate or result in adverse effects of the natural hazards and minimum finished floor levels must be achieved. Those objectives ensure the subdivision, use and development inside and outside of urban areas ensure risks from natural hazards are not increased overall and where practicable are reduced.

Any subdivision potential of the site is subject to the objectives in E38. Subdivision of land is provided for and must meet the objectives of the proposed residential zone. Infrastructure (i.e. three waters) servicing the subdivision must be provided for in an integrated and comprehensive manner. Additionally, the subdivision must maintain the function of overland flow paths to safely convey waters. Overall, the objectives are appropriate for achieving the residential development of the site whilst meeting the sustainable management purpose of the RMA.

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<sup>1</sup> Standard E27.6.1(1)(a) Trip generation

<sup>2</sup> Activity Table H5.4.1(A4)

Overall, the objectives are consistent with the purpose of the RMA and the addition of the SMAF1 objective helps manage use and development in a way that safeguards the life supporting capacity of water and mitigating adverse effects on the environment. These objectives also support Councils regional and district functions under the RMA particularly as they relate to integrated management of natural and physical resources, housing land capacity, the maintenance and enhancement of water quality and quantity, the strategic integration of infrastructure and land use, and the mitigation of natural hazards.

RMA s6 matters of national importance are recognised and provided for via other objectives in the plan particularly those relating to significant risks from natural hazards (Refer Objective E36.2).

A range of other matters have been considered in reviewing the proposed objectives particularly the efficient use and development of natural and physical resources (s7(b)) the maintenance and enhancement of amenity values and the quality of the environment (s7(c) and (f)), and the finite characteristics of natural and physical resources(s7(g)). The objectives will ensure the PPC area is developed in a manner that does not undermine the amenity outcomes anticipated by the MHU zone.

The principles of the Treaty of Waitangi (s8) have also been taken into account through engagement of mana whenua in the development of AUP OP objectives and wider provisions.

The AEE has considered the effects of residential activity are anticipated by the MHU zone and measures to ensure adverse effects can be avoided, remedied or mitigated have been included in the provisions and these are broadly addressed in the Auckland wide objectives in the AUP OP.

The primary purpose of the rezoning is to enable the redevelopment of the site, which is in line with the WSP. As assessed in Section 8.3 and 8.6 of the AEE, the rezoning gives effect to the NPSUD and RPS provisions by ensuring a high quality, compact urban redevelopment of the site.

#### **4.1.2 Achievability**

The Council has the ability to deliver on these objectives through the application of the AUP OP, the plan provisions proposed in this plan change, and through Watercare and Auckland Transport as Council Controlled Organisations and infrastructure providers via their input into the consenting processes. The provisions fall within council's functions under section 30 and 31 of the RMA as outlined above.

The provisions of the zone provide direction and certainty to the community about what can occur on the site and will therefore enhance the achievability of the plan change.

Overall, the use and development intended by the MHU zone and application of the SMAF1 control will not impose unjustifiably high costs on the community as it balances site development aspirations with neighbourhood amenity issues. The rezoning provides an acceptable level of certainty and risk by enabling site development within amenity constraints that are supported by clear policies, standards, and criteria. The rezoning meets resource management best practice as it provides a clear statement of intent for the zone that aligns with the structure of the AUP OP.

### 4.1.3 Acceptability

The objectives are consistent with the direction provided for in the Regional Policy Statement (as assessed in Section 8.6 of the AEE) and are drawn from existing MHU Zone and the AUP OP Auckland wide objectives. The objectives and provisions also respond to the issues raised in feedback from adjacent property owners, Council, technical experts, key stakeholders and mana whenua as outlined in section 5 of the AEE. Effects on the surrounding environment have also been assessed and addressed in the proposed and operative objectives and plan provisions.

Accordingly, the proposed rezoning and reliance on the applicable AUP OP provisions are more appropriate to achieving the sustainable management of the RMA in terms of managing the use and development of the site whilst protecting the natural environment. While additional Precinct specific provisions could assist to achieve the purpose of the RMA, such provisions are neither necessary nor available in the context of this Request due to specific provisions of the RMA inserted by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act.

### 4.1.4 Objectives Conclusion

The deferral of live zoning to a public plan change process later in time will delay the ability to achieve the various positive outcomes associated with rezoning and developing the land, without any corresponding benefit in terms of avoidance, remediation or mitigation of adverse effects. The proposed rezoning enables use and development of the site that enables people and communities to provide for their health, safety and wellbeing whilst managing effects of the development on the natural environment, in particular, the management of effects of natural hazards and water.

The proposed objectives meet the sustainable management purpose of the act as the medium-term development of the area enables the community to meet their economic needs by efficiently utilising the land resource, helping to meet the community's needs and addressing adverse effects on the surrounding environments anticipated in the AUP OP, the WSP, and relevant national direction. The proposed objectives are achievable through standard Council and CCO procedures and provide for an acceptable outcome based on feedback received to date and the technical work which indicates that environmental effects can be mitigated.

Overall, the proposed rezoning and SMAF1 control objectives is the most appropriate way of achieving Part 2 of the RMA.

## 4.2 Evaluation of Proposed Policies and Rules

The MHU zone is the preferred option as this will best achieve the objectives of the plan change, the AUP OP and other relevant strategies. With the exception of the application of the SMAF 1 control, site specific provisions are not considered necessary as the site can continue to operate and expand in a manner that respects the residential amenity anticipated by the MHU zone.

*Table 6: Link between objectives, policies and methods of the relevant rules.*

<i>Rule/Standard</i>	<i>Objectives and Policies</i>	<i>Interrelated provisions/matters:</i>
<p><b>D24 Aircraft Noise Overlay</b></p> <p>(A1) New activities sensitive to aircraft noise</p> <p>(A8) Subdivision of land for activities sensitive to aircraft noise to create a new site between the 55dB Ldn and 65dB Ldn noise boundaries</p>	<p><b>Objectives:</b></p> <p>(1) Airports and airfields are protected from reverse sensitivity effects.</p> <p>(2) The adverse effects of aircraft noise on residential and other activities sensitive to aircraft noise are avoided, remedied or mitigated.</p> <p><b>Policies:</b></p> <p>(3) Avoid establishing residential and other activities sensitive to aircraft noise at:</p> <p>(a) airports/airfields except for Auckland International Airport: within the area between the 55dB Ldn and 65dB Ldn noise contours, unless the effects can be adequately remedied or mitigated through restrictions on the numbers of people to be accommodated through zoning and density mechanisms and the acoustic treatment (including mechanical ventilation) of buildings containing activities sensitive to aircraft noise excluding land designated for defence purposes;</p>	<p><b>Matters of discretion:</b></p> <p>(a) the internal noise environment of the proposed and any existing structure;</p> <p>(b) the internal ventilation standards for the proposed or any existing structure;</p> <p>(c) measures for or relating to the attenuation of aircraft noise arising in connection with the airport/airfield/airbase;</p> <p>(d) the imposition of an obligation to ensure any required acoustic treatment measures are not removed without the Council’s consent, including requiring the obligation to be registered on the certificate of title; and</p>



<b>Rule/Standard</b>	<b>Objectives and Policies</b>	<b>Interrelated provisions/matters:</b>
	<p>(5) Manage residential intensification and activities sensitive to aircraft noise within areas identified for accommodating urban growth in a way that avoids reverse sensitivity effects as far as practicable, including reverse sensitivity effects between those land uses and such effects on Auckland International Airport, Ardmore Airport, Whenuapai Airbase and North Shore Airport, and that avoids, remedies or mitigates adverse aircraft noise effects on people and communities.</p>	<p>(e) the nature, size and scale of the proposed development.</p>
<p><b>E10 Stormwater Management Area Flow 1 Overlay</b></p> <p>(A3) Development of new or redevelopment of existing impervious areas greater than 50m<sup>2</sup> within Stormwater management area control – Flow 1 or Stormwater management area control – Flow 2 complying with Standard E10.6.1 and Standard E10.6.4.1</p>	<p><b>Objective:</b></p> <p>(1) High value rivers, streams and aquatic biodiversity in identified urbanised catchments are protected from further adverse effects of stormwater runoff associated with urban development and where possible enhanced.</p> <p><b>Policies:</b></p> <p>(1) Manage stormwater runoff from impervious areas in Stormwater management area – Flow 1 and Flow 2 areas to minimise the adverse effects of stormwater runoff on rivers and streams to retain, and where possible enhance, stream naturalness, biodiversity, bank stability and other values.</p> <p>(2) Require stormwater hydrology mitigation in Stormwater management area control – Flow 1 and Flow 2 areas where there are: (a) new impervious areas; (b) redeveloped impervious areas; or (c) entire sites where the area of development or redevelopment comprises more than 50 per cent of the site area.</p>	<p><b>Matters of discretion:</b></p> <p>(1) for development of new or redevelopment of existing impervious areas greater than 50m<sup>2</sup> within Stormwater Management Area Control – Flow 1 or Stormwater Management Area Control – Flow 2 and development of new or redevelopment of existing impervious areas greater than 5,000m<sup>2</sup> for a road, motorway or state highway operated by a road controlling authority or rail corridor within Stormwater management area control – Flow 1 or Stormwater management area control – Flow 2.</p> <p>(a) the potential adverse effects including cumulative effects of increased stormwater flows on freshwater systems including effects on stream channels and stream health, natural character, biodiversity, erosion and stability and community and Mana Whenua values;</p>

<b>Rule/Standard</b>	<b>Objectives and Policies</b>	<b>Interrelated provisions/matters:</b>
	<p>(3) Recognise that there may be limitations to the hydrology mitigation that can practicably be achieved in some circumstances, particularly in association with redevelopment, including: (a) space limitations; (b) requirements to provide for other utility services; and (c) the function of roads as overland flow paths conveying stormwater runoff from surrounding land uses which the road controlling authority has limited ability to control.</p>	<p>(b) the best practicable options for reducing existing adverse effects;</p> <p>(c) the processes proposed for the management of stormwater flow onsite or the availability of an authorised stormwater management device or system in the catchment designed and sized to accommodate the stormwater runoff from the new and redeveloped impervious area, road, motorway or state highway and achieve appropriate hydrology mitigation; and</p> <p>(d) the practicality and limitations of applying stormwater flow management to the site or the existing road, motorway or state highway network, taking into account site and operational constraints, the requirements for other utilities or infrastructure and the function of roads as overland flow paths conveying stormwater runoff from surrounding land uses.</p>
<p><b>E27 Transport</b></p> <p>(A3) Any activity or subdivision which exceeds the trip generation standards set out in Standard E27.6.1</p> <p>(A5) Construction or use of a vehicle crossing where a Vehicle</p>	<p><b>Objectives</b></p> <p>(1) Land use and all modes of transport are integrated in a manner that enables: (a) the benefits of an integrated transport network to be realised; and (b) the adverse effects of traffic generation on the transport network to be managed.</p>	<p><b>Matter for discretion:</b></p> <p>(4) any activity or subdivision which exceeds the trip generation thresholds under Standard E27.6.1: (a) effects on the transport network.</p> <p>(12) construction or use of a vehicle crossing where a Vehicle Access Restriction applies under Standard E27.6.4.1(2) and Standard E27.6.4.1(3): (a) adequacy</p>

<b>Rule/Standard</b>	<b>Objectives and Policies</b>	<b>Interrelated provisions/matters:</b>
Access Restriction applies under Standards E27.6.4.1(2) or E27.6.4.1(3)	<p>(2) An integrated transport network including public transport, walking, cycling, private vehicles and freight, is provided for.</p> <p>(3) Parking and loading supports urban growth and the quality compact urban form.</p> <p>(4) The provision of safe and efficient parking, loading and access is commensurate with the character, scale and intensity of the zone.</p> <p>(5) Pedestrian safety and amenity along public footpaths is prioritised.</p> <p><b>Policies</b></p> <p>(1) Require subdivision, use and development which: (a) generate trips resulting in potentially more than minor adverse effects on the safe, efficient and effective operation of the transport network; or (c) do not already require an integrated transport assessment or have been approved based on an integrated transport assessment to manage adverse effects on and integrate with the transport network by measures such as travel planning, providing alternatives to private vehicle trips, staging development or undertaking improvements to the local transport network.</p> <p>(20) Require vehicle crossings and associated access to be designed and located to provide for safe, effective and efficient movement to and from sites and minimise potential conflicts between vehicles, pedestrians, and cyclists on the adjacent road network.</p> <p>(21) Restrict or manage vehicle access to and from sites adjacent to intersections, adjacent motorway interchanges, and on arterial roads, so</p>	for the site and the proposal; (b) design and location of access; (c) effects on pedestrian and streetscape amenity; and (d) effects on the transport network

<b>Rule/Standard</b>	<b>Objectives and Policies</b>	<b>Interrelated provisions/matters:</b>
	<p>that: (a) the location, number, and design of vehicle crossings and associated access provides for the efficient movement of people and goods on the road network; and (b) any adverse effect on the effective, efficient and safe operation of the motorway interchange and adjacent arterial roads arising from vehicle access adjacent to a motorway interchange is avoided, remedied or mitigated.</p>	
<p><b>E36 Natural Hazards and Flooding</b></p> <p>(A42) Any buildings or other structures, including retaining walls (but excluding permitted fences and walls) located within or over an overland flow path</p>	<p><b>Objectives:</b></p> <p>(2) Subdivision, use and development, including redevelopment in urban areas, only occurs where the risks of adverse effects from natural hazards to people, buildings, infrastructure and the environment are not increased overall and where practicable are reduced, taking into account the likely long term effects of climate change.</p> <p>(5) Subdivision, use and development including redevelopment, is managed to safely maintain the conveyance function of floodplains and overland flow paths.</p> <p><b>Policies:</b></p> <p>(29) Maintain the function of overland flow paths to convey stormwater runoff safely from a site to the receiving environment.</p> <p>(30) Require changes to overland flow paths to retain their capacity to pass stormwater flows safely without causing damage to property or the environment.</p>	<p><b>Matters of discretion:</b></p> <p>(13) for any buildings or structures including retaining walls (but excluding permitted fences and walls) located within an overland flow path: (a) the effects of flooding on the activity proposed, including whether it is a more or less vulnerable activity; (b) the effects on the location of habitable rooms; (c) the design of the building and how it provides for safe access and the potential effects of flood hazards on chosen access routes; and (d) the effects on people during a flood event and the ability to avoid, remedy or mitigate these.</p>

<b>Rule/Standard</b>	<b>Objectives and Policies</b>	<b>Interrelated provisions/matters:</b>
<p><b>E38 Subdivision – Urban</b></p> <p>(A14) Subdivision in accordance with an approved land use resource consent complying with Standard E38.8.2.1.</p> <p>(A18) Vacant sites subdivision involving parent sites of 1ha or greater complying with Standard E38.8.3.1</p>	<p><b>Objectives:</b></p> <p>(1) Land is subdivided to achieve the objectives of the residential zones, business zones, open space zones, special purpose zones, coastal zones, relevant overlays and Auckland-wide provisions.</p> <p>(2) Land is subdivided in a manner that provides for the long-term needs of the community and minimises adverse effects of future development on the environment.</p> <p>(4) Infrastructure supporting subdivision and development is planned and provided for in an integrated and comprehensive manner and provided for to be in place at the time of the subdivision or development.</p> <p>(6) Subdivision has a layout which is safe, efficient, convenient and accessible.</p> <p>(10) Subdivision: (a) within urban and serviced areas, does not increase the risks of adverse effects to people, property, infrastructure and the environment from natural hazards; (b) avoids, where possible, and otherwise mitigates, adverse effects associated with subdivision for infrastructure or existing urban land uses; and (c) maintains the function of flood plains and overland flow paths to safely convey flood waters, while taking into account the likely long term effects of climate change.</p> <p><b>Policies:</b></p> <p>(19) Require subdivision to provide servicing: (a) to be coordinated, integrated and compatible with the existing infrastructure network; (b) to</p>	<p><b>Matters of discretion:</b></p> <p>(7) all other restricted discretionary activity subdivisions: (a) the effect of the design and layout of sites to achieve the purposes of the zone or zones and to provide safe legible and convenient access to a legal road; (b) the effect of infrastructure provision and management of effects of stormwater (c) the effect on the functions of floodplains and provision for any required overland flow paths: (d) the effect on historic heritage and cultural heritage items: (e) the effect of the layout, design and pattern of blocks and roads in so far as they contribute to enabling a liveable, walkable and connected neighbourhood; (f) the effect of layout and orientation of blocks and sites on the solar gain achieved for sites created, if relevant; (g) the effects arising from any significant increase in traffic volumes on the existing road network; (h) the visual effect on landscape and on topographical features and vegetation arising from subdivision of sites zoned Residential - Large Lot Zone and Residential - Rural and Coastal Settlement Zone; (i) the provision made for the incorporation and enhancement of land forms, natural features and indigenous trees and vegetation; (j) the effect on recreation and open space. (k) the effect of the design</p>

<i>Rule/Standard</i>	<i>Objectives and Policies</i>	<i>Interrelated provisions/matters:</i>
	<p>enable the existing network to be expanded or extended to adjacent land where that land is zoned for urban development; and (c) to enable electricity and telecommunications services to be reticulated underground to each site wherever practicable.</p> <p>(20) Require sites capable of containing a building, in areas where service connections are available to a public reticulated network, to connect to the following networks: (a) wastewater; (b) stormwater; and (c) potable water.</p> <p>(21) Require sites capable of containing a building, in areas with no reticulated water supply, stormwater or wastewater network, to be of a size and shape that provides for: (a) the treatment and disposal of stormwater in a way that does not lead to significant adverse off-site effects including degraded water quality, erosion, land instability, creation or exacerbation of flooding; (b) management of wastewater via: (i) an on-site wastewater treatment system, or (ii) approval to connect to a private wastewater network; and (c) potable water.</p> <p>(22) Require subdivision to be designed to manage stormwater: (a) in accordance with any approved stormwater discharge consent or network discharge consent; (b) in a manner consistent with stormwater management policies in E1 Water quality and integrated management; (c) by applying an integrated stormwater management approach to the planning and design of development in accordance with stormwater management policies in E1 Water quality and integrated management; (d) to protect natural streams and maintain the conveyance function of overland flow paths; (e) to maintain, or progressively improve, water quality; (f) to integrate drainage reserves and infrastructure with</p>	<p>and layout of sites on transport infrastructure and facilities within roads.</p>

<b>Rule/Standard</b>	<b>Objectives and Policies</b>	<b>Interrelated provisions/matters:</b>
	<p>surrounding development and open space networks; and (g) in an integrated and cost-effective way.</p> <p>(23) Manage subdivision and development to avoid, remedy or mitigate adverse effects on infrastructure including reverse sensitivity effects, which may compromise the operation and capacity of existing or authorised infrastructure.</p>	
<p><b>H5 Residential - Mixed Housing Urban</b></p> <p>(A4) Four or more dwellings per site</p> <p>(A8) Integrated residential development</p>	<p><b>Objectives:</b></p> <p>(1) Land near the Business – Metropolitan Centre Zone and the Business – Town Centre Zone, high-density residential areas and close to the public transport network is efficiently used for higher density residential living and to provide urban living that increases housing capacity and choice and access to public transport.</p> <p>(2) Development is in keeping with the neighbourhood's planned urban built character of predominantly three-storey buildings, in a variety of forms and surrounded by open space.</p> <p>(3) Development provides quality on-site residential amenity for residents and adjoining sites and the street.</p> <p>(4) Non-residential activities provide for the community's social, economic and cultural well-being, while being compatible with the scale and intensity of development anticipated by the zone so as to contribute to the amenity of the neighbourhood.</p>	<p><b>Matters of discretion:</b></p> <p>(h) infrastructure and servicing: (i) Whether there is adequate capacity in the existing stormwater and public reticulated water supply and wastewater network to service the proposed development. (ii) Where adequate network capacity is not available, whether adequate mitigation is proposed.</p>

***Rule/Standard***

***Objectives and Policies***

***Interrelated provisions/matters:***

**Policies:**

- (1) Enable a variety of housing types at higher densities, including low-rise apartments and integrated residential development such as retirement villages.
- (2) Require the height, bulk, form and appearance of development and the provision of sufficient setbacks and landscaped areas to achieve an urban built character of predominantly three storeys, in a variety of forms.
- (3) Encourage development to achieve attractive and safe streets and public open spaces including by: (a) providing for passive surveillance (b) optimising front yard landscaping (c) minimising visual dominance of garage doors.
- (4) Require the height, bulk and location of development to maintain a reasonable standard of sunlight access and privacy and to minimise visual dominance effects to adjoining sites.
- (5) Require accommodation to be designed to meet day to day needs of residents by: (a) providing privacy and outlook; and (b) providing access to daylight and sunlight and providing the amenities necessary for those residents.
- (10) Recognise the functional and operational requirements of activities and development.



<i>Rule/Standard</i>	<i>Objectives and Policies</i>	<i>Interrelated provisions/matters:</i>
	<p>(6) Encourage accommodation to have useable and accessible outdoor living space.</p>	
	<p>(7) Restrict the maximum impervious area on a site in order to manage the amount of stormwater runoff generated by a development and ensure that adverse effects on water quality, quantity and amenity values are avoided or mitigated.</p>	
	<p>(8) Provide for non-residential activities that: (a) support the social and economic well-being of the community; (b) are in keeping with the with the scale and intensity of development anticipated within the zone; (c) avoid, remedy or mitigate adverse effects on residential amenity; and (d) will not detract from the vitality of the Business – City Centre Zone, Business – Metro Centre Zone and Business – Town Centre Zone.</p>	
	<p>(9) Enable more efficient use of larger sites by providing for integrated residential development.</p>	

### 4.3 Efficiency and Effectiveness

Section 32(1)(b)(ii) and Section 32(2) (inclusive of Sections 32(2)(a)(i), (a)(ii), (b) and (c) of the RMA requires an assessment of the efficiency and effectiveness of the provisions in achieving the objectives of the PPC as well as quantifying the benefits and costs, where practicable. The following *Table 7* provides an evaluation of the efficiency and effectiveness of the rezoning provisions along with costs, benefits, risks and opportunities for economic growth and employment, and alternative options.

A number of applicable provisions including the Auckland-wide provisions and the overlay already apply to the site (i.e. D24, E27, E36) and their application is not proposed to be modified. The Auckland Unitary Plan Independent Hearings Panel has already considered these provisions under section 32 terms and confirmed their appropriateness. However, it is nonetheless appropriate to reconsider the appropriateness of these provisions insofar as they will apply together with the MHU and SMAF1 provisions to ensure that the purpose of the proposal is achieved on the site.

*Table 7: Effectiveness and Efficient Assessment*

<b>Rule/Standard</b>	<b>Effectiveness and Efficiency (having regard to environmental, economic, cultural and social effects)</b>	
<b>D24 Aircraft Noise Overlay</b>	Costs	<p>Economic - The Aircraft Noise Overlay imposes construction costs associated with the need to improve acoustic insulation although these costs are considered negligible when compared to standard building insulation requirements for new homes.</p> <p>There are no anticipated environmental, cultural and social costs associated with the Overlay.</p>
	Benefits	<p>Economic, environmental and social benefits are anticipated as future house sales are more likely where dwellings are acoustically insulated and dwellings will be more liveable with improved insulation.</p> <p>Adopting the Operative plan provisions will ensure ease of administration due to familiarity of Council, plan users and stakeholders with the current plan.</p>
	Risks	<p>The risks of not acting are significant given the potential noise implications for adjoining landowners and the ongoing operational requirements of the Whenuapai Airbase.</p>
	Effectiveness	<p>Noise contour controls that require noise insulation have been effective to address noise issues for adjoining properties to date. The applicant has proposed to incorporate a no-complaints covenant on the PPC site to address any ongoing reverse sensitivity effects and will be effective at advising future landowners</p>

<b>Rule/Standard</b>	<b>Effectiveness and Efficiency (having regard to environmental, economic, cultural and social effects)</b>	
	Efficiency	Requiring noise insulation is considered efficient as this can be managed as development occurs and future landowners will be advised of noise issues given that the Noise contour details will be displayed on LIMs. The no complaints covenants will also be efficient for advising future landowners
<b>E10 Stormwater Management Area – Flow 1</b>	Costs	Economic - The SMAF1 provisions will require additional costs associated with stormwater mitigation devices.  There are no anticipated environmental, cultural and social costs associated with SMAF1 provisions.
	Benefits	Economic, environmental and cultural benefits are anticipated as improved stormwater management will help reduce flood hazard risk and enhance water quality generally. Social benefits are considered negligible.  Adopting the Operative plan provisions will ensure ease of administration due to familiarity of Council, plan users and stakeholders with the current plan.
	Risks	The risks of not acting would be cultural and environmental impacts associated with flood risk and water quality.
	Effectiveness	SMAF1 controls are a recognised methodology that has been effective to manage stormwater to date.
	Efficiency	Requiring stormwater management devices at the development stage is an efficient way to ensure water quality and quantity matters are appropriately addressed in an integrated manner.

<b>Rule/Standard</b>	<b>Effectiveness and Efficiency (having regard to environmental, economic, cultural and social effects)</b>	
<b>E27 Transport</b>	Costs	<p>Economic – Upgrades to transport infrastructure will be extensive as part of the development phase along with the transport component of the development contribution which is currently assessed to be approximately \$2.25m.</p> <p>Environmental costs are considered minor given the proximity to the public transport, walking, and cycling network and the ability for the existing roading network to absorb increased vehicle movements associated with the scale of development once access, intersections and roading infrastructure is upgraded as a result of proposed development.</p> <p>There are no anticipated cultural and social costs associated with transport requirements.</p>
	Benefits	<p>Economic, environmental and social benefits are anticipated as transport accessibility will be improved as a result of the PPC and associated development, including additional connections through and too the site. The upgrading of infrastructure will be paid for by the developer rather than the ratepayer via development contributions and the physical works to support the development.</p> <p>Adopting the Operative plan provisions will ensure ease of administration due to familiarity of Council, plan users and stakeholders with the current plan.</p>
	Risks	<p>There would be safety risks should transport requirements not be met.</p>
	Effectiveness	<p>The ongoing ad unmodified application of the AUP OP transport provisions in the context of the proposed rezoning will be effective and efficient in terms of cost benefits and risks. have been effective at managing transport impacts in the area to date.</p>

<b>Rule/Standard</b>	<b>Effectiveness and Efficiency (having regard to environmental, economic, cultural and social effects)</b>	
	Efficiency	Requiring consideration of transport effects at the development phase is an efficient way of ensuring integrated land use and transport planning.
<b>E36 Natural hazards and flooding</b>	Costs	<p>Economic – There may be modelling and build costs associated with ensuring that minimum finished floor levels of future dwellings are high enough to avoid flood risk along with associated measures to ensure that flood risk is not exacerbated.</p> <p>There are no anticipated environmental, cultural and social costs associated with flood management requirements.</p>
	Benefits	<p>Economic, environmental and social benefits are anticipated as future development is designed to avoid flood risk.</p> <p>Adopting the Operative plan provisions will ensure ease of administration due to familiarity of Council, plan users and stakeholders with the current plan.</p>
	Risks	The risks of not acting are safety and economic impacts associated with flooding.
	Effectiveness	Operative natural hazard provisions have been effective at addressing flood risk to date especially when considered alongside SMAF 1 controls.
	Efficiency	Requiring flood management at the development phase is an efficient approach as it is difficult to retrofit flood mitigation measures after development has occurred.

<b>Rule/Standard</b>	<b>Effectiveness and Efficiency (having regard to environmental, economic, cultural and social effects)</b>	
<b>E38 Subdivision – Urban</b>	Costs	<p>Economic – Subdivision standards require three waters, flood mitigation measures and transport infrastructure to be installed. These costs are outlined above which includes a Development Contribution in excess of \$6m.</p> <p>Environmental costs will be mitigated via the subdivision consent process and through the imposition of Development Contributions outlined above. There are no social and cultural costs associated with the imposition of subdivision controls.</p>
	Benefits	<p>Economic, environmental and social benefits are anticipated as subdivision standards require infrastructure upgrades, flood risk mitigation and improved accessibility to and through the site.</p> <p>Adopting the Operative plan provisions will ensure ease of administration due to familiarity of Council, plan users and stakeholders with the current plan.</p>
	Risks	<p>The risks of not imposing subdivision controls would be impacts on amenity and safety and poor accessibility to and through the site.</p>
	Effectiveness	<p>Operative subdivision standards have been effective at managing effects to date.</p>
	Efficiency	<p>Imposing subdivision controls at the development phase is an efficient time to require integrated land use and infrastructure planning and flood risk mitigation as it is difficult to require these works once ownership has been fragmented.</p>
	Costs	<p>There is no direct economic cost to adopting the standard AUP OP provisions for residential use for the site apart from the potential for rate increases and land holding costs until the sites are developed and sold. Substantial infrastructure costs will be</p>

<b>Rule/Standard</b>	<b>Effectiveness and Efficiency (having regard to environmental, economic, cultural and social effects)</b>
<b>H5 Residential - Mixed Housing Urban</b>	<p>required to provide for the development through physical works and development contributions (in excess of \$6m without Watercare costs) as subdivision and/or construction occurs.</p> <p>The scale and effects of residential activity provided for under H5 has been assessed as part of the district plan review process, and there is sufficient coverage of the zone to address environmental effects of urban development on the subject site.</p> <p>While there may be a loss of visual openness from surrounding sites the high density of rural sites and the urban nature of adjoining land uses indicate any character impacts would be negligible.</p> <p>There are no anticipated cultural or social costs associated with the rezoning of the land from an unproductive rural block to higher density housing.</p>
<b>Benefits</b>	<p>Provision for an additional 230 dwellings (as sought in the resource consent application) to support the social, physical and economic infrastructure in the area and help address Auckland’s critical housing shortage.</p> <p>Achievement of WSP objectives and NPSUD requirements to have the site development ready by 2028 along with the anticipated and necessary water and transport infrastructure</p> <p>Adopting the Operative plan MHU Zone will ensure ease of administration due to familiarity of staff, plan users and stakeholders with the current plan.</p>
<b>Risks</b>	<p>Risks of not acting are undermining public confidence in Council processes such as the WSP and adding to the shortfall of Auckland housing supply, particularly on a site that can be upgraded with sufficient physical infrastructure and will support local social infrastructure.</p>

<i>Rule/Standard</i>	<i>Effectiveness and Efficiency (having regard to environmental, economic, cultural and social effects)</i>
Effectiveness	The MHU Zone has been an effective method for enabling appropriate residential development across Auckland and in the Whenuapai area as anticipated in the WSP, RPS, and NPSUD. The MHU Zone in conjunction with relevant Auckland wide and overlay controls will be effective at avoiding, remedying, and mitigating adverse environmental effects as outlined in the AEE and assessment above.
Efficiency	The MHU Zone has been proven to be an efficient method for enabling appropriate residential development, particularly given the familiarity of staff, plan users and stakeholders with the operative provisions.

The FUZ provisions has the potential to result in unnecessary and continued stagnation of the land without any corresponding environmental or other benefits. As assessed in the PPC request, urban development of the site is not limited to only the objective and policies contained within the MHU zone, but the Auckland-wide rules and standards (particularly with respect to stormwater quality and management, natural hazards, transport, and subdivision) will ensure that any other potential effects can be adequately dealt with and responded to in future resource consents. Introducing a MHU Zone and relying on other existing AUP OP provisions is an effective and efficient response for the site and purpose.

#### 4.4 Summary

Section 32(1)(b)(iii) requires a summary for the reasons for deciding on the provisions assessed above. The PPC request and this Evaluation provides the necessary level of technical assessment to determine the most appropriate land use and scale of development for the site to meet the purpose and objectives for the zone. The MHU zone and SMAF1 control provides for the necessary urban land use and development of the site. The proposed rezoning does not conflict with or raise inconsistency with other Auckland wide provisions in the AUP OP. As the site can readily accommodate the growth anticipated under the WSP and by the MHU zone and required by the NPSUD, it would be efficient and effective to support the rezoning of the site.



#### **4.5 Risk of Acting or Not Acting**

Section 32(2)(c) of the RMA requires an Evaluation to assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions. It is considered that there is sufficient information about the proposed rezoning and provisions to proceed with the PPC. The change from FUZ to MHU and SMAF1 control is neither unclear nor uncertain.

This Section 32 Evaluation will continue to be refined in relation to any new information that may arise following notification including during hearings.

#### **4.6 Other Matters**

Sections 32(3), (4) and (4A) are not considered applicable to this PPC as:

- The proposal does not amend a standard or statement that already exists,
- The proposal does not impose a greater or lesser prohibition or restriction on an activity to which a standard applies,
- No advice concerning the proposal has been received from iwi authorities following two engagement processes.

## 5. CONCLUSION

This Report provides the Section 32 Evaluation of the proposed PPC. The purpose of this plan change is to rezone the site at 41-43 Brigham Creek Road, Whenuapai. The entire parcel will be zoned MHU with a SMAF1 overlay under the AUP OP.

An evaluation of the proposed objectives, policies, and provision has been undertaken. Having regard to that evaluation, the objectives of the PPC are consistent with the purpose of the RMA, as :

- The proposed MHU zoning and SMAF1 control will enable the transition from semi-rural land uses to the redevelopment of a residential area in an integrated and comprehensive manner.
- The PPC provides for residential development on the site, whilst maintaining the amenity of the residential environment and managing effects on the environment; and
- The adopted standard rules and provisions that are the most effective and efficient way of achieving the objectives as they ensure the scale and intensity of future development will be appropriately assessed and managed.

As assessed in section 3 of this report, the objectives of the AUP OP are the most appropriate way to address the resource management issues identified and to achieve the purpose of the RMA. Pursuant to Section 32(1)(a), the objectives of the Zone are the most appropriate way to achieve the purpose of the Act.

Section 4 of this report demonstrates that the proposed policies, rules and other methods are efficient and effective in achieving the objectives of the proposal and the purpose of the RMA. In accordance with Section 32(1)(b) the provisions of the AUP OP will effectively and efficiently deliver the urban development of the site.

In accordance with Section 32(1)(c) this evaluation, in conjunction with the AEE contains a level of detail that corresponds to the scale and significance of the environmental, economic, social and cultural effects that are anticipated from the rezoning.

Overall, the plan change enables subdivision, use and development within a greenfield area while ensuring any adverse effects on the environment can be appropriately avoided, remedied or mitigated in a way that is consistent with Part 2 of the Act and the direction given by the Regional Policy Statement.

Overall, the assessment of the provisions above identifies and assess the benefits and costs of the environmental, economic, social, and cultural effects anticipated under the zone including the opportunities for economic growth and employment, and risks of acting or not acting. In particular, the provisions that enable growth provides opportunities for economic growth and further employment in a way that benefits the community and manages adverse effects.