

## Record of a pre-application meeting

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### 1. MEETING DETAILS

**Date** 19 July 2018 **Time** 11:00am

### 2. MEETING PARTICIPANTS - CUSTOMERS

Name	Area of expertise / profession / title
<u>Tim Grace</u>	<u>Planning Consultant, Planz</u>
<u>Doug Shering</u>	<u>Landowner</u>
<u>Gordon Fountain</u>	<u>Stratford Properties</u>

### 3. MEETING PARTICIPANTS - COUNCIL

Name	Title	Role at meeting
<u>Robert Chieng</u>	<u>Team Leader</u>	<u>Meeting Lead</u>
<u>Jas Singh</u>	<u>Development Engineer</u>	<u>Expert – stormwater, flooding, engineering matters</u>
<u>Sarah Gambitsis</u>	<u>Intermediate Planner</u>	<u>Record taker</u>

### 4. SITE & PROPOSAL

#### Site address of proposal

**Street number and name:** 278 Clevedon Kawakawa Road

**Suburb, town or locality:** Clevedon

#### Brief Description of Proposal:

Proposal to subdivide and create cluster subdivision – seeking advice on best way to approach this given underlying zoning, dual zoning of site. The site is zoned Rural Coastal Zone & Tamaki-Firth coastal area. The site is also subject to Controls: Coastal Inundation 1 per cent AEP Plus 1m Control - 1m sea level rise

**New details or and documents provided at meeting:**

- Draft subdivision concept plan was shown at the meeting

**5. MATTERS / ITEMS DISCUSSED AT MEETING**

**Matter / Item 1: Auckland Unitary Plan Zoning Implications**

Tim Grace (TG) outlined the history regarding the zoning of the site.

A submission was made for the rezoning of the site to Countryside Living as part of the AUP process. The rezoning extended from the polo grounds to their far boundary fence and over to McNichol Road.

At the time of the hearings process, Council did not support the proposed rezoning. The Commissioners seemed okay with the idea. It is not clear from the decision why this was not approved, but it was probably due to the fact that the site is within a flood plain.

TG commented that the site lends itself more to lifestyle and not productive use.

The applicant is now seeking guidance on the best route to enable the subdivision. Either as a NC subdivision or as a Private Plan Change (PPC).

He referred to the Council's recent approval of a cluster subdivision on the neighbouring site, although noting that that site falls within the Rural Countryside zone and Clevedon sub-precinct C. That there would be a clear connection of this development with that one.

He noted that the balance of the site would be left for productive use.

In terms of landscape effects, there would be a clear connection with the already approved cluster subdivision. Access and sightlines would be able to be addressed.

He was seeking a steer on whether they would be best to go down the NC Subdivision application or the PPC route.

Robert Chieng (RC) noted that there would be two ways of approaching this.

- 1) As a PPC, he noted that there is a moratorium on people being able to seek plan changes until October of 2018. RC felt that this option would give the applicant more certainty.

TG noted that the Policy Team were fixed and seemed to be rejecting proposals for changes to zones.

- 2) Non-Complying subdivision route was the alternative. He felt that it would be difficult to support from a policy perspective. Any application would need to address the objectives and policies of both the Rural Coastal Zone & Tamaki-Firth coastal area. He felt that this would be a hard case to argue. If a NC application arrived, the planner would need to seek the advice of the Policy Team regarding the policies. RC hasn't gone back to the Policy Team to see whether their position has changed.

TG asked whether the decisions on appeals to subdivide have been released.

RC noted an interim decision was issued on 12 June 2018 by the Environment Court with respect to appeals on the rural subdivision provisions.

TG said he has been trying to track these down and see whether they went back to the Commissioners recommendation. Does it change the policy direction? He recalled that the Commissioner recommendations were more pragmatic. TG asked whether this could be followed up for them.

**ACTION:** Follow up and report back to TG.

**POST MEETING RESEARCH FINDING:** The interim Environment Court decision identified increased potential to create additional lots through the protection of existing native bush and wetland areas as well as revegetation planting. Transferable Rural Site Subdivision was confirmed as a mechanism for Rural-Countryside Living Subdivision. However, no additional areas for receiver sites for title transfers were identified. Further work to resolve the appeals is

required including resolution of the High Court appeal arising from the interim Environment Court decision.

TG referred again to the cluster development on the neighbouring property. What was Council's gut feel on effects?

RC said any application would need to address quite a lot: Earthworks, work in the floodplain, loading and access, wastewater, flooding assessment, access to road and safety, landscape, soil assessment PSI.

TG/ RC noted that the Objectives and Policies would be the main hurdle.  
The site is in two titles.

Who would be the affected parties? Owners/ occupiers of nearby houses, the neighbor who has already had cluster development approved. The owners/ occupiers of the house up on the hill.

Regarding the Objectives and Policies TG noted that they would be seeking to undertake enhancement works of riparian edges, noting ecological overlays. They can provide ecological enhancement. There would be general compliance in that regard. They would also look to combine the balance giving a bigger productive area.

The site floods below the ridgeline. This property lost riparian rights as a result of a previous subdivision.

Regarding Policy direction, TG asked if there is no net loss would this make it more palatable?

RC said that he would need to check with the Policy Planner, but that this would amount to fragmentation of prime soil land in which case subdivision should be avoided as far as practicable.

TG held that it would be development of an area ideal for rural lifestyle but that it would also avoid fragmentation.

RC said that ideally this should be a PPC. We can't rule out public notification. The applicant must be prepared for the worst case scenario.

RC again reiterated that it would be difficult to support from a Policy point of view.

Jas Singh (JS) recommended that they contact Healthy Waters to see if there has been any catchment flood assessment done recently. He recommended that they start communication from the outset to avoid delays or a negative response from Healthy Waters.

Doug Shering (DS) questioned whether they might consider communal disposal fields with a gravity feed downhill. JS said that this wouldn't be acceptable as the site is in a flood plain. Chat with the modelling team.

TG noted that the floodplains have come from modelling done at the time of the submission to the AUP hearings process.

TG/RC concluded PPC probably the most appropriate way.

TG said that they would look at rezoning of the small area on top of the ridge to Countryside Living.

RC said that this would be like an island in a paddock and likely to be considered as 'spot zoning' The applicant's chances at this stage were probably not good.

TG noted that it is probably a matter of time, and that while it may not be acceptable now, that in time as the character changes, the situation might change. Something to look at the next time the AUP is reviewed.

## 6. IMPORTANT INFORMATION

The purpose of a pre-application meeting is to facilitate communication between applicants and the Council so that the applicant can make informed decisions about applying for consents, permits or licenses.

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**Submitted for approval as accurate record of meeting by record taker**

**Name:**

Sarah Gambitsis

**Signature:**



**Approved as accurate record of meeting by meeting lead**

**Name:**

Robert Chieng

**Signature:**