



Proposed Plan Change 17 (PC 17)

Improving consistency of provisions in the
Viewer of the Auckland Unitary Plan
(Operative in Part)

**SECTION 32
EVALUATION REPORT**

Advice note: Please read the 'Navigation guide' on the Proposed Plan Change 17 prior to reading any of the reports and attachments.

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1. Introduction

1.1 Scope and purpose of the report

This report is prepared by Auckland Council (Council) to fulfil the statutory requirements of section 32 of the Resource Management Act 1991 (the RMA) for proposed Plan Change D (PC 17) to the Auckland Unitary Plan (Operative in part) (AUP).

PC 17 is one of a series of four plan changes to address technical issues across the AUP. These plan changes follow on from *Plan Change 4 – Corrections to technical errors and anomalies in the Auckland Unitary Plan (Operative in part) version (PC4)*. The series of proposed follow up plan changes, are proposed to have a slightly broader scope than PC4 to enable a number of the technical issues that did not meet the criteria for inclusion within PC4 to be addressed. Other plan changes in the series include:

- Plan Change 14: Aucklandwide and Overlays
- Plan Change 15: Zones
- Plan Change 16: Coastal

PC 17 introduces changes to the AUP Viewer to amend zone and mapped control, overlay and precinct boundaries to 212 sites across the region. The changes proposed in PC 17 are to:

- ensure the zoning of the site is consistent with surrounding sites;
- ensure the spatial application of zones and/or overlays has been applied correctly to the site, either wholly or partially;
- ensure that zone and precinct boundaries follow road or property boundaries;
- resolve identified inconsistencies in the mapping of controls and overlays; and
- resolve identified inconsistencies in the mapping of zones, overlays or precincts on certain sites within the Waitakere Ranges.

The plan change documents for PC 17 are set out in Attachment 1 and show:

- proposed amendments to the AUP Viewer included in PC 17, and
- any consequential amendments to precinct plans and diagrams.

Section 32 of the RMA requires that before adopting any objective, policy, rule or other method, the Council shall have regard to the extent to which each objective is the most appropriate way to achieve the purpose of the RMA, and whether the policies and rules or other methods are the most appropriate way of achieving the objectives. A report must be prepared summarising the evaluation and giving reasons for the evaluation. In accordance with Section 32(6) of the RMA and for the purposes of this report:

- the 'proposal' means PC 17;
- the 'objectives' means the purpose of the proposal/ PC 17; and
- the 'provisions' means the policies, rules or other methods that implement, or give effect to the objectives of the proposal.

The AUP contains existing objectives, policies, and rules or other methods for the purpose of determining land use, the bulk and location of development and the management of

identified values. PC 17 is not altering or re-litigating any of these provisions or the intent of these provisions. This evaluation report relates to technical mapping issues within the existing policy framework of the AUP. The policy approach remains unchanged, and this report will not re-evaluate it in any more detail.

This evaluation will continue to be refined in relation to any consultation that occurs, and in relation to any new information that may arise, including through submissions and during hearings as per Section 32AA of the RMA.

1.2 Background to the proposed plan change

The structure of the AUP is complex. It is a combined plan pursuant to section 80 of the Resource Management Act 1991, bringing the regional policy statement, the regional plan (including the regional coastal plan) and the district plan into a single document. This plan applies to almost the entire Auckland region, excluding only the district plan provisions in respect of the land area of the Hauraki Gulf Islands. The scale of such a combined planning exercise has never before been undertaken in New Zealand.

The separation of controls among overlays, zones, Auckland-wide and precinct provisions means that a single site may be subject to four or more layers of plan provisions. Accurately identifying all of the provisions that may be relevant to a site or a proposal is integral to understanding the planning controls that might apply.

As a result of the nature of the layered provisions of the AUP, plan users and Council planning staff have been identifying a number of technical mapping issues. These issues affect the usability of the AUP and the overall integration between the text and the maps. Since the AUP has become operative in part (15 November 2016), the Council has been registering potential errors and issues that have been identified by both staff and members of the public. Issues are sent through via email enquiry and then they are registered, categorised and grouped in a spreadsheet by their respective AUP chapter, section, precinct, GIS mapping layer, provision/standard and/or property.

Over 2,000 potential errors or issues have been recorded to date and the number continues to grow as AUP users continue to identify and send potential issues to the Council's enquiry line.

The issues identified so far are found in all components of the AUP (text and maps), and cover a range of matters. Examples include:

- spelling and grammatical mistakes;
- provisions or references which are ambiguous i.e. where a reference does not make sense and doesn't apply to the provision;
- duplicated provisions i.e. where a policy or standard has been repeated unnecessarily;
- inconsistency of provisions, references or formatting;
- rules or standards that don't make sense and don't work in the intended manner that they have been written; and
- where the spatial application of a zone or overlay has been clearly applied to the wrong site, either wholly or partially.

There are four ways in which issues in the AUP can be corrected under the RMA:

- Clause 16(2) of Schedule 1 to the RMA – for alterations of a minor effect, or the correction of minor errors where the plan is not yet operative/still subject to appeal;
- Clause 20A of Schedule 1 to the RMA – for the correction of minor errors where the plan is operative;
- Decisions made on matters subject to appeal; and
- Plan change/s to the AUP.

Plan Change 4 – Corrections to technical errors and anomalies in the Auckland Unitary Plan (Operative in part) (PC4)

Many of the issues that were registered when the AUP first became operative in part were clear errors or anomalies, which although minor in nature could not be amended using Clause 16 or Clause 20A. In order to resolve these issues quickly to enable the AUP to function how it was intended, PC4 was notified in September 2017.

Where an error or anomaly required further research and investigation, there were various possible scenarios or corrections or where the impact of the correction is unclear, these issues were excluded from PC4.

As such the type of issues addressed through PC4 included:

- a) Technical corrections where it is clear from the Independent Hearings Panel (**the Panel**) recommendations that their intentions have not been carried forward into the AUP;
- b) Corrections to reflect agreements reached between a submitter and the council through mediation where the Panel accepted the agreements and recommended they be implemented but this is not reflected in the AUP;
- c) Technical amendments to the provisions to correct information where it does not change the policy or intent of the provision;
- d) Corrections to an overlay, precinct, zone or control where the spatial application has clearly been applied to the wrong land (and this is clearly seen to be a technical error or anomaly and does not lead to a substantive argument/debate of the proposed change in any form);
- e) Corrections to the schedules where there is clear discrepancy between council's closing statement evidence and the AUP and the matter has been agreed between the parties and/or is silent in terms of the Panel's recommendations;
- f) Corrections to anomalies within the AUP where it has either deviated from the AUP or have been incorrectly applied for no apparent reason, and thereby is inconsistent with the provisions and should be amended; and
- g) Updating the AUP Viewer to land recently vested as open space, roads and other types of reserve (e.g. utility reserves).

At the conclusion of the preparation of PC4 the Council was left with a number of issues which required further investigation for potential inclusion in a plan change that had broader scope than PC4. Additionally a range of issues across the AUP continued to be added to the

register. Consequently the Council decided to prepare a series of follow up plan changes to PC4 to continue to address technical issues within the AUP.

A series of proposed follow up plan changes, of which PC 17 is part of, are proposed to have a slightly broader scope than PC4. This is to enable a number of the technical issues that did not meet the criteria for inclusion within PC4 to be addressed.

A project team was established to review the issues that were out of scope of PC4 in addition to the issues that continued to be identified by both staff members and the public. A scope statement for PC 17, as outlined in section 1.1 of this report, was developed to guide this review.

The project team undertook a review of the potential issues registered at the time to determine one of the following courses of action:

- a) Correct the error through Clause 16(2) or Clause 20A;
- b) No further action; or
- c) Address the issue through the PC 17.

In recommending an appropriate course of action the project team considered the following criteria:

1. Technical or Policy Matter

As outlined in section 1.1 above, PC 17 is limited to amending technical issues to improve the usability of the AUP, its clarity, and its overall integration. However, many of the registered issues related to dissatisfaction with various policy directions within the plan. Therefore the first task was to determine if the issues were technical or policy matters.

A technical issue is where a change is required so that the AUP will function in the way it was intended. The amendment of technical issues will not, by themselves, result in any substantive changes to the policy direction of the plan. Technical mapping issues may include:

- Where the spatial application of a zone or overlay has been clearly applied to the wrong site, either wholly or partially;
- Where zone and precinct boundaries fail to correctly follow road or property boundaries;
- Where there are identified inconsistencies in the mapping of controls and overlays; and
- Where there are identified inconsistencies in the mapping of zones, overlays or precincts on certain sites within the Waitakere Ranges, causing alignment issues between the text and the AUP Viewer.

2. Complexity of the Issue

Once the project team had established whether the issues were technical or policy matters, they considered the complexity of the issue. This was in order to determine whether it was

appropriate to address particular issues through an omnibus plan change (i.e. one that covered multiple issues) or whether an issue may be of a scale to warrant its own plan change.

3. *Alternative Options*

In the case of many issues there are alternative options available to resolving the issue other than a change to the plan. The project team considered the alternative options in determining the course of action for each registered issue.

The alternative options include non-statutory methods such as practice notes, guidance or interpretation notes. Non-statutory methods have been utilised where guidance has been needed promptly. In many instances this non-statutory guidance has satisfactorily clarified the provisions thereby resolving the issue. Where this is the case the Council has not pursued amendments to the plan.

In some instances the issues relate to provisions that are the subject of appeals before the courts. There has occasionally been scope to fix the issue through this process.

Another alternative option is to take no further action in relation to an issue. This has been the recommended course of action where the Council does not agree that there is enough evidence to show that this is an issue and will monitor the provisions to determine if a change is warranted in the future.

In some limited circumstances, an amendment via PC 17 is not required as the issue may have been resolved via another process such as a separate plan change. Therefore no change is required to the AUP.

Results of the Review of Registered Issues

As a result of this review the following courses of action were recommended:

- 160 errors were amended using Clause 20a or Clause 16;
- 143 errors via another process (such as the appeals process or internal interpretation/guidance/practice notes);
- 136 potential matters were not progressed and had no further action; and
- 301 potential issues required further investigation for potential inclusion in a plan change that had broader scope than PC4.

The recommendations of the project team were audited by a review panel comprising of senior managers, representatives from the legal and resource consents department and Auckland Transport. The review panel sought to ensure the issues proposed to be included within PC17 were within scope of the plan change and most appropriately addressed by the plan change.

1.3 The resource management issue to be addressed

The resource management issue to be resolved through PC 17 is to correct the identified mapping anomalies over 212 sites within the AUP Viewer, to improve the workability of the plan and ensure a more unambiguous set of provisions apply to the subject sites.

The identified mapping anomalies are creating confusion for plan users and increasing the likelihood of debate and litigation when administering the AUP. The identified mapping anomalies are also impacting the integrity of the AUP through compromising the ability to implement the plan as intended.

1.4 Objectives of the proposed plan change

PC 17 introduces amendments within the AUP Viewer, and these are identified in section 6 below.

Zoning is a key method within the AUP to give effect to the objectives and policies of the Regional Policy Statement. Zoning as a technique allows bundles of regional and district provisions to be grouped by geographic area. Where important values or characteristics exist in a part of the region these are provided for through the use of Overlays and/or Precincts.

An evaluation under Section 32 of the RMA must examine the extent to which the objectives of PC 17 are the most appropriate way to achieve the purpose of the RMA. The objective of PC 17, or the purpose of the plan change, is to address the identified mapping anomalies (as outlined in section 6 below), in order to:

- Ensure the zoning of sites is consistent with surrounding sites;
- Ensure the spatial application of zones and/or overlays has been applied correctly to the site, either wholly or partially;
- Ensure that zone and precinct boundaries follow road or property boundaries;
- Resolve identified inconsistencies in the mapping of controls and overlays; and
- Resolve identified inconsistencies in the mapping of zones, overlays or precincts on certain sites within the Waitakere Ranges.

The plan change should assist the Council to carry out its functions in order to achieve the purpose of the RMA, being to promote the sustainable management of natural and physical resources.

The evaluation of the identified amendments to the AUP Viewer concludes that these are mapping anomalies which have the potential to create confusion for plan users¹. The uncertainty or ambiguity created by the current provisions identified in this report impacts the functionality and workability of the AUP and increases the risk of debate and litigation when administering the AUP. Amending the AUP Viewer to resolve these identified issues is the most appropriate way to achieve the purpose of the RMA, as outlined in the evaluation of options below.

¹ Council's resource consents department and external planning practitioners involved in consenting processes as well as the property owners themselves.

1.5 Development and Evaluation of Options

Section 32 of the RMA requires an examination of whether the provisions in PC 17 are the most appropriate way to achieve the objectives of the proposed plan change by identifying other reasonably practical options for achieving the objective. In the preparation of PC 17, the following options have been identified:

Option 1 – Adopt a ‘do nothing’ approach (retain the status quo) with no change to the AUP Viewer.

Option 2 – Undertaking non-regulatory methods to achieve the objective.

Option 3 – Undertaking regulatory methods – a plan change to amend the identified technical mapping issues within the AUP Viewer in respect of 212 sites.

Option 4 – Undertaking other regulatory methods – addressing technical mapping issues at a later but undetermined date, as part of a full AUP review.

1.6 Evaluation of Options (Overview Evaluation)

Option 1 – *Adopt a ‘do nothing’ approach (retain the status quo)*

The ‘do nothing’ option means the mapping anomalies which have the potential to compromise the integrity of the AUP will not be addressed. By not amending the AUP Viewer, mapping anomalies will continue to cause confusion for plan users increasing the risk of debate and litigation while implementing the plan. The AUP Viewer will continue to have mapping anomalies that affect the ability of the AUP to promote the purpose of the RMA in an integrated way.

Option 2 – *Non-regulatory methods*

Non regulatory methods to address the identified mapping anomalies include practice notes, guidance or interpretation notes. This option is an alternative to addressing mapping anomalies through a plan change.

Option 3 – *Regulatory methods - A plan change to amend the identified technical mapping issues within the AUP Viewer in respect of 212 sites*

This option will address the identified mapping anomalies within the AUP Viewer, through a statutory process. The statutory plan change process allows the mapping anomalies to be addressed in a clear and legally robust process.

Option 4 – *Other regulatory methods – Address technical issues at a later date, as part of a full AUP review*

Other regulatory methods to address the identified mapping anomalies include waiting to amend the AUP Viewer to address the identified mapping anomalies as part of the full plan review. This would involve incorporating the amendments proposed to address the mapping anomalies into the review of the AUP which is approximately five to ten years away.

Table 1 – Summary of the analysis of the plan change under Section 32(2) of the RMA

Options	Efficiency and effectiveness	Benefits	Costs
<p>Option 1: Adopt a ‘do nothing’ approach (retain the status quo)</p>	<p>The do nothing option is not an effective or efficient option to achieve the objectives of PC 17 (to address identified mapping anomalies to remove ambiguity and ensure a more workable set of provisions apply to the subject sites). The identified mapping anomalies have arisen as the plan has been used. This option will do nothing to address the identified mapping anomalies which are compromising the ability to implement the plan as intended. This option will also lead to inefficient implementation of the AUP as the plan users will have to clarify mapping anomalies on a case by case basis.</p>	<p>As a plan change is not pursued under this option, there is no financial burden on the Council to undertake a public plan change.</p> <p>This option also allows the Council more time to collate further mapping anomalies and research appropriate solutions.</p> <p>There is a risk that in trying to address an issue a further issue can be created. With no action, this can be prevented.</p>	<p>If users of the AUP Viewer interpret the AUP differentially because of the identified mapping anomalies, there is both an economic and environmental cost.</p> <p>The need to clarify the identified mapping anomalies will slow down the consenting process. There is also the potential for litigation and debate over the correct provisions. This in turn limits the productivity of the AUP.</p> <p>The identified mapping anomalies compromise the ability to implement the plan as intended. This could result in outcomes that are not aligned with the objectives and policies of the AUP and in turn the purpose of the RMA. Or unintended environmental outcomes that threaten the anticipated environmental results in the AUP.</p>
<p>Option 2: Non-regulatory methods</p>	<p>Non-regulatory methods include practice notes, guidance or interpretation notes which do not have any statutory weight. This lack of weight may limit the effectiveness of this option in achieving the objectives of PC 17 as the guidance contained</p>	<p>This option requires limited staff time and resourcing, compared to a plan change. It also allows mapping anomalies to be addressed in a timely manner as practice notes, guidance or interpretation notes do not need to go through</p>	<p>Due to the non-statutory nature of practice notes, guidance or interpretation notes there is the potential for both an economic and environmental cost.</p> <p>Non-statutory guidance may be challenged and</p>

	<p>within non-statutory guidance can be challenged or ignored. These non-regulatory methods will for most of the AUP Viewer issues, be ineffective. This is due to the changes being the movement of spatial boundaries or affectation types. These are all unique in nature and therefore cannot be clarified or resolved effectively via non-regulatory methods. Furthermore, guidance notes themselves are open to interpretation and therefore there is a risk that these non-statutory documents have the potential to impact on the integrity and public opinion of the AUP.</p>	<p>a statutory process.</p>	<p>ignored by plan users, which could slow down the consenting process and increase the potential for litigation and debate over the correct provisions. This in turn limits the productivity of the AUP.</p> <p>The identified mapping anomalies compromise the ability to implement the plan as intended. If non-statutory guidance is ignored or challenged this could result in outcomes that are not aligned with the objectives and policies of the AUP, and in turn the purpose of the RMA.</p>
<p>Option 3: Regulatory Methods - A plan change to amend the identified technical mapping issues within the AUP Viewer in respect of 212 sites</p>	<p>A plan change can effectively address the mapping anomalies identified in the AUP Viewer to remove ambiguity and ensure a more unambiguous set of provisions apply to the subject sites. Through undertaking four plan changes based on the structure of the plan, a more efficient process can be followed, via a series of small discrete plan changes addressing individual issues. It also ensures that similar issues can be grouped together while stopping the plan change from getting so large that it is difficult to</p>	<p>At present, PC 17 can be resourced through existing staff budgets. Depending on the submissions received and the issues that arise there may be the potential for higher costs in the future.</p>	<p>By addressing the identified mapping anomalies within the AUP Viewer, consenting should become more efficient.</p> <p>The plan can be implemented as intended which ensures that the outcomes reflect the objectives and policies of the AUP and also the purpose of the RMA.</p>

	manage and interpret by plan users.		
Option 4: Other regulatory methods – Address technical issues at a later date, as part of a full AUP review	This option involves a comprehensive review of the AUP which allows the identified mapping anomalies to be comprehensively reviewed at the same time. Although it is efficient to review the issues as part of a wider review of the plan, this is not an effective approach as the issues will remain unresolved for the next five to ten years.	This option is cost efficient in that the mapping anomalies can be addressed as part of a wider review of the AUP. As the timeframe for the review however is more than five years away, the costs of the mapping anomalies will significantly outweigh the benefits. There costs include lost development opportunities and costs caused by difficulty in plan interpretation.	<p>As the mapping anomalies will remain in the AUP Viewer until it is reviewed the environmental and economic costs that are associated with these issues will remain.</p> <p>The need to clarify the identified mapping anomalies will slow down the consenting process. There is also the potential for uncertainty and confusions over the correct zoning, overlays, controls and precincts to be applied to a site. This in turn limits the productivity of the AUP.</p> <p>The identified mapping anomalies compromise the ability to implement the plan as intended. This could result in outcomes that are not aligned with the objectives and policies of the AUP and in turn the purpose of the RMA.</p>

1.7 Risk of acting or not acting

Section 32(2)(c) of the RMA requires this evaluation to assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions. There is considered to be sufficient information about the technical mapping issues being addressed through PC 17 to proceed with the plan change.

This evaluation will continue to be refined in relation to any new information that may arise following notification, including during hearings on PC 17 as required by Section 32AA.

2. Reasons for the proposed plan change

2.1 Reasons for the preferred option

The evaluation of options above concludes that a plan change is the most appropriate option to address the identified mapping anomalies in the AUP Viewer.

Option 1, which is to maintain the status quo, is not recommended. The mapping anomalies can result in differing interpretations of the AUP, delay consenting and have an overall impact on the functionality and integrity of the AUP.

Option 2, the non-statutory approach, which would include guidance material or advice on plan interpretation is not recommended as this type of guidance does not have statutory standing and therefore can be challenged or interpreted differently by different plan users. This can reduce any gains in efficiencies in plan administration and also pose a reputational risk to the integrity of the AUP.

Both regulatory options (options 3 and 4) allow mapping anomalies to be addressed in a legally robust manner and increase efficiencies in the administration of the AUP. While Option 4 is more holistic and cost efficient in the longer term, in the immediate term the issues will remain unresolved. Timeliness is an important dimension in addressing the issues as the potential costs and risks posed by these technical mapping issues are significant and have a real impact on the way land is used in the present. Through proceeding with Option 3 the mapping anomalies can be resolved so that the plan can be efficiently administered.

2.2 Scope of plan change

The scope of PC 17 is limited to addressing the mapping anomalies over 212 sites (outlined in section 6 of this report) that are compromising the ability of plan users to efficiently interpret the AUP. PC 17 is limited to amending technical mapping issues to ensure the subject provisions give effect to the objectives and policies of the AUP.

In relation to the AUP Viewer, the following matters are included within the scope of PC 17:

- Where the zoning of the site does not follow the pattern of zoning applied to the surrounding sites;
- Where the spatial application of a zone or overlay has been clearly applied to the wrong site, either wholly or partially.
- Where zone and precinct boundaries fail to correctly follow road or property boundaries;
- Where there are identified anomalies in the mapping of controls and overlays; and
- Where there are identified anomalies in the mapping of zones, overlays or precincts on certain sites within the Waitakere Ranges, causing alignment issues between the text and the AUP Viewer.

PC 17 does not seek to alter the current policy direction of the plan. It will not alter the outcomes of the objectives and policies nor will it seek to add new objectives and policies.

3. Statutory evaluation under Part II and relevant sections of the Resource Management Act (RMA)

3.1 Part 2 of the RMA and relevant sections of the RMA

The purpose of the RMA is to promote the sustainable management of natural and physical resources, as defined in section 5(2) of the RMA. Zoning is a key method used in the AUP to achieve the purpose of the RMA. Zoning as a technique allows “*bundles of activities considered generally appropriate in each zone or area, in recognising the constraints of the environment, and that some activities may not be appropriate in every location*”². Zoning also sets out a common policy direction to assist in determining the existing or future nature of those areas.

The AUP adopts a zoning approach to land use and the management of activities in the Coastal Marine Area (**CMA**). Zones are areas where common land uses and activities are anticipated. Zones are spatially mapped in the AUP Viewer and all land and areas within the CMA are assigned a single zone.

The matters of national importance set out in Section 6 of the RMA represent values that must be recognised and provided for when considering appropriate locations for zones. Many of these values are represented by overlays in the AUP Viewer, such as Significant Ecological Areas (**SEA**) for example.

In determining the location of zones, particular regard must also be had to the matters listed in Section 7 of the RMA, including the efficient use and development of natural and physical resources, the intrinsic values of ecosystems, the maintenance and enhancement of the quality of the environment, and the maintenance and enhancement of amenity values.

Section 8 of the RMA requires the principles of the Treaty of Waitangi (**Treaty**) to be taken into account. PC 17 has a narrow purpose to amend the AUP Viewer in respect of 212 sites in order to address technical mapping issues that are affecting the administration of the AUP. Given that PC 17 is not addressing any policy matters PC 17 is consistent with the principles of the Treaty.

3.2 Other relevant sections of the RMA

In the PAUP as was notified, depending on the location of the zone, zoning is either a regional plan or a district plan method. The statutory framework for assessing the merits of the spatial application of the zones is set out in Sections 30, 31, 32, 63 to 68, 72 to 76 and 80 of the RMA³.

² *Keystone Watch Group v Auckland City Council* A7/2001 at paragraph [30]

³ *Section 30 – Functions of regional councils under this Act*
Section 31 – Functions of territorial authorities under this Act
Section 63 – Purpose of regional plans
Section 65 – Preparation and change of other regional plans
Section 66 – Matters to be considered by regional councils (plans)
Section 67 – Contents of regional plans
Section 68 – Regional rules

Sections 30 and 31 of the RMA state that a function of council is to control any actual or potential effects of the use, development or protection of land and associated natural and physical resources of the district and regional level.

Section 80 of the RMA sets out the approach to which local authorities may prepare, implement, and administer the combined regional and district documents. The AUP is a combined regional and district plan.

In preparing PC 17, the council must apply the requirements of Section 80 of the RMA. In particular subsection 6A *'in preparing or amending a combined document, the relevant local authority must apply the requirements of this Part, as relevant to the documents comprising of the combined document'*. The AUP contains a regional policy statement, a regional plan, a regional coastal plan and a district plan for the Auckland region.

Sections 63 to 68 and 72 to 76 of the RMA are relevant to the preparation and implementation of PC 17. In addition to the above, Section 80(6B) of the RMA, *'the relevant local authorities may also, in preparing the provisions of a regional plan or a district plan, as the case may be, for a combined document that includes a regional policy statement – (a) give effect to a proposed regional policy statement; and (b) have regard to an operative regional policy statement.'*

The AUP contains existing objectives, policies, rules and other methods that are of regional and district significance. PC 17 is correcting mapping anomalies within the AUP Viewer. By correcting these mapping anomalies, PC 17 will have regard to the operative regional policy statement provisions and will give effect to any proposed amendments to the regional policy statement.

Overall, it is considered that PC 17 assists the Council in carrying out its functions set out in Sections 30 and 31 of the RMA to meet the requirements of the prescribed sections of the RMA set out above. It is important to note that PC 17 is not altering or re-litigating any of the objectives and policies of the AUP. PC 17 is targeted at corrections of clear technical anomalies within the AUP viewer. The policy approach, their purpose and function remains unchanged, and this report will not evaluate these parts in any more detail.

3.3 Sections 86B–86G of the RMA

Sections 86B to 86G of the RMA specify when a rule in a proposed plan has legal effect.

When deciding the date a plan change takes effect, the RMA provides in Section 86B(1) that 'a rule in a proposed plan has legal effect only once a decision on submissions relating to

Section 72 – Purpose of district plans
Section 73 – Preparation and change of district plans
Section 75 – Contents of district plans
Section 76 – District rules
Section 79 – Review of policy statements and plans
Section 80 – Combined regional and district documents

the rule is made and publicly notified'. Exceptions are provided for in Section 86B(3), 'a rule in a proposed plan has immediate legal effect if the rule –

- (a) protects or relates to water, air, or soil (for soil conservation); or
- (b) protects areas of significant indigenous vegetation; or
- (c) protects areas of significant habitats of indigenous fauna; or
- (d) protects historic heritage; or
- (e) provides for or relates to aquaculture activities.'

Certain types of rules in the AUP have immediate legal effect from the date of notification of PC 17, provided that they fit within section 86B(3) of the RMA. Immediate legal effect means that a rule must be complied with from the day the proposed rule (or change) is notified.

Table 3.3.1 identifies the provision in PC 17 that will have immediate legal effect on and from the date on which the PC 17 is publicly notified (29 November 2018). PC 17 proposes one amendment that is considered to fit within section 86B(3) of the RMA. This is to amend the extent of the Sites and Places of Significance to Mana Whenua Overlay (037, Wiri Stonefields North) at 151 Wiri Station Road, Manurewa, 11 Puaki Drive, Manurewa, 220 Wiri Station Road, Manukau Central. Under Section 86B(3)(d), the amendments relate to the protection of historic heritage. The changes to the AUP as a result of this amendment is contained in Attachment 1.

The remaining proposed amendments in PC 17 (Attachment 1) will not have legal effect until the release of the decision notice of PC 17.

Table 3.3.1 - List of proposed amendments in PC 17 that will have immediate legal effect on and from the date on which the PC 17 is publicly notified (29 November 2018)

Address	Theme outlining proposed change	Reason for immediate legal effect
151 and 220 Wiri Station Road, Manukau and 11 Puaki Drive, Manurewa (LOT 500 DP 516602, LOT 1 DP 516602, SEC B SO 68724)	Theme 6.3: Inconsistencies in the mapping of controls and overlays to identified sites	Protects historic heritage (Sites of Significance to mana Whenua Overlay)

4. National and Regional Planning Context

In addition to the statutory evaluation detailed in Section 3 of this report, there are a number of other statutes, regulations, national directives, policies and plans that are of relevance to PC 17.

4.1 New Zealand Coastal Policy Statement

Sections 62(3), 67(3) and 75(3) of the RMA require that a regional policy statement, regional plan and district plan must give effect to the New Zealand Coastal Policy Statement (NZCPS).

The AUP contains existing objectives, policies, rules, zoning and other methods that give effect to the NZCPS.

PC 17 proposes the following amendments to the AUP Viewer to properties that border the Coastal Marine Area (CMA) or are in the coastal environment:

- Rezoning properties in the Hingaia North area which are zoned Rural and Coastal Settlement zone and are inside the Rural Urban Boundary (**RUB**) to Residential - Single House zone;
- Correcting split zoning anomalies over two properties on Big Bay Road, Waiuku to ensure that zone boundaries follow property boundaries;
- Extending the Subdivision Variation Control to two areas of land within the Maraetai Township zoned Single House to manage the existing pattern and density of subdivision to protect the low-density character of Maraetai; and
- Correcting split zoning anomalies over several coastal properties along Kano Way on Scott Point, Hobsonville. The proposed amendment to correct the split zoning anomalies is to apply Residential – Single House zone consistently to the properties that border the Coastal Marine Area.

The following provisions of the NZCPS are of particular relevance to the amendments to the AUP Viewer proposed to properties that border the CMA or are in the coastal environment:

- Policy 6(1)(f) encourages consideration to be given to where development that maintains the character of the existing built environment should be encouraged, and where development resulting in a change in character would be acceptable;
- Policy 6(1)(i) seeks to set back development from the CMA and other water bodies, where practicable and reasonable, to protect the natural character, open space, public access and amenity values of the coastal environment.

The amendments do not seek to change the character of the coastal environment, and are intended for the purpose of maintaining and protecting the character and values of the coastal environment. The amendments will not affect the character of the coastal environment, and are therefore consistent with the NZCPS.

4.2 National Policy Statements

National policy statements are instruments issued under Section 52(2) of the RMA and state objectives and policies for matters of national significance. There are five national policy statements in place:

- National Policy Statement on Urban Development Capacity
- National Policy Statement for Freshwater Management
- National Policy Statement for Renewable Electricity Generation
- National Policy Statement on Electricity Transmission
- National Policy Statement on Plantation Forestry

At present, the Ministry for the Environment is in the process of developing a proposed National Policy Statement for Indigenous Biodiversity.

The National Policy Statement on Urban Development Capacity sets out a desire to provide for urban environments that enable the social, economic, cultural and environmental wellbeing of current and future generations as well as provide opportunities for development of housing and business land to meet demand.

Sections 62(3), 67(3) and 75(3) of the RMA require that a regional policy statement, regional plan and district plan must give effect to any national policy statements.

In light of the narrow purpose of PC 17 to amend the AUP Viewer to address identified technical mapping issues at a property scale, overall PC 17 is consistent with the purpose and principles of the national policy statements listed above.

4.3 National Environmental Standards

There are currently five National Environmental Standards in force as regulations:

- National Environmental Standards for Air Quality
- National Environmental Standard for Sources of Drinking Water
- National Environmental Standards for Telecommunication Facilities
- National Environmental Standards for Electricity Transmission Activities
- National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health

Section 44A of the RMA requires local authority to recognise national environmental standards.

In light of the narrow purpose of PC 17 to amend the AUP Viewer to address identified technical mapping issues at a property scale, overall PC 17 is consistent with the purpose and principles of the national environmental standards listed above.

4.4 Other Acts

4.4.1 Hauraki Gulf Marine Park Act 2000

The Hauraki Gulf Marine Park Act 2000 (HGMPA) has the purpose of seeking the integrated management of the national, historic and physical resources of the Hauraki Gulf, its islands, and catchments. It also established the Hauraki Gulf Forum, the Park itself and the recognition of tangata whenua with the Hauraki Gulf and its islands.

PC 17 does not propose any changes to zoning within the Hauraki Gulf or its islands and therefore it is consistent with the purpose of HGMPA and Section 6 of the RMA (recognition of the national significance of the Hauraki Gulf, and its islands).

4.4.2 Waitākere Ranges Heritage Area Act 2008

The purpose of the Waitākere Ranges Heritage Area Act 2008 (WRHAA) is to recognise the national, regional and local significance of the Waitākere Ranges heritage area and promote its protection and enhancement for present and future generations.

To achieve this, the WRHAA established the Waitākere Ranges area as a matter of national significance (Section 6 of the RMA) and defines its heritage features. Furthermore, it

provides additional matters for the council and other parties to consider when making decisions, exercising a power or carrying out its duty that relate to the heritage area.

PC 17 seeks the following outcomes in relation to the Waitākere Ranges area:

- Correct and consistent application of established zones to parcels of land removing spot zones that bear no relationship to the adjacent zones, land parcels with split zones, and incorrect zoning of land.

In light of the limited purpose of PC 17 to amend technical mapping issues at a property scale within the AUP Viewer, overall PC 17 is consistent with the purpose of WRHAA and Section 6 of the RMA (recognition of the national significance of the Waitākere Ranges and its heritage features).

4.4.3 Local Government Act 2002

Council's functions and powers are derived from the purpose of the Local Government Act 2002 (LGA). The LGA mandates the purpose, funding, and governance duties of the council. With additional responsibilities for Auckland Council under the provisions of the Local Government (Auckland Council) Act 2009, including the preparation of a spatial plan.

Section 12 of the LGA states that a local authority has full capacity to carry out or undertake any activity or business, do any, or enter into any transaction with full rights, powers and privileges subject to any other enactment and the general law.

PC 17 is prepared under the RMA and overall is consistent with the LGA.

4.4.4 Local Government (Auckland Transitional Provisions) Act 2010

The purpose of the Local Government (Auckland Transitional Provisions) Act 2010 (**LGATPA**) is to resolve further matters relating to the reorganisation of local government in Auckland begun under the Local Government (Tāmaki Makaurau Reorganisation) Act 2009 and continued under the Local Government (Auckland Council) Act 2009.

In Section 3(2)(d) of the LGATPA it states this Act "*provides a process for the development of the first combined planning document for Auckland Council under the RMA*".

Part 4 (Sections 115-171) of the LGATPA outline the process for development of the combined plan for Auckland Council. The development of the first combined plan followed the legislation set out in LGATPA, and the Hearings Panel (also known as IHP) was set-up under the LGATPA.

Although the AUP is now operative in part, and PC 17 is prepared under the RMA, the purpose of the plan change is to address technical mapping issues that have arisen from the development of the first combined plan process. Consequently reference is made to the material developed in this process to support the proposed amendments included in PC 17. In particular, reference is made to the best practice approaches to re-zoning and precincts set out in the Interim Guidance produced by the IHP dated 31 July 2015⁴ (see Attachment

⁴ AUPIHP Interim Guidance Best Practice Rezoning, Precincts and Changes to the Rural Urban Boundary dated 31 July 2015.

2). This is guidance on the spatial application of zones and precincts that the IHP released to assist with responding to the many submissions on zoning.

4.5 The Auckland Plan

The Auckland Plan 2012 is a 30 year strategy for Auckland's future growth and development required under the Local Government (Auckland Council) Act 2009. The Auckland Plan is a strategy prepared under other legislation to which regard should be had pursuant to section 74(2)(b)(i) of the RMA. The Auckland Plan specifically identifies the AUP as a means of implementing the Auckland Plan.

Section D of the Auckland Plan is of particular relevance to the AUP Viewer as it sets out a development strategy for Auckland to 2050. A key element of the development strategy is moving to a more compact quality urban form. The Auckland Plan also identifies the need to achieve a balance between increasing the development potential of land in Auckland, and ensuring the protection of historic and natural heritage, integration with infrastructure, resilience to natural hazards and enabling housing choice.

The RPS broadly gives effect to the strategic direction set out in the Auckland Plan.

The Auckland Plan has been reviewed and the Auckland Plan 2050 is now available. The plan sets out three key challenges Auckland will face over the next 30 years – our high population growth and its various impacts, sharing prosperity across all Aucklanders and reducing environmental degradation. The plan is framed around six outcomes and a development strategy. The development strategy sets out how Auckland will grow and change over the next 30 years, including sequencing of growth and development.

The strategic directions in the Auckland Plan (2012) influenced the spatial application of zones, overlays and controls within the AUP. The amendments to the AUP Viewer proposed within PC 17 are minor and do not change the way in which the AUP implements the strategic direction of the Auckland Plan 2012 or the Auckland Plan 2050.

4.6 Auckland Unitary Plan (Operative in part)

When preparing or changing a district plan, Council must give effect to any RPS and have regard to any proposed RPS. The RPS identifies a number of issues of regional significance, and several of these are relevant to PC 17.

- B2: Tāhuhu whakaruruhau ā-taone - Urban growth and form
- B3 Ngā pūnaha hanganga, kawekawe me ngā pūngao - Infrastructure, transport and energy
- B4 Te tiaki taonga tuku iho - Natural heritage
- B5 Ngā rawa hanganga tuku iho me te āhua - Built heritage and character
- B6 Mana Whenua
- B7 Toitū te whenua, toitū te taiao - Natural resources
- B8 Toitū te taiwhenua - Coastal environment
- B9 Toitū te tuawhenua - Rural environment

Relevance to PC 17

PC 17 is correcting mapping anomalies within the AUP viewer. By correcting these anomalies, PC 17 will have regard to the objectives and policies within the RPS. PC 17 is not proposing any amendments to the RPS itself. Overall, it is considered that PC 17 is consistent with the RPS provisions of the AUP.

4.7 Iwi Management Plans

An iwi management plan (**IMP**) is a term commonly applied to a resource management plan prepared by an iwi, iwi authority, rūnanga or hapū. IMPs are generally prepared as an expression of rangatiratanga to help iwi and hapū exercise their kaitiaki roles and responsibilities. IMPs are a written statement identifying important issues regarding the use of natural and physical resources in their area.

The RMA describes an iwi management plan as "...a *relevant planning document recognised by an iwi authority and lodged with the council*⁵". IMPs must be taken into account when preparing or changing regional policy statements and regional and district plans (Sections 61(2A)(a), 66(2A)(a), and 74(2A) of the RMA).

Council is aware that the following iwi authorities have an iwi management plan:

- Ngāti Whātua Ōrākei
- Te Kawerau-a-Maki • Ngāti Rehua • Ngāti Paoa
- Waikato – Tainui
- Ngāti Te Ata • Ngātiwai
- Ngāi Tai ki Tāmaki
- Te Uri o Hau

The amendments to the AUP Viewer proposed within PC 17 are minor and will have little bearing on the Iwi Management Plans listed above.

5. Development of Proposed Plan Change

5.1 Methodology and development of Plan Change

5.1.1 Develop the Scope of PC 17

First, council developed a statement on the scope of PC 17. This is outlined in section 1 of this report. The statement on scope provided the criteria to determine which issues could be included in PC 17.

5.1.2 Review of Issues

As outlined in section 1.2 of this report, council staff and the public have identified potential issues in the AUP and sent these to the council's unitary plan email address. The project

⁵ Sections 61(2A)(a), 66(2A)(a), and 74(2A) of the RMA

team and staff then undertook a review of all identified issues and determined an appropriate course of action for each of the issues.

The recommendations of the project team were audited by a review panel comprising of senior managers, representatives from the legal and resource consents department and Auckland Transport. The review panel sought to ensure the issues proposed to be included within PC 17 were within scope of the plan change and most appropriately addressed by the plan change.

5.1.3 Development of Proposed Amendments

Issue definition

The issues proposed for inclusion within PC 17 have been recorded verbatim from the original source email. As a first step the project team grouped similar issues and clarified the issues so that it was clear what the plan change is trying to achieve.

Research and Collection of Evidence

Once the issues had been clearly defined the project team undertook background research to determine how the issue had come about and built up an evidence basis to support or reject proposed amendments to the plan.

Depending on the issue, this process included reviewing recent consent decisions, seeking input from experts, undertaking site visits and consulting with internal and external stakeholders. The consultation is outlined in section 5.2 of this report.

Development of first draft of proposed amendments and draft Section 32 evaluation

The project team drafted amendments to the AUP to address the various issues and documented the Section 32 evaluation process.

Identify affected sections of the plan

The project team then identified an initial index of the sections of the AUP and property addresses affected by proposed amendments to address the identified issues. The purpose of the index was to ensure that consequential amendments could be identified and to identify any crossover between different workstreams. It was also used in consulting with stakeholders to determine areas of interest.

Stakeholder Review of draft amendments and Section 32 evaluation

The proposed amendments and draft Section 32 evaluation report was circulated to internal stakeholders for comment and feedback. The internal stakeholders included plan users across the Council including resource consents department and Council Controlled Organisations such as Auckland Transport and Watercare.

Upon receiving this feedback the proposed amendments and Section 32 evaluation reports were further refined.

5.2 Consultation Undertaken

In accordance with clause 3 of Schedule 1 of the RMA, during the preparation of a proposed policy statement or plan, Council is required to consult with:

- a) the Minister for the Environment; and
- b) those other Ministers of the Crown who may be affected by the policy statement or plan; and
- c) local authorities who may be so affected; and
- d) the tangata whenua of the area who may be so affected, through iwi authorities; and
- e) any customary marine title group in the area.

A local authority may consult anyone else during the preparation of a proposed policy statement or plan. A letter was sent on the 14th of August 2018 to the Ministry for the Environment.

5.2.1 Summary of general consultation undertaken

As PC 17 is focused on mapping anomalies on privately owned properties, specific consultation was undertaken with the affected property owners prior to notification of the plan change. Letters were sent on 5 June 2018 to all affected property owners. The letters provided an explanation of the proposed plan change, the amendment to the property proposed by Council to correct identified mapping anomalies, as well as offering the opportunity for direct discussion meetings and/or further clarification provided via phone or email. 15 property owners responded to the direct discussion letters sent out.

In summary, of the property owners who responded:

- 12 sought clarification on what the letter meant, and what changes the proposed amendment would have on their property; and
- Three property owners provided additional information and/or evidence that Council was not aware of which resulted in an informed amendment to the original proposal.

Staff advised members of the public and internal staff within the council who had sent in potential issues to the email address (unitaryplan@aucklandcouncil.govt.nz) to advise them on the course of action in response to the issue raised. A number of these customers were advised that their potential issue would be addressed as part of a plan change process.

Council have also sent a copy of PC 17 to statutory bodies and parties specifically affected by amendments in PC 17 (such as the Ministry for the Environment and the specific Local Boards for each AUP Viewer amendment).

5.2.2 Consultation with iwi authorities

Clause 3(1)(d) of Schedule 1 to the RMA, states that local authorities shall consult with tangata whenua of the area who may be so affected, through iwi authorities, during the preparation of a proposed policy statement or plan.

Due to the nature and scale of PC 17, staff have identified, through the mana whenua-defined rohe maps, the following iwi authorities who Council must consult with on the content of the plan change:

- Ngāti Wai
- Ngāti Manuhiri
- Ngāti Rehua
- Te Runanga o Ngāti Whātua
- Te Uri o Hau
- Ngāti Whātua o Kaipara
- Ngāti Whātua o Ōrākei
- Te Kawerau a Maki
- Ngāti Tamaoho
- Te Akitai Waiohua
- Ngāti Te Ata Waiohua
- Te Ahiwaru
- Ngai Tai ki Tāmaki
- Ngāti Paoa
- Ngāti Whanaunga
- Ngāti Maru
- Ngāti Tamaterā
- Te Patukirikiri
- Waikato-Tainui

Clause 4A of Schedule 1 to the RMA states that local authorities must:

- Provide a copy of a draft proposed policy statement or plan to iwi authorities to consider
- Have regard to feedback provided by iwi authorities on the draft proposed policy statement or plan
- Provide iwi authorities with sufficient time to consider the draft policy statement or plan.

And in addition to the above, recent legislation changes to the RMA introduced Section 32(4A):

(4A) If the proposal is a proposed policy statement, plan, or change prepared in accordance with any of the processes provided for in Schedule 1, the evaluation report must—

- (a) summarise all advice concerning the proposal received from iwi authorities under the relevant provisions of Schedule 1; and*
- (b) summarise the response to the advice, including any provisions of the proposal that are intended to give effect to the advice.*

Summary of feedback from iwi authorities

A draft copy of PC 17 Unitary Plan Viewer was provided to the iwi authorities in the Auckland region on 14 August 2018 with the accompanying section 32 evaluation reports. The only response received was from Ngāti Whātua Ōrākei who were supportive of the proposed plan changes. A Hui was held with the planning representative from Ngāti Whātua Ōrākei to go over the key points face to face.

6. Evaluation approaches

This part of the report evaluates the proposed amendments to the AUP Viewer contained within PC 17. The proposed amendments fall within four themes:

- The zoning of the site is inconsistent with surrounding sites (i.e. a “spot zone”), where multiple zones have been applied to a single site (i.e. a “split zone”) or the incorrect zoning has been applied;
- Zone and precinct boundaries no longer follow road or property boundaries as a result of a recent subdivision;
- Inconsistencies in the mapping of controls and overlays to identified sites; and
- Inconsistencies in the mapping of zones on certain sites within the Waitakere Ranges.

The evaluation that follows relates to these four key themes.

6.1 The zoning of the site(s) is inconsistent with surrounding sites “spot zone”, where multiple zones have been applied to a single site “split zone” or the incorrect zoning has been applied

There are nine identified mapping anomalies within the AUP Viewer where the zoning of site(s) is causing issues because:

- more than one zone has been applied to a property (split zone) in an urban setting; or
- the zoning of the site is inconsistent with surrounding sites (spot zone); or
- the incorrect zone has been applied to the site.

The identified spot zoning, split zoning and incorrect zonings within the AUP Viewer are causing workability issues as property owners do not have a clear understanding of what they can and cannot do on their properties. The identified spot zoning and incorrect zoning creates inconsistencies when development occurs in an area. The objective of this plan change is to correct zoning issues, improving the efficiency, effectiveness and usability of the AUP Viewer for property owners as well as Council staff and the public generally.

While split zoning is generally not supported, it is sometimes warranted on large rural sites, or where the characteristics of the land justify a different zoning pattern.

The spot zone, split zone and incorrect zoning mapping anomalies have been identified by both property owners/residents and by Council staff.

The alternatives available to address the problems identified above are:

Option 1 - Retain the status quo

To retain the status quo would mean to leave the identified spot zone, split zone and/or incorrect zone mapping anomalies as they are and not make any changes to the AUP Viewer.

Option 2 – Amend the AUP Viewer to fix identified spot zone, split zone and/or incorrect zone mapping anomalies.

To amend the AUP Viewer to fix spot zone, split zone and/or incorrect zoning anomalies will correct inconsistencies to the zoning applied on the identified sites.

6.1.1 Evaluating the proposal against its objectives

Table 6.1 – Summary of analysis under Section 32(2) of the RMA

Options	Efficiency and effectiveness	Costs	Benefits
Option 1: Retain the status quo.	<p>Split zoning results in a different set of provisions applying to one part of the property, but not the other. Conflicting land uses, rules or standards may apply to different parts of the property. This causes confusion that will lead to inefficient implementation of the AUP.</p> <p>Furthermore, a split zone could end up with a property being undevelopable to its full potential. This would not contribute to the efficient management of natural and physical resources.</p> <p>Spot zone and incorrect zoning mapping anomalies result in inconsistent development patterns which could fail to deliver on the environmental outcomes intended by the AUP.</p>	<p>Where two zones have been applied to one site there is uncertainty for consents staff and property owners who are wanting to progress development plans.</p> <p>If property owners or resource consents staff interpret the zoning, overlays or precincts on properties differently because of the errors and anomalies, there is an economic and potential environmental cost.</p> <p>The cost to the cohesive development of an area associated with 'spot zone' anomalies could be an inconsistent development pattern and a haphazard development approach.</p>	<p>A potential benefit of not correcting the errors in the AUP Viewer and retaining the status quo is that more potential errors and anomalies can be discovered and potentially remedied at a later date.</p> <p>Another benefit is that there is a risk that the correction of zoning anomalies could create further issues, however with no action, this can be prevented.</p>
Option 2: Amend the AUP Viewer to fix identified spot zone, split zone and/or incorrect zone mapping anomalies.	Amending the AUP Viewer to fix/remove the identified split-zone and spot-zone mapping anomalies will remove ambiguity and	Amending the AUP Viewer to remove split-zone and spot-zone mapping anomalies will reduce consenting costs at each stage	By addressing the identified incorrect zoning mapping anomalies within the AUP Viewer, consenting should

	<p>confusion from the AUP Viewer.</p> <p>Property owners will have a clear understanding of what they can and cannot do on their property, which will increase the effectiveness of the AUP Viewer and the Unitary Plan.</p> <p>Correcting the spot zone and split zone mapping anomalies improves overall efficiency of the AUP Viewer. Spot zone and incorrect zoning anomalies can cause boundary conflicts and result in an inconsistent development pattern.</p>	<p>of the consenting process and implementation of consents granted.</p>	<p>become more efficient as it will be clear what land use is intended on a property.</p> <p>Environmental benefits improve, as the future development of the properties will more fully achieve Plan objectives.</p> <p>Higher level of accuracy of zoning information in AUP Viewer improves quality of statutory planning processes.</p>
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6.1.2 Conclusion

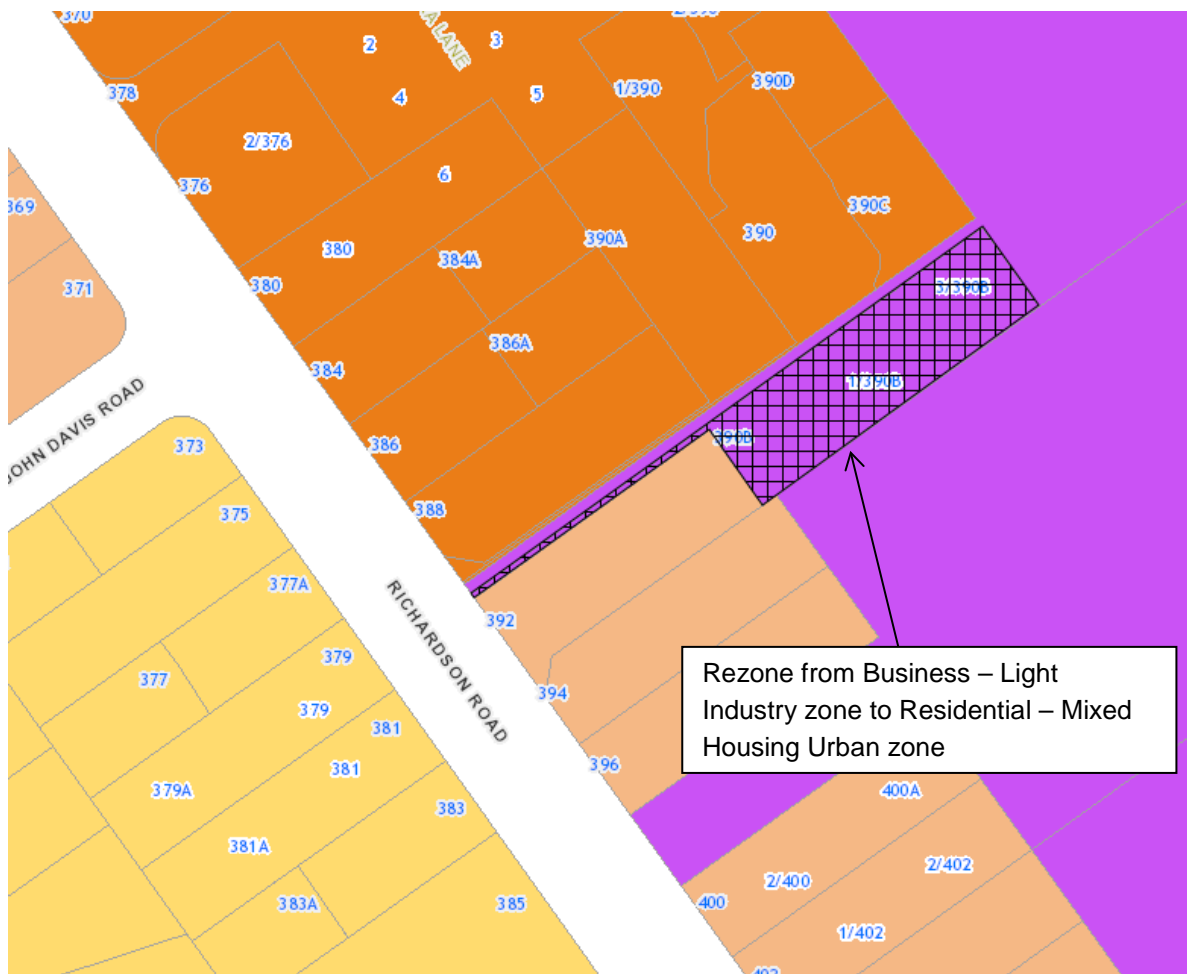
The amendments sought in the AUP Viewer PC 17 and Attachment 1 – (Proposed amendments to the maps in the AUP Viewer) are the most appropriate ways to correct the identified mapping anomalies. Correcting these technical mapping issues in PC 17 to the AUP:

- is effective, as it better aligns with its relevant objectives, policies and purpose of the RMA;
- is efficient, as the potential for users to interpret these provisions incorrectly is reduced;
- is appropriate, as the AUP will function more efficiently and productively with the correction of these errors; and
- gives effect to the objectives and policies of the AUP.

This evaluation applies to the following properties where a “spot zoning” or “split zoning” issue has been identified.

6.1.3 Problem statement and recommendations to amend identified spot zone, split zone and/or incorrect zone mapping anomalies.

390B Richardson Road, Mount Roskill



The residential property at 390B Richardson Road, Mount Roskill has been incorrectly zoned Business – Light Industry zone. This incorrect zoning was identified by the property owner. The 1,065m² property contains two established residential dwellings accessed via a long narrow shared driveway off Richardson Road, Mount Roskill.

The adjacent residential properties to the north are zoned Terrace Housing and Apartment Buildings zone and generally comprise of subdivided sites with areas ranging from 385m² through to un subdivided sites as large as 930m². The adjacent residential properties located southwest of the subject site are zoned Mixed Housing Urban zone, and are generally larger

sites (790m²-820m²) with standalone residential dwellings at the front of each site with vacant rear yards.

There are two reasonably practicable options to address this inconsistent zoning pattern:

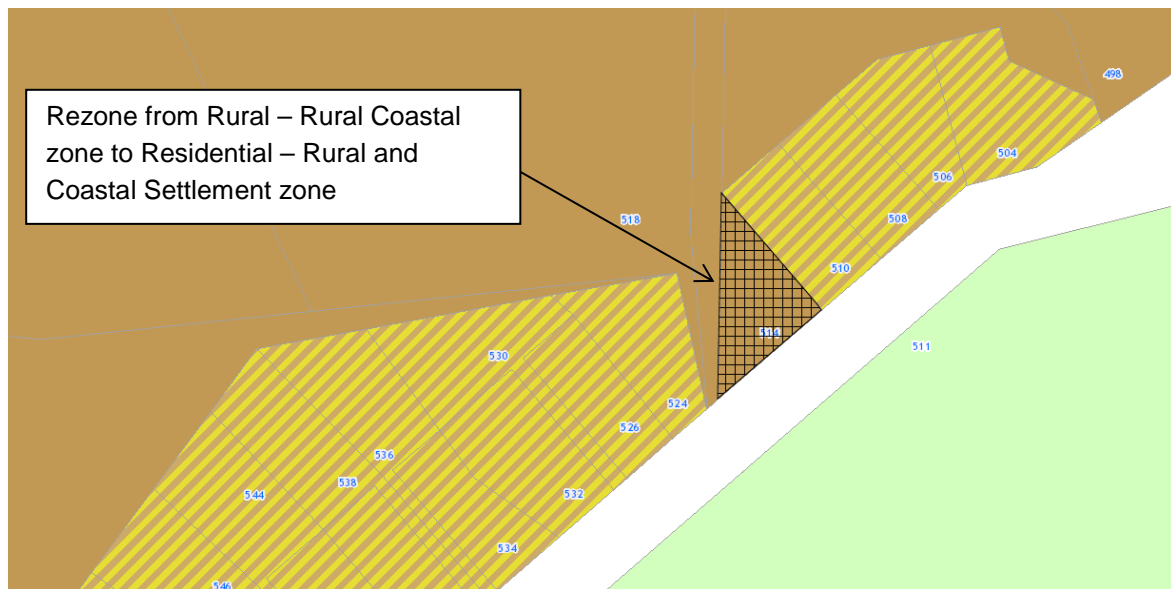
- Rezone the property from Business – Light Industry zone to Residential – Mixed Housing Urban zone, or
- Rezone the property from Business – Light Industry zone to Residential – Terrace Housing and Apartment Building zone.

The recommendation is to rezone the property from Business – Light Industry zone to Residential – Mixed Housing Urban zone. The option to rezone the property to Terrace Housing and Apartment Building zone is not considered appropriate, given the existing level of established residential development on the site, the property comprising of multiple owners as well as maintaining consistency with the residential zone applied to the adjacent established residential properties to the south of the subject site. Given the established residential development already on site, it is therefore unlikely that the site will be redeveloped in the next 50 years, and beyond the life of this plan.

Rezoning the site to Mixed Housing Urban zone is the most appropriate way to achieve the objectives of the Mixed Housing Urban zone and the plan, which in turn achieves the objectives of this plan change.

Council wrote to the property owners on 5 June 2018 to outline the proposed amendment to the zoning of the property. On 12 June 2018 Council received an email from the owner of 1/390B Richardson Road confirming that they support the proposed recommendation.

514 Leigh Road, Whangateau



The property at 514 Leigh Road, Whangateau is zoned Rural – Rural Coastal zone . This zoning is inconsistent with the zoning applied to neighbouring sites that extend along Leigh Road to the north and the south (which are also residential lifestyle blocks with one dwelling on each site, with frontages along Leigh Road) which are zoned Residential – Rural and Coastal Settlement zone. The property at 514 Leigh Road is 817m² and has an established residential dwelling on the site as well as a large accessory building. This current land use is consistent with neighbouring sites zoned Rural and Coastal Settlement zone.

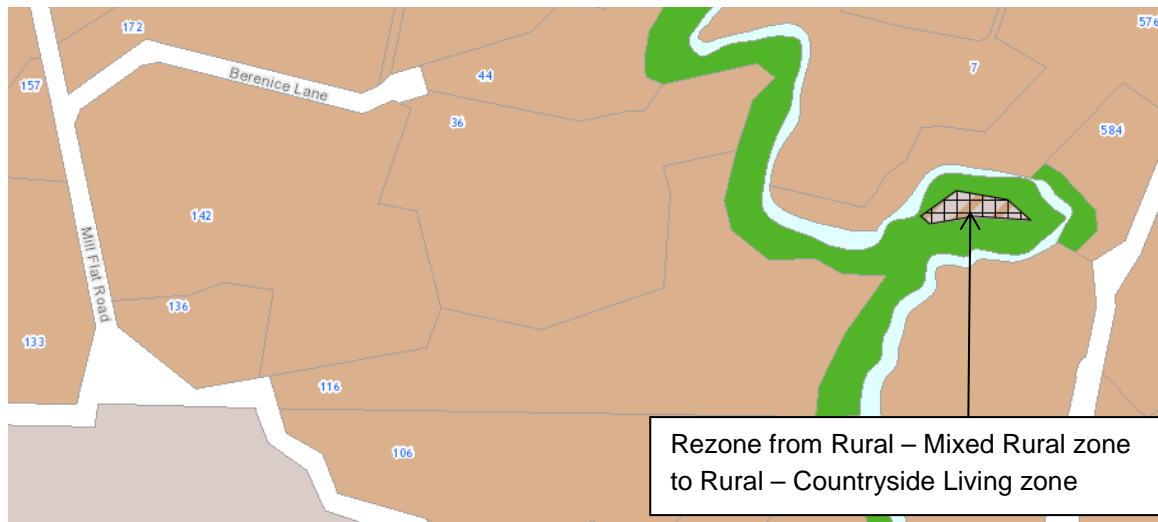
The properties that are zoned Rural Coastal zone to the north of the subject site which also have access off Leigh Road are much larger in area than the property at 514 Leigh Road, with the smallest property (465 Leigh Road) being 4,456m² and not contiguous with other properties zoned Rural and Coastal Settlement zone.

The recommendation is to rezone 514 Leigh Road, Whangateau from Rural – Rural Coastal zone to Residential – Rural and Coastal Settlement zone. This will ensure that development in this area is appropriate, given the physical and environmental attributes of the area and surrounding properties.

Rezoning the property at 514 Leigh Road to Rural and Coastal Settlement zone is therefore the most appropriate way to achieve the objectives of the plan which in turn achieve the objectives of the plan change.

Council wrote to the property owners on 5 June 2018 to outline the proposed amendment to the zoning of the properties. No response was received.

116 Mill Flat Road, Riverhead



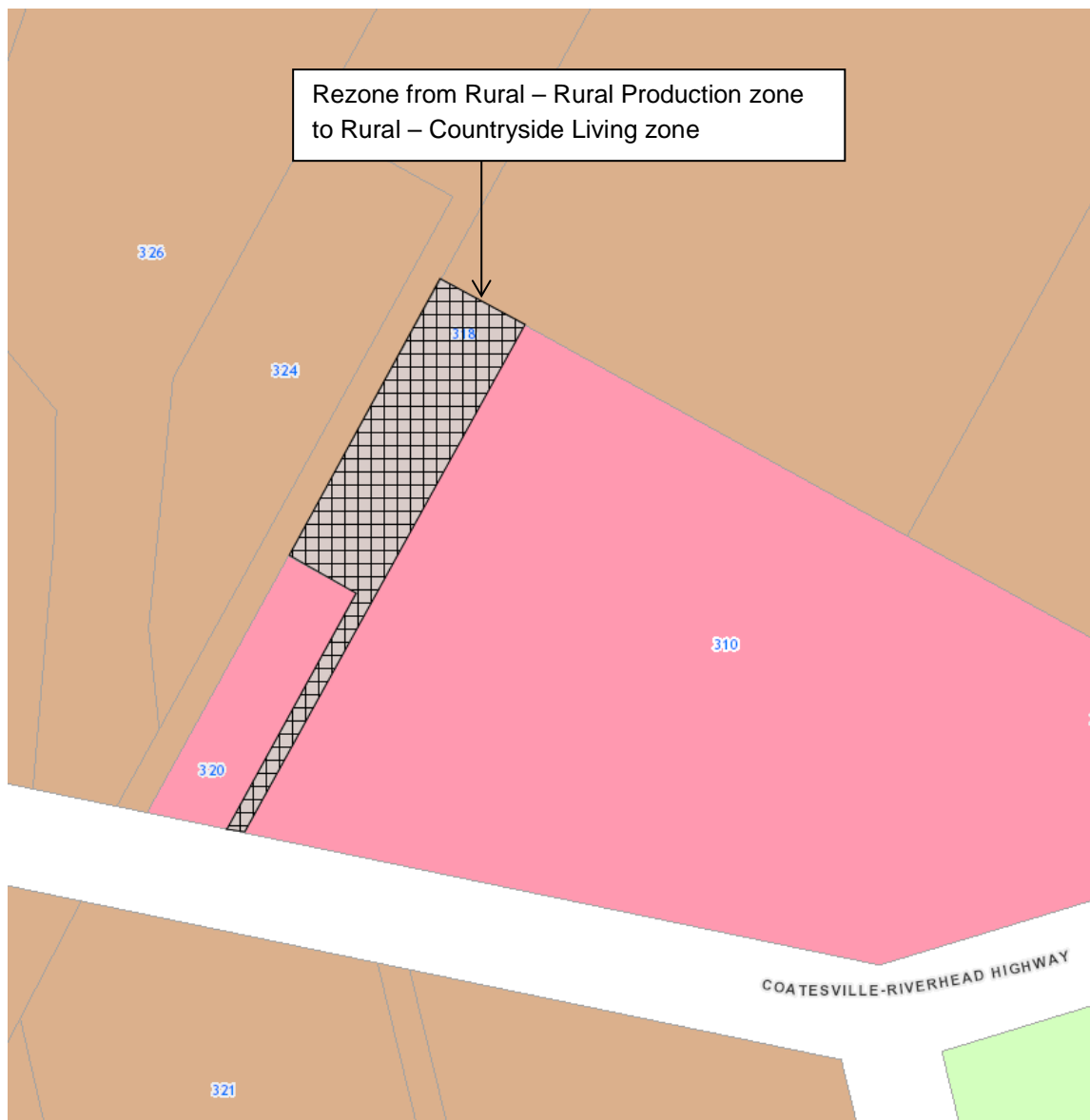
A section of 116 Mill Flat Road, Riverhead (approximately 2,164m² in area) has been zoned Rural – Mixed Rural zone, whilst the majority of the property (the remaining 70,341m²) is zoned Rural – Countryside Living zone. This is a spot zone anomaly where the small island of land, which is flat, undeveloped land surrounded by an esplanade of Open Space – Conservation zone is zoned Mixed Rural zone and does not meet the characteristics of this zone. This spot zone portion does not have a consistent zoning pattern with the majority of the site, which is zoned Countryside Living zone. The island of land subject to this amendment is separated by an esplanade reserve that runs between the majority of the site zoned Countryside Living and the island of land zoned Mixed Rural, however is physically connected.

The spot zone anomaly is a result of the rezoning that occurred in the Coatesville area, led by the IHP, from Mixed Rural zone to Countryside Living zone. Council's recommendation was for the Coatesville-Riverhead area to be zoned Mixed Rural, however the IHP disagreed with Council's position, and rezoned the area to Countryside Living zone. The small section of 116 Mill Flat Road that has retained the Mixed Rural zone was omitted by the panel when they rezoned it for the recommendations version of the plan. The retention of the Mixed Rural zone on the section of 116 Mill Flat Road is an error and there are no reasons to suggest that the Mixed Rural zone was intentional or that it should be retained.

The recommendation is to rezone the section of land identified from Rural – Mixed Rural zone to Rural – Countryside Living zone, to be consistent with the zoning applied to the majority of the property at 116 Mill Flat Road, Riverhead as well as the surrounding area.

Council wrote to the property owners on 5 June 2018 to outline the proposed amendment to the zoning of the properties. No response was received.

318 Coatesville-Riverhead Highway, Coatesville



The property at 318 Coatesville-Riverhead Highway is zoned Rural – Rural Production zone. This zoning is inconsistent with the zoning that has been applied to the surrounding sites and is incorrect given the existing land use. The neighbouring sites are zoned Rural – Countryside Living zone and Business – Neighbourhood Centre zone. There is a residential dwelling in the centre of the site, and an accessory building at the rear (northern most edge) of the property. The property is 1,420m² in area and is not currently used for rural production purposes, nor is it in a suitable location or of a suitable size to be used for rural production purposes in the foreseeable future.

The properties to the north are zoned Rural – Countryside Living zone and have one residential dwelling and a shed per site. The properties southeast of 318 Coatesville-Riverhead Highway are zoned Business – Neighbourhood Centre zone. Small shops which house a Barfoot & Thompson, a café and a local general store and a restaurant are currently located in the Neighbourhood Centre.

In Council's notified version of the AUP Viewer, all of the properties to the west of 318 Coatesville-Riverhead Highway were zoned Rural Production zone, and the properties to the northeast were zoned Countryside Living zone. 318 Coatesville-Riverhead Highway was zoned Rural Production zone. However, a submission was received by the IHP to rezone all rural zoned properties along a section of Coatesville-Riverhead Highway from Rural Production to Countryside Living zone. Council changed their position in the recommended version and all Rural Production zoned properties were rezoned to Countryside Living zone, with the exception of 318 Coatesville-Riverhead Highway. There is no explanation or obvious intent behind this.

There are two reasonably practicable options to address this inconsistent zoning pattern:

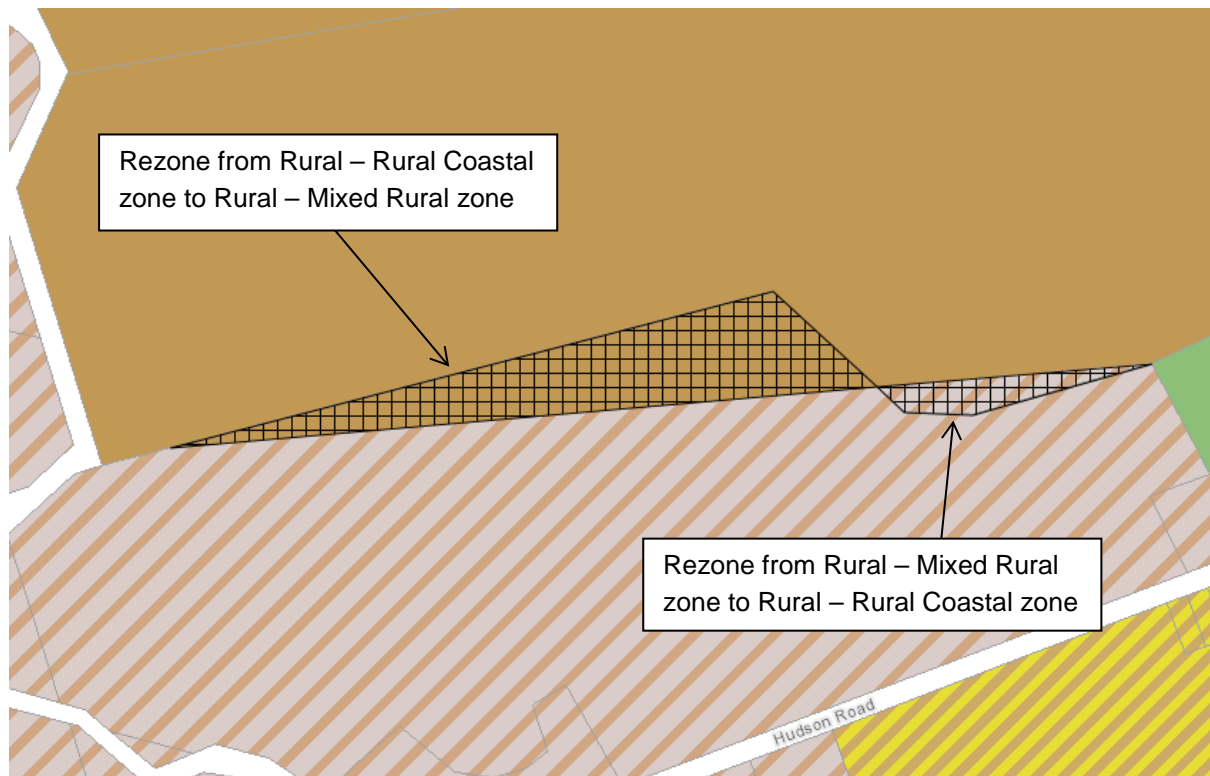
- Rezone the property from Rural – Rural Production zone to Rural – Countryside Living zone, or
- Rezone the property from Rural – Rural Production zone to Business – Neighbourhood Centre zone.

Properties along Coatesville-Riverhead Highway which are similar in size and use are zoned Rural – Countryside Living zone. The current zoning of the property as Rural – Rural Production zone is a clear mistake and spot zone anomaly. The existing land use is aligned with the Rural – Countryside Living zone, and the property has never been zoned Neighbourhood Centre zone, and it has never been the intent that it would be zoned Neighbourhood Centre in the future.

The option to address this inconsistent zoning pattern is to rezone the property at 318 Coatesville-Riverhead Highway, from Rural – Rural Production zone to Rural – Countryside Living zone.

Council wrote to the property owners on 5 June 2018 to outline the proposed amendment to the zoning of the properties. No response was received.

Big Bay Road, Waiuku



The site at Big Bay Road, Waiuku (Legal Description Lot 11 DP 336027, Lot 3 DP 25574, Lot 2 DP 427776) is zoned both Rural – Rural Coastal zone and the Rural – Rural Mixed Rural zone. The northern part of the property is zoned Rural – Rural Coastal and the southern part of the property is zoned Rural – Mixed Rural. The zoning boundary does not follow the property boundary, and this creates a split zoning within the site itself.

The areas of the property that are effected by the misalignment of the zone boundary and property boundary are relatively small (40,100m² approx.) compared to the total area of the property (1,170,200m² approx.).

This misalignment or split zone was not included in the notified version of the Proposed Auckland Unitary Plan (PAUP) and the Rural – Rural Coastal and Rural – Mixed Rural zones were applied to the entire property. There were no submissions received in relation to this property. The misalignment or split zone was included within the recommendations version of the AUP. Therefore, this appears to be a GIS mapping error that has occurred in the Recommendation Version of the Auckland Unitary Plan and had been carried forward to subsequent versions by oversight.

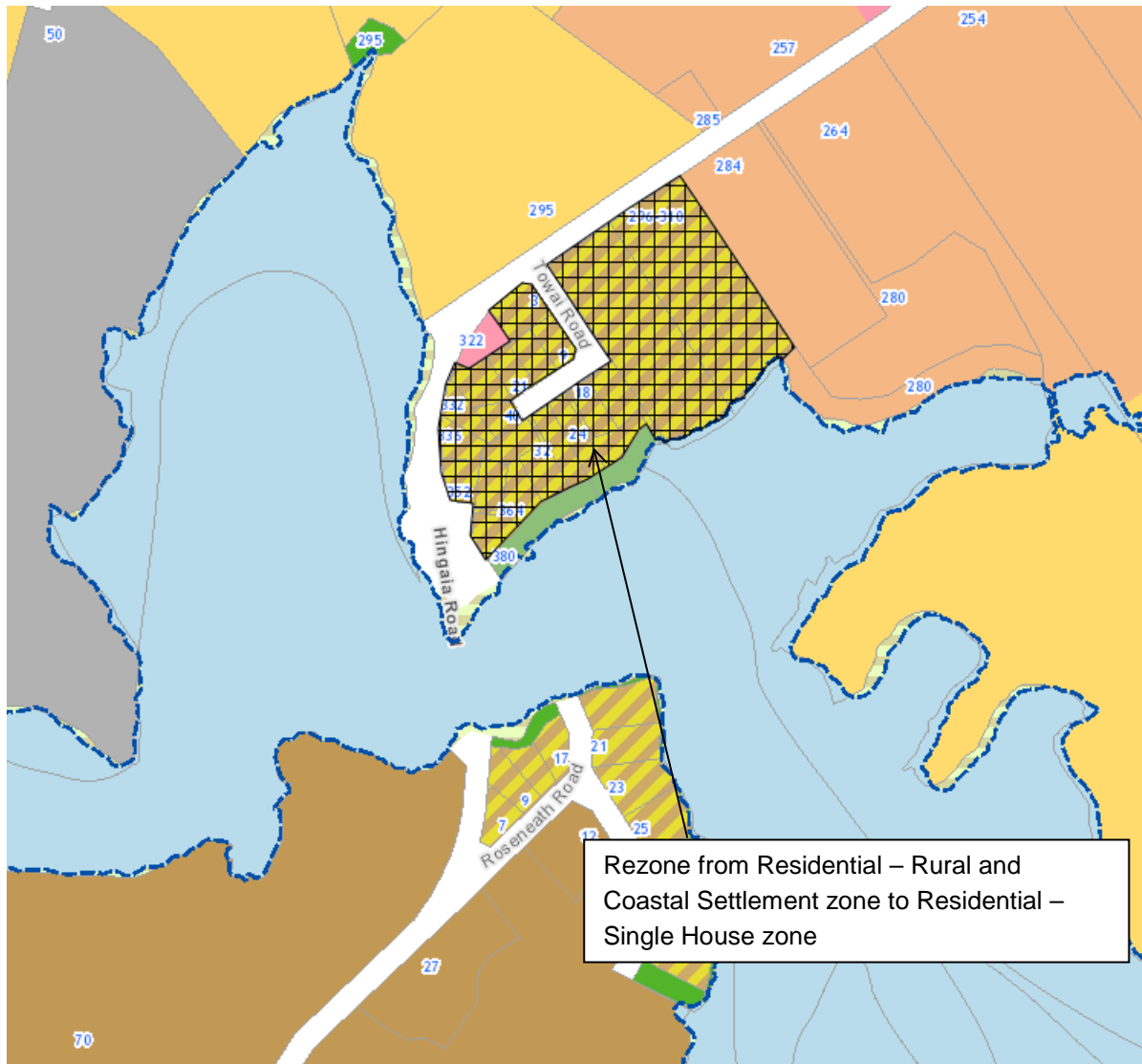
It is recommended to realign the boundaries of Residential – Rural Coastal zone and Rural – Mixed Rural zone with the common boundary of two adjoining properties. This recommendation to change zone boundaries so they follow property boundaries. The proposed change is the most appropriate way to achieve the objectives of the plan, which aligns with the objectives of the Plan Change.

Council wrote to the property owners on 5 June 2018 to outline the proposed amendment to the zoning of the properties. No response was received.

Hingaia North

296-310, 332, 336, 352, 358, 364, 370 Hingaia Road, Hingaia

3, 9, 15, 21, 25, 40, 36, 32, 28, 24, 22, 18, 14 Towai Road, Hingaia



Hingaia North (the area identified in the black hatching above) abuts the Hingaia urban area and is inside the Rural Urban Boundary (**RUB**)⁶ which follows the coastline. Hingaia north is currently zoned Residential – Rural and Coastal Settlement zone. This is the only location in the Auckland Region where residential properties inside the RUB have been zoned Rural and Coastal Settlement zone. The subject area was a potential Special Housing Area, however this did not progress, and therefore the most appropriate residential zone has not been applied to the area.

The Residential 1 zone which was applied to these properties in the Papkura District Plan aligns with the objectives of the Single House zone in the AUP(OP). A similar settlement

⁶ The Rural Urban Boundary identifies land potentially suitable for urban development.

north of Hingaia, Bottletop Bay, was correctly rezoned from Residential 1 in the Papakura District Plan, to Single House zone in the AUP(OP).

There are 20 properties in the Hingaia North area that remains zoned Rural and Coastal Settlement zone. The majority of these properties have one residential dwelling on each site, and range between 807m² and 1495m² in area. These properties face the street and are already developed at an appropriate single house scale.

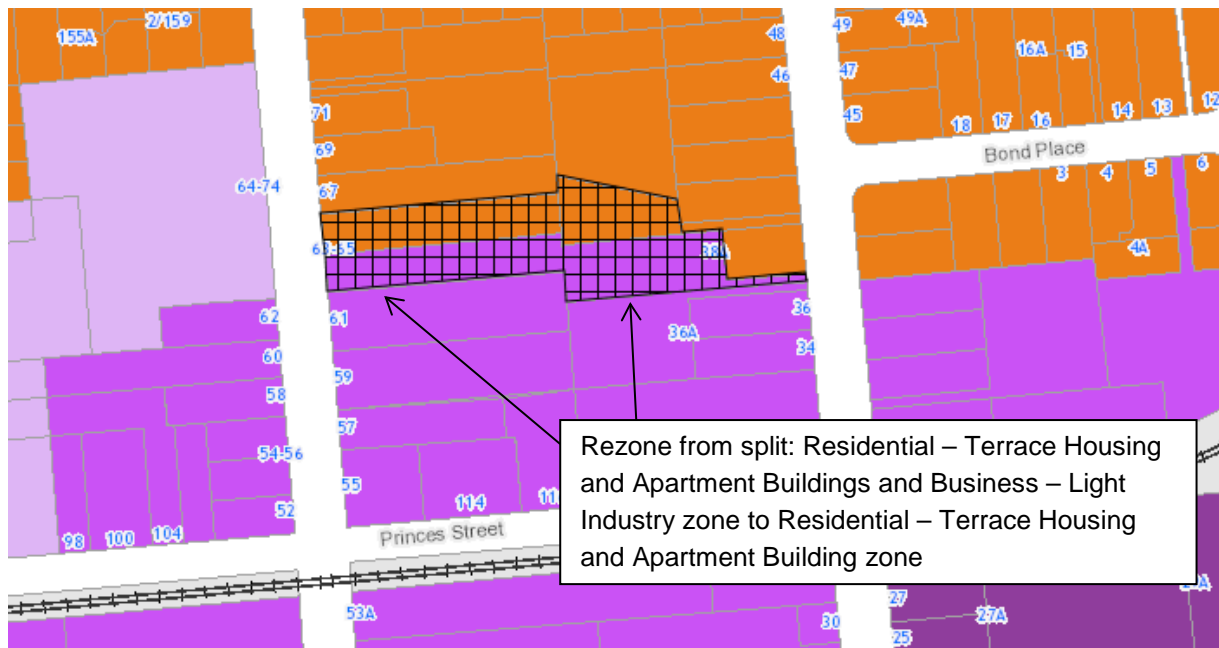
There are two reasonably practicable options to address this inconsistent zoning pattern:

- Rezone the Hingaia North area from Rural and Coastal Settlement zone to Residential – Single House zone.
- Rezone the Hingaia North area from Rural and Coastal Settlement zone to Residential – Mixed Housing Suburban zone.

The recommendation is to rezone the Hingaia North area to Residential – Single House zone. This is a unique zoning anomaly as this is the only location in the Auckland region where properties have been zoned Rural and Coastal Settlement zone inside the RUB. Therefore, an appropriate residential zone needs to be applied to this area. Rezoning the Hingaia North area to Single House zone, consistent with the rezoning applied to a similar coastal settlement north of Hingaia, Bottletop Bay, is the most appropriate way to achieve the objectives of the plan change, whilst protecting and respecting the unique qualities of the coast.

Council wrote to the property owners on 5 June 2018 to outline the proposed amendment to the zoning of the properties. No response was received.

63-65 Victoria Street & 38A Alfred Street, Onehunga



Sites at 63-65 Victoria Street and 38A Alfred Street, Onehunga both have two zones applied to the properties, Business – Light Industry and Residential – Terrace Housing and Apartment Buildings zones. These are split zone mapping anomalies, which given the urban context, the existing characteristics of the sites and the size of the sites, need to be corrected to have a single zone applied to each property.

63-65 Victoria Street, Onehunga is 2,716m² in area and contains two existing stand-alone dwellings at the front of the site, however the majority of the site is vacant due to a printing plant which was at the rear of the site burning down in September 2017. There is currently no industrial activity on this property, and there is a residential activity (dwelling) on the section of the site zoned Light Industry. The site is unlikely to transition back to industry given the current land use and the intent of the landowner to establish a residential development on the site in the foreseeable future. Across the road at 64-74 Victoria Street, Onehunga high density residential properties are currently being developed.

38A Alfred Street, Onehunga is 2,348m² in area and contains one large building at the rear of the site, which is used as a church.

Both properties are adjacent to an established area Business – Light Industry zoned land which adjoins the southern boundary of both properties (61 Victoria Street and 36A Alfred Street, Onehunga). The properties are also directly adjacent to properties zoned Residential – Terrace Housing and Apartment Building zone to the north.

There are two reasonably practicable options to address this inconsistent zoning pattern:

- Rezone the properties from a split of Residential – Terrace Housing and Apartment Building zone and Business - Light Industry zone to Residential - Terrace Housing and Apartment Building zone over the entirety of the sites.

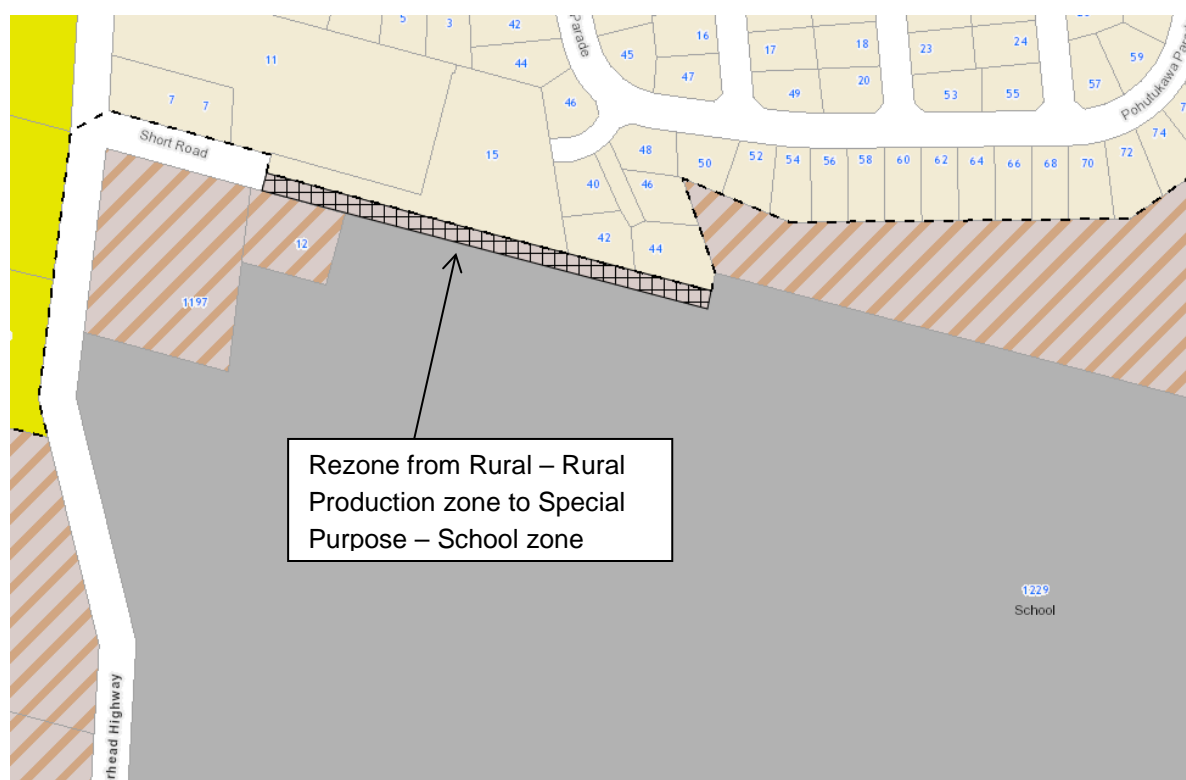
- Rezone the properties from a split of Residential – Terrace Housing and Apartment Building zone and Business - Light Industry zone to Business – Light Industry zone over the entirety of the sites.

As the split zoning applied to both properties at 63-65 Victoria Street and 38A Alfred Street is a mapping anomaly, the most appropriate outcome is to rezone the properties so there is a single zone that applies across the entirety of the properties.

The recommendation is to rezone the properties to Residential – Terrace Housing and Apartment Building zone over the entirety of the sites. The existing land uses and activities on the two sites, being residential dwellings and a church mean that the sites are unlikely to transition back to industry. Also, cohesive industrial activity is unlikely to develop on the long narrow industrial zoned portions of the sites, because the lots are on the edge of the Light Industry zone and can't be supported by industrial activities to the north. The properties are within a 750m walkable catchment of the Onehunga town centre. Based on existing land uses, the location on the periphery of high density residential land, the long and narrow nature of the site it is not expected that the site will accommodate productive industrial activities. In my view the most appropriate zone to be applied to the two sites is Residential – Terrace housing and Apartment Building zone.

Council wrote to the property owners on 5 June 2018 to outline the proposed amendment to the zoning of the property. Harrison Grierson contacted Council on behalf of the property owner of 63-65 Victoria Street, Onehunga, advising Council of a pre-application meeting the property owner engaged with resource consents staff earlier in the year to discuss development options for residential development on the site. In light of the discussion with Harrison Grierson and additional information provided, the recommendation to correct the mapping anomaly and apply Terrace Housing and Apartment Building zone over the entire sites is the most appropriate recommendation.

1229 Coatesville-Riverhead Highway, Riverhead



There is a narrow section to the north of 1229 Coatesville-Riverhead Highway, Riverhead (Hare Krishna School) which is zoned Rural – Rural Production zone. The section of land which has been incorrectly zoned is 2,582m², is long and narrow, is primarily used as a driveway providing access off Short Road and is part of the larger Hare Krishna school site, zoned Special Purpose – School zone.

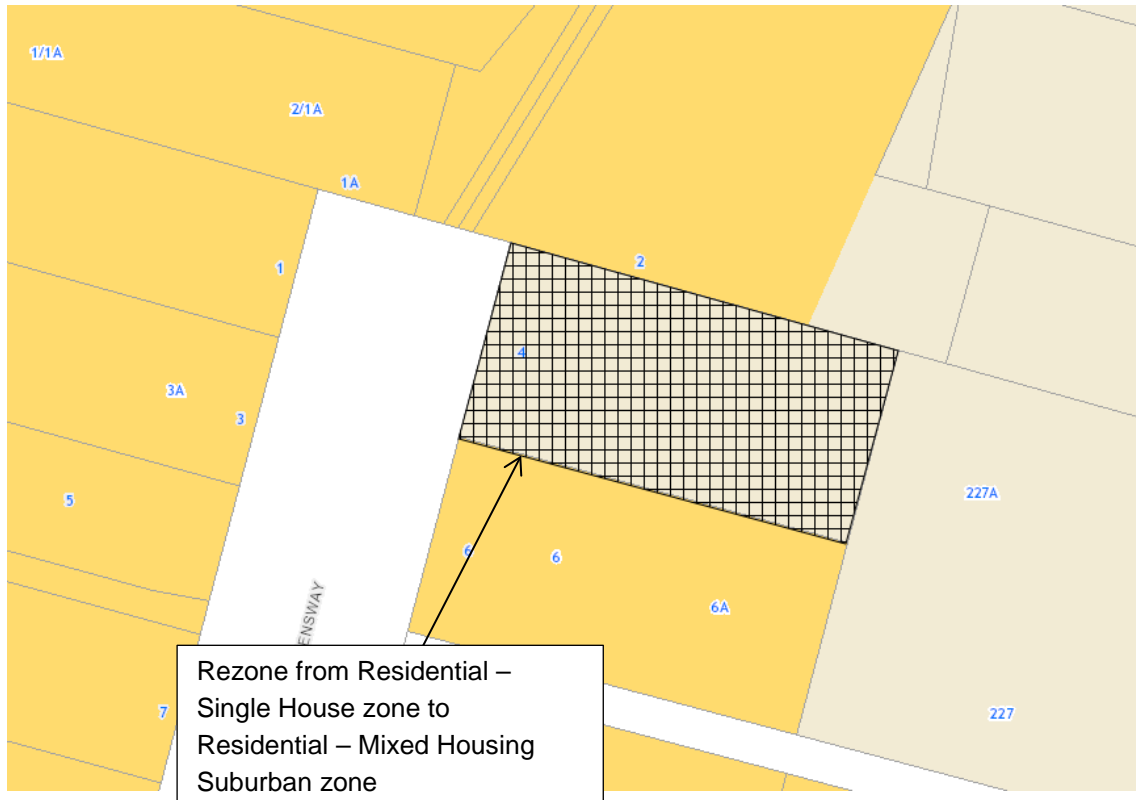
The site is located outside the RUB in Riverhead, which is primarily low density residential development, there is also a large area of Future Urban zone land to the northeast of the site.

The preferred option to address this inconsistent and incorrect zoning pattern is to rezone the 2,582m² section of the property currently zoned Rural – Rural Production zone to Special Purpose – School zone to correct the split zone mapping anomaly.

The section of the property which has been incorrectly zoned for rural production is part of the wider school site, and is not used for rural production purposes, nor is it of the size or nature that it will be used for rural production in the foreseeable future. The most appropriate zone to be applied to this section is Special Purpose – School zone, and the proposed rezoning is the most appropriate way to achieve the objectives of the plan which in turn achieves the objectives of the plan change.

Council wrote to the property owners on 5 June 2018 to outline the proposed amendment to the zoning of the properties. No response was received.

4 Queensway, Three Kings



A residential property located at 4 Queensway, Three Kings is zoned Residential – Single House. This is a spot zone anomaly as the neighbouring properties to the north and to the south are zoned Residential – Mixed Housing Suburban. Furthermore, 4 Queensway is not subject to the Special Character Area overlay which correlates with a Single House zoning. This mapping anomaly was identified by the property owner, who contacted Council in July 2017, requesting justification for the inconsistent zoning pattern.

The option to address this inconsistent zoning pattern is to rezone 4 Queensway, Three Kings from Residential – Single House zone to Residential – Mixed Housing Suburban zone.

The recommendation to correct the spot zone anomaly on 4 Queensway, Three Kings is to rezone the site from Residential – Single House zone to Residential – Mixed Housing Suburban zone. The Mixed Housing Suburban zone is the most appropriate zone for 4 Queensway, Three Kings given the size and scale of residential development that has already occurred on the site being consistent with adjacent properties which are also zoned Mixed Housing Suburban zone. The property is 808m² with one residential dwelling on the site. The property is not subject to any different overlays to those properties to the north and the south of the subject site. Rezoning the property will remove the spot zone anomaly and will ensure a consistent zoning pattern is applied along Queensway, Three Kings.

Council wrote to the property owners on 5 June 2018 to outline the proposed amendment to the zoning of the properties. No response was received.

6.2 Zone and precinct boundaries that no longer follow road or property boundaries as a result of a recent subdivision

Plan users, including Council staff have identified mapping anomalies within the AUP Viewer where there is a misalignment of zone, precinct and sub-precinct boundaries with identifiable physical boundaries, such as a road or property boundaries. Precincts are a tool for enabling local differences to be recognised by providing place-based provisions which can vary the outcomes sought by the zones or Auckland-wide provisions. This has often transpired as a result of a subdivision occurring after the IHP zoning process, which has created lots which do not align with the zone.

The misalignment of property boundaries with zone boundaries, precinct boundaries and sub-precinct boundaries reduces the effective usability of the AUP Viewer. It creates a split in the zoning or precinct provisions that apply to a site affecting the future development potential of the identified properties. Furthermore, it creates uncertainty and ambiguity for property owners and developers.

The proposals to address the problem identified above are:

- Option 1 - Retain the status quo leaving identified mapping anomalies without changing the current zone and precinct boundaries.
- Option 2 - Amend the AUP Viewer to fix the identified mapping anomalies relating to the misalignment of zone and precinct boundaries with property boundaries to rectify inconsistencies with the spatial application of zoning and precincts.

6.2.1 Evaluating the proposal against its objectives

Table 6.2 – Summary of analysis under Section 32(2) of the RMA

Options	Efficiency and effectiveness	Costs	Benefits
Option 1 : Retain status quo	The misalignment of zone and precinct boundaries with property boundaries results in different sets of provisions applying to one part of the property, but not the other. This means that different land uses, rules or standards may apply to different parts of the property creating a highly complex rule framework which is not clearly identified.	There is a potential for greater costs of consenting processes where zones or precincts are in place but are not intended by the Plan. Zoning is generally used to determine lot size, building envelope and development capacity. When two zones are assigned to a single property, development could have competing requirements for	There are no specific benefits to property owner or to other stakeholders.

	<p>As a result, the intended built or environmental outcomes for the site are unclear.</p>	<p>determining building footprint and height, vehicle access, drive ways, layout etc.</p> <p>A precinct can modify the development standards that apply in the underlying zone. Consequently, when a precinct only covers half of a site this introduces further complexities in setting out the rule framework. Optimum benefits of the property would not be available to the owners, because of difficulties in enforcing correct development rights.</p>	
<p>Option 2: Amend the AUP GIS Viewer to fix identified issues relating to split zoning, overlays and preceincts</p>	<p>AUP Viewer becomes more efficient and effective as fixing these mapping issues removes ambiguity over development potential of the related properties. The built outcomes sought for the site are clear to all plan users.</p> <p>Use of methods such as zoning and precincts becomes effective.</p>	<p>Reduces consenting costs at each stage of consenting process and implementation of consents granted.</p>	<p>Enables property owners to derive optimum benefits from developing the property. Sustainable management of natural and physical resources is facilitated. Environmental benefits improve, as the future development of the properties will more fully achieve anticipated environmental outcomes. GIS information in AUP Viewer is more accurate which improves the quality of statutory planning processes.</p>

6.2.2 Conclusion

The amendments sought in the AUP Viewer Plan Change PC 17 and Attachment 1 – (Proposed amendments to the maps in AUP GIS Viewer) of PC 17 are the most appropriate

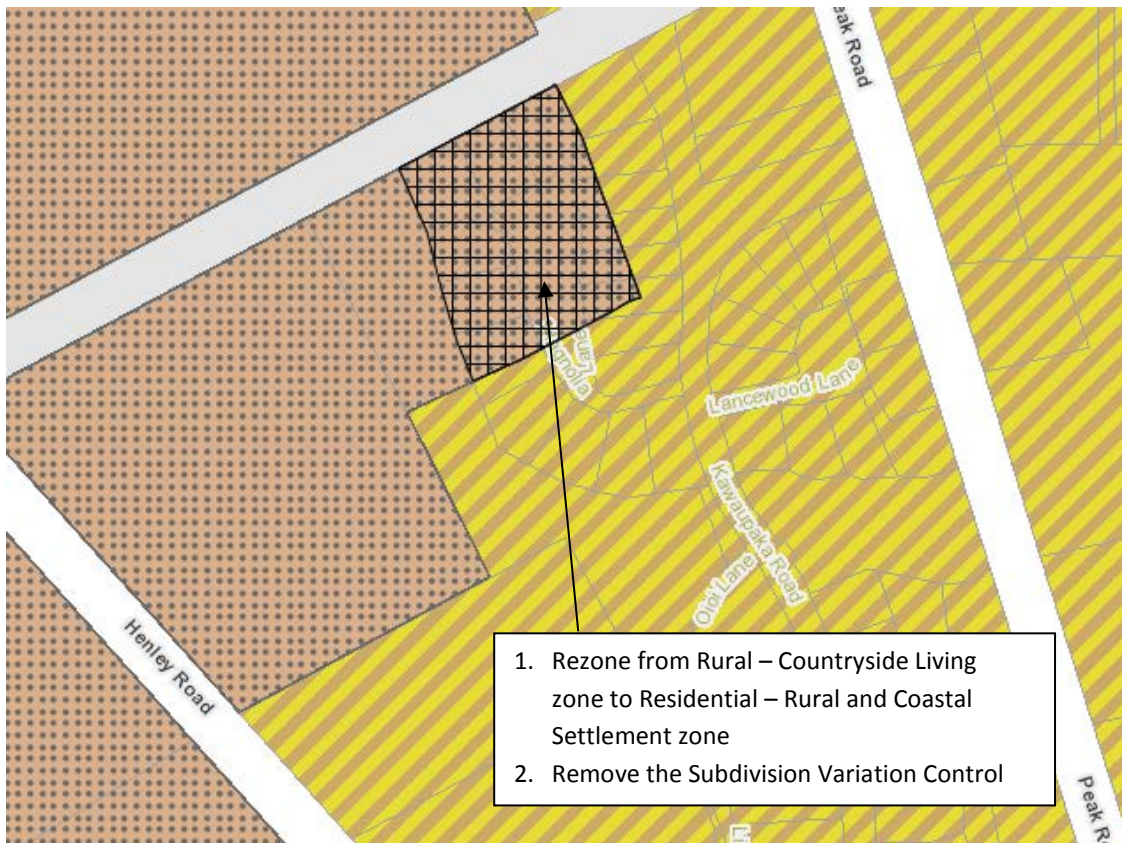
ways to correcting the identified mapping anomalies. Correcting these technical mapping issues in PC 17 to the AUP:

- is effective, as it better aligns with its relevant objectives, policies and purpose of the RMA;
- is efficient, as the potential for users to interpret these provisions incorrectly is reduced;
- is appropriate, as the AUP will function more efficiently and productively with the correction of these errors; and
- gives effect to the objectives and policies of the AUP.

This evaluation applies to the following properties where a “split zoning” and/or incorrect precinct boundary issue has been identified.

6.2.3 Problem statement and recommendations to amend zone and precinct boundaries that no longer follow road or property boundaries

Magnolia Lane, Kaukapakpa – Proposed change of zoning and removal of Subdivision Variation Control



Five of the new residential lots at Magnolia Lane, Kaukapakpa have been zoned Rural – Countryside Living. The other 12 properties currently have a split between the Rural – Countryside Living and Residential – Rural and Coastal Settlement zones. The zoning that has been applied within this area aligns to the parent lot prior to subdivision. This subdivision of 34 Peak Road, Kaukapakpa was approved in December 2006 creating 51 residential lots and four access lots⁷.

The newly created lots range from 448 to 765 square metres. The site size and the layout of sites is inconsistent with the characteristics of the Rural – Countryside Living zone, which has a subdivision minimum site size of 2 hectares (without transferable rural site subdivision) and 8000m² (with transferable rural site subdivision).

In addition to the split zone that has resulted from the subdivision of the parent lot at 34 Peak Road, Kaukapakpa, the Subdivision Variation Control still applies to already subdivided properties. The Subdivision Variation Control has a minimum site size of 2 hectares and therefore is not consistent with the Residential – Rural and Coastal Settlement zone.

The recommendations to rectify these anomalies are:

- Extend the Residential – Rural and Coastal Settlement zone to the properties that have been already subdivided within the area identified in the above map; and

⁷ Subdivision reference: Legacy Number RD_SLC-50832 and SUB60033318

- Remove the Subdivision Variation Control currently applies to the properties at 4, 6, 8, 10, 12, 14, 16, 17, 15, 13, 11 and 9 Magnolia Lane, as identified in the above map

The proposed changes are the most appropriate way to achieve the objectives of the plan, which aligns with the objectives of the Plan Change because the proposed change aligns with the Policy E39.3 of E39 Subdivision – Rural and are consistent with the objectives and policies of two zones, namely, Rural – Countryside Living and Residential – Rural and Coastal.

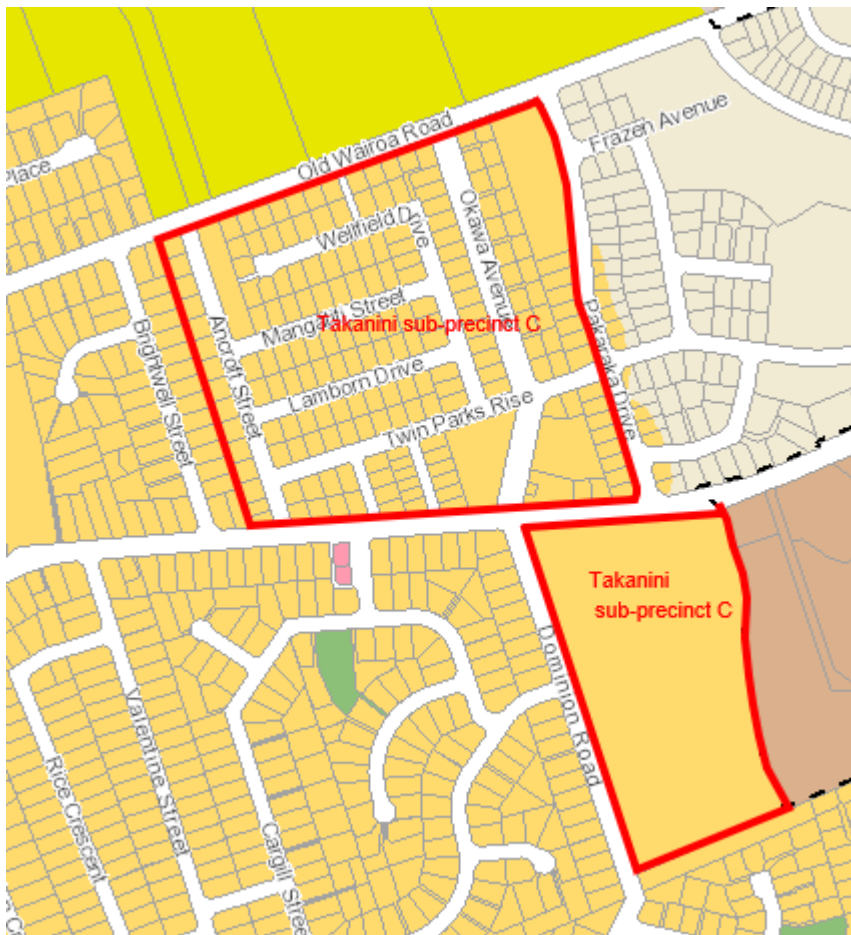
Council wrote to the property owners on 5 June 2018 to outline the proposed amendment to the zoning of the property. No response was received.

Takanini Precinct

Map 1– Proposed changes to zoning



Map 2 – Changes to Sub-Precinct C Boundary



The mapping of the eastern boundary of sub-precinct C and the western boundary of sub-precinct D of I438 Takanini Precinct does not align with property boundaries or the road boundary of Pakaraka Drive. As a result, the mapping of the underlying Residential – Mixed Housing Suburban zone also does not align with property boundaries resulting in a number of properties being subject to a split in zoning between Residential – Single House and Residential – Mixed Housing Suburban zones.

The purpose of I438 Takanini Precinct is to seek subdivision and development of this land in a comprehensive manner to achieve a quality built and a well-connected environment. The precinct is located at Old Wairoa Road, Takanini and is made up of four sub-precincts. The spatial application of zones throughout the precinct aligns with the sub-precinct boundaries. Sub-precinct C covers the largest land area of the four sub-precincts of the Takanini Precinct. The zoning is Residential - Mixed Housing Suburban Zone and Residential - Mixed Housing Urban Zone. Sub-precinct D applies to an area of land between Papakura-Clevedon and Old Wairoa Roads. Development within this sub-precinct is at a lower density to assist in maintaining the elements of amenity and open space character. The zoning within this sub-precinct is Residential - Single House zone.

The recommendation is to:

- Realign the eastern boundary of Takanini sub-precinct C and western boundary of Takanini sub-precinct D with the road boundary of Pakaraka Drive
- Rezone the 15 properties currently subject to a split zoning to Residential – Single House zone in their entirety as shown in the Map -1 above.

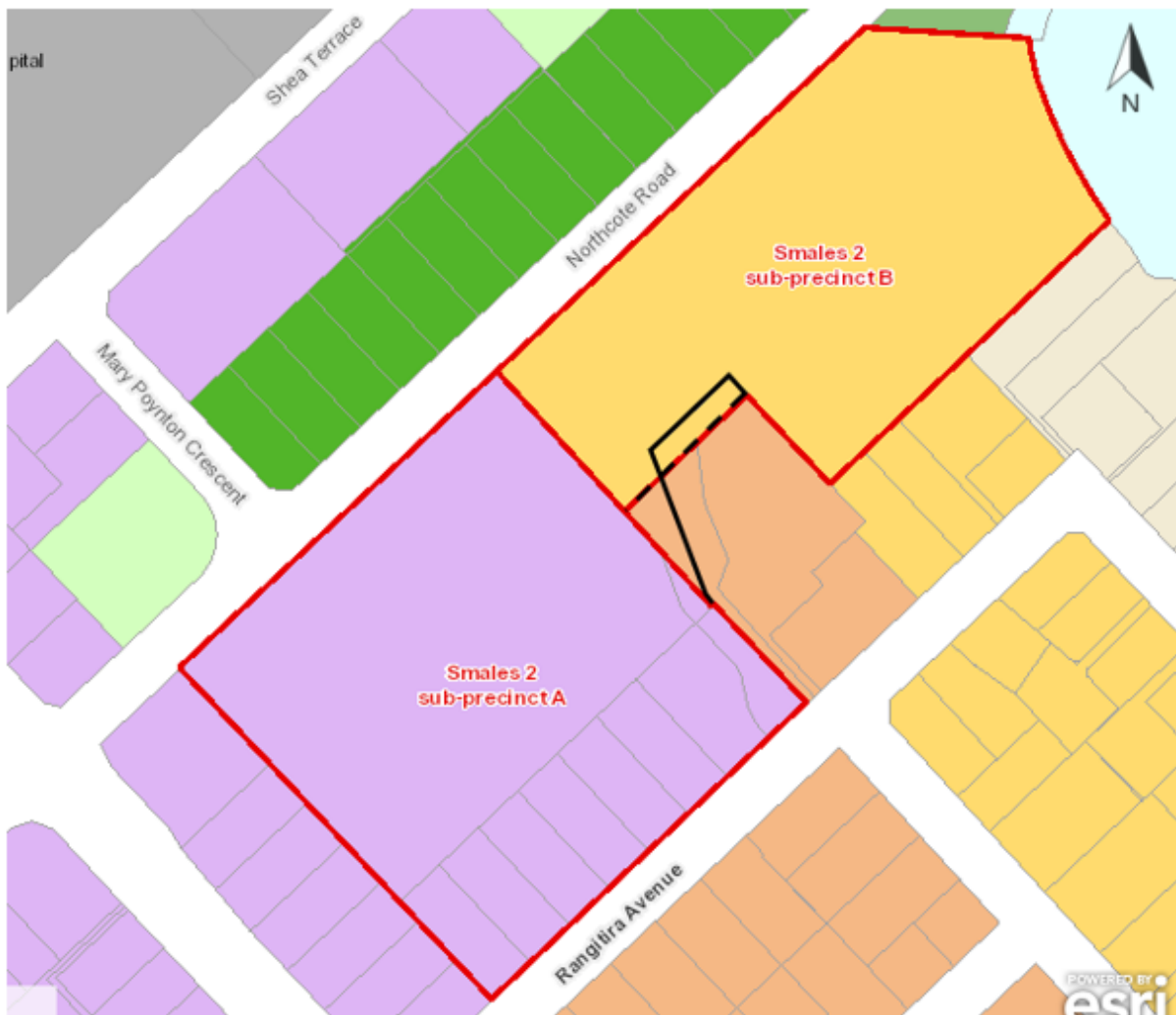
The proposed change is the most appropriate way to achieve the objectives of the plan, which aligns with the objectives of the Plan Change because the zone boundary, sub-precinct boundary, and road boundary align with the property boundaries.

2D Northcote Road, Takapuna and 8 and 10 Rangitira Avenue, Takapuna

Map 1 – Proposed Changes to zoning



Map 2 - Proposed changes to Smales 2 Sub-Precinct B Boundary



----- Delete existing sub-precinct B Boundary

_____ Insert new sub-precinct B Boundary

The mapping of the southern boundary of sub-precinct B of I539 Smales 2 Precinct does not align with the property boundaries of 2D Northcote Road, Takapuna and 8 Rangitira Avenue, Takapuna. As a result, the underlying zones do not align with property boundaries creating a split zoning between Residential – Mixed Housing Urban and Residential – Mixed Housing Suburban zones.

I539 Smales 2 Precinct seeks to provide for comprehensive redevelopment of two blocks of land which form two distinctive parts of the precinct. The precinct is located on the southern side of Northcote Road, at the edge of Lake Pupuke, Takapuna and is made up of two sub-precincts A and B. The spatial application of zones throughout the precinct aligns with the sub-precinct boundaries.

A major part of the land area of the former SHA (known as Northcote Road, Takapuna SHA) is currently included in the Smales 2 Precinct. Northcote Road SHA became operative on 31 July 2014 and was disestablished on 16 September 2016. There were no resource consent applications lodged during this period. Smales 2 sub-precinct B boundary has followed the former SHA boundary, causing the misalignment.

A subdivision consent application was lodged for a boundary adjustment between 2D Northcote Road, Takapuna and 8 Rangitira Avenue, Takapuna and was approved on 28 October 2016 (Application No.SA-3023003).

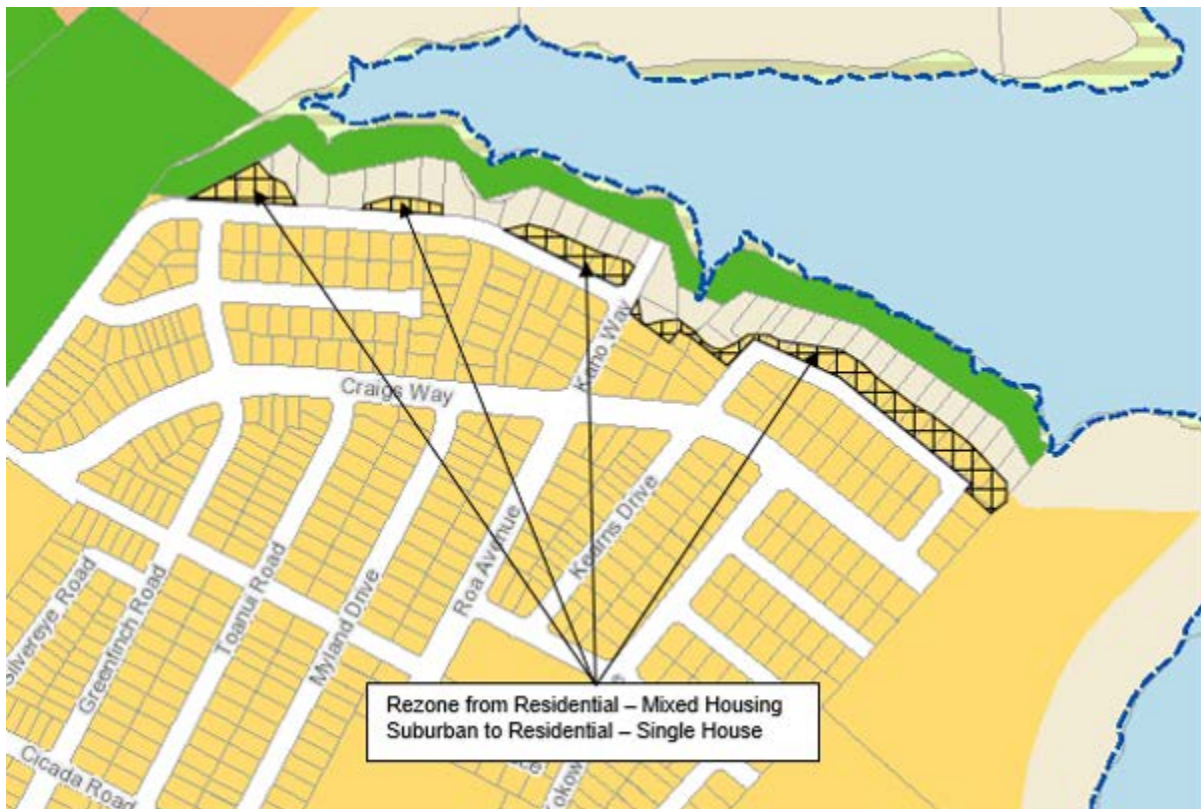
Recommendations are to:

- Realign the southern boundary of the Smales 2 sub-precinct B with the boundaries of properties 2D Northcote Road, 8 Rangitira Avenue, and 10 Rangitira Avenue, Takapuna;
- Rezone the southern part of the property at 2D Northcote Road which is currently zoned Residential – Mixed Housing Urban to Residential – Mixed Housing Suburban; and
- Rezone northern parts of the properties at 8 and 10 Rangitira Avenue which are currently zoned Residential – Mixed Housing Suburban to Residential – Mixed Housing Urban.

As Consequential Changes, I539.10.1 Smales 2 Precinct Plan 1 is amended accordingly.

The recommended changes resolve identified anomalies relating to sub-precinct boundaries and zoning. The proposed change is the most appropriate way to achieve the objectives of the plan, which aligns with the objectives of the Plan Change because the proposed change ensures the alignment of the zone boundary and sub-precinct boundary with property boundaries.

Scott Point, Hobsonville



Several coastal properties along Kano Way on Scott Point, Hobsonville have been zoned both Residential – Single House and Residential – Mixed Housing Suburban. The split in zoning that applies to these properties is the result of a series of recent subdivisions which were approved under the Housing Accords and Special Housing Areas Act 2013⁸.

The current zoning pattern has remained the same since notification of the PAUP. It has only been since the titles have been created following the subdivision approval that the road boundaries do not align with zone boundaries giving rise to this anomaly.

Scott Point, Hobsonville is subject to the Special Housing Area (SHA) Precinct 5.61 -Scott Point. Objective 5 of Special Housing Area Precinct 5.61- Scott Point specifies the transition of building density and height from low along the coast to higher inland as follows:

“5. Development results in a transition of building density and heights (from low along the coast to higher inland and adjacent to amenity features and public transport routes) to provide visual integration to the harbour setting.”

The proposal is to rezone the properties that are directly along the coast (identified in the above map) to Residential – Single House in their entirety, to be consistent with precinct objective 5 of the Scott Point SHA Precinct. This ensures that property boundaries align with zone boundaries and only one zone applies to previously affected sites.

The proposed change is the most appropriate way to achieve the objectives of the plan, which aligns with the objectives of the Plan Change. Because the proposed change removes

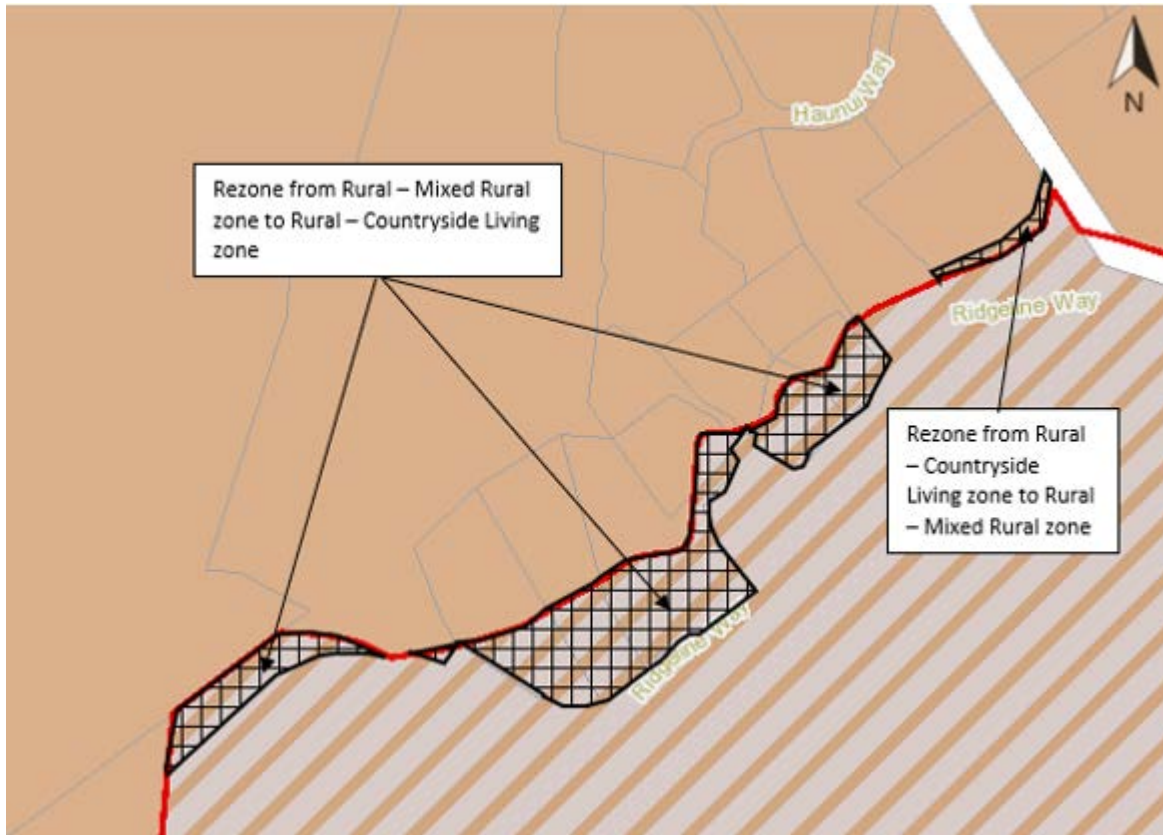
⁸ LUC-2016-2514 and SUB-2014-2515 and LUC-2015-2020 and SUB-2015-2023

split zoning from the majority of properties along the coast, and appropriately zones them Residential – Single House to meet the requirements of SHA Precinct 5.61 – Scott Point.

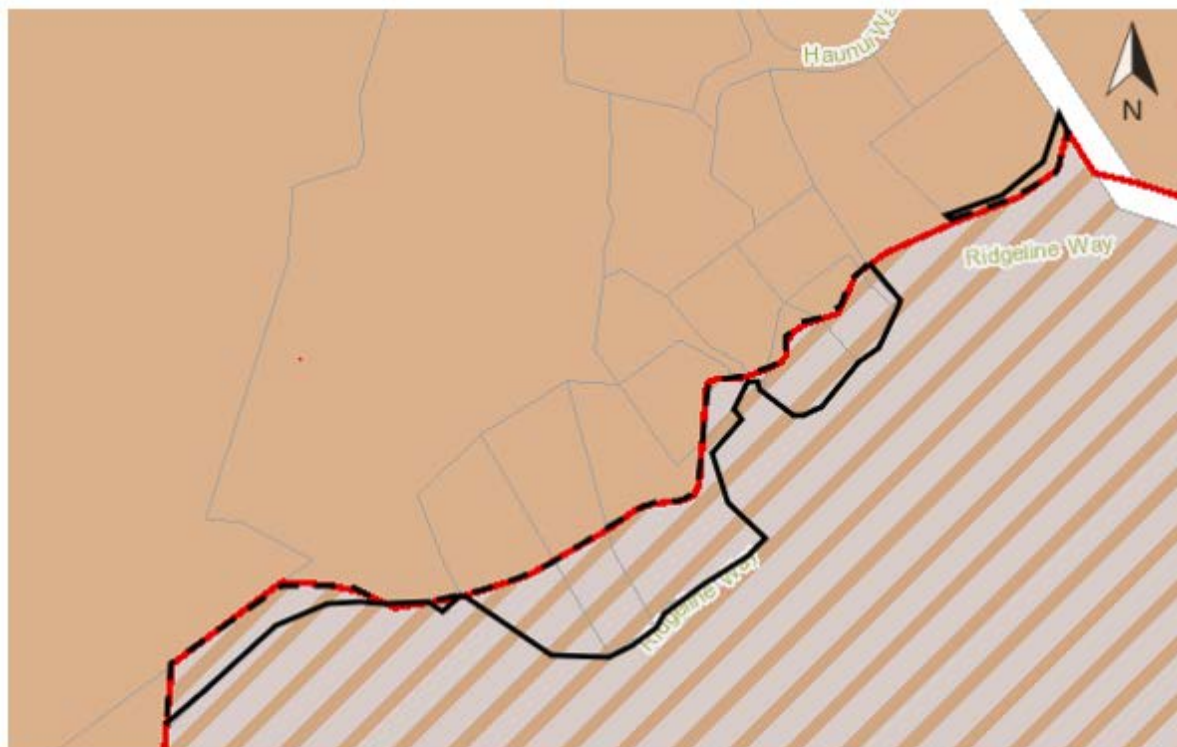
Council wrote to the property owners on 5 June 2018 to outline the proposed amendment to the zoning of the properties and did not receive any response.

Ridgeline Way, Whitford

Map 1 – Proposed changes to zoning



Map 2 – Proposed changes to Whitford sub-precinct A Boundary



----- Delete existing sub-precinct A Boundary

_____ Insert new sub-precinct A Boundary

The Whitford sub-precinct A and the boundary of the underlying Rural – Countryside Living and Rural – Mixed Rural zones at Ridgeline Way, Whitford do not align with property boundaries. This is a result of a subdivision that has occurred.

I441 Whitford Precinct seeks to provide for countryside living development, subject to a management framework to maintain and enhance landscape character. The precinct is located within stream catchments of Turanga, Waikopua, Te Puru and Whitford and is made of two sub-precincts. The spatial application of zones throughout the precinct aligns with the sub-precinct boundaries.

The subdivision consent application (No.42371, 41879, and 41923) sought to subdivide the properties at 371 Whitford Park Road, Whitford and 500 Brookby Road, Brookby on a non-notified basis. This application was approved on 25 November 2013. The seventeen-lot subdivision was later challenged in the High Court through Judicial Review by the neighbouring property owner (Reference: CIV-2014-404-001165). The parties including the Council came to an agreement to reduce the number of lots created from 17 to 15 and discontinued court proceedings. This new subdivision has resulted in the anomaly, causing a number of properties along Ridgeline Way to be split zoned.

Recommendations are to:

- Realign the southern boundary of Whitford sub-precinct A, as well as the zone boundaries of Rural – Countryside Living zone and Rural – Mixed Rural zone so that the six properties created by subdivision are zoned Rural – Countryside Living.
- Rezone properties from Rural – Mixed Rural zone to Rural – Countryside Living and vice versa as shown in the Map – 1 above.

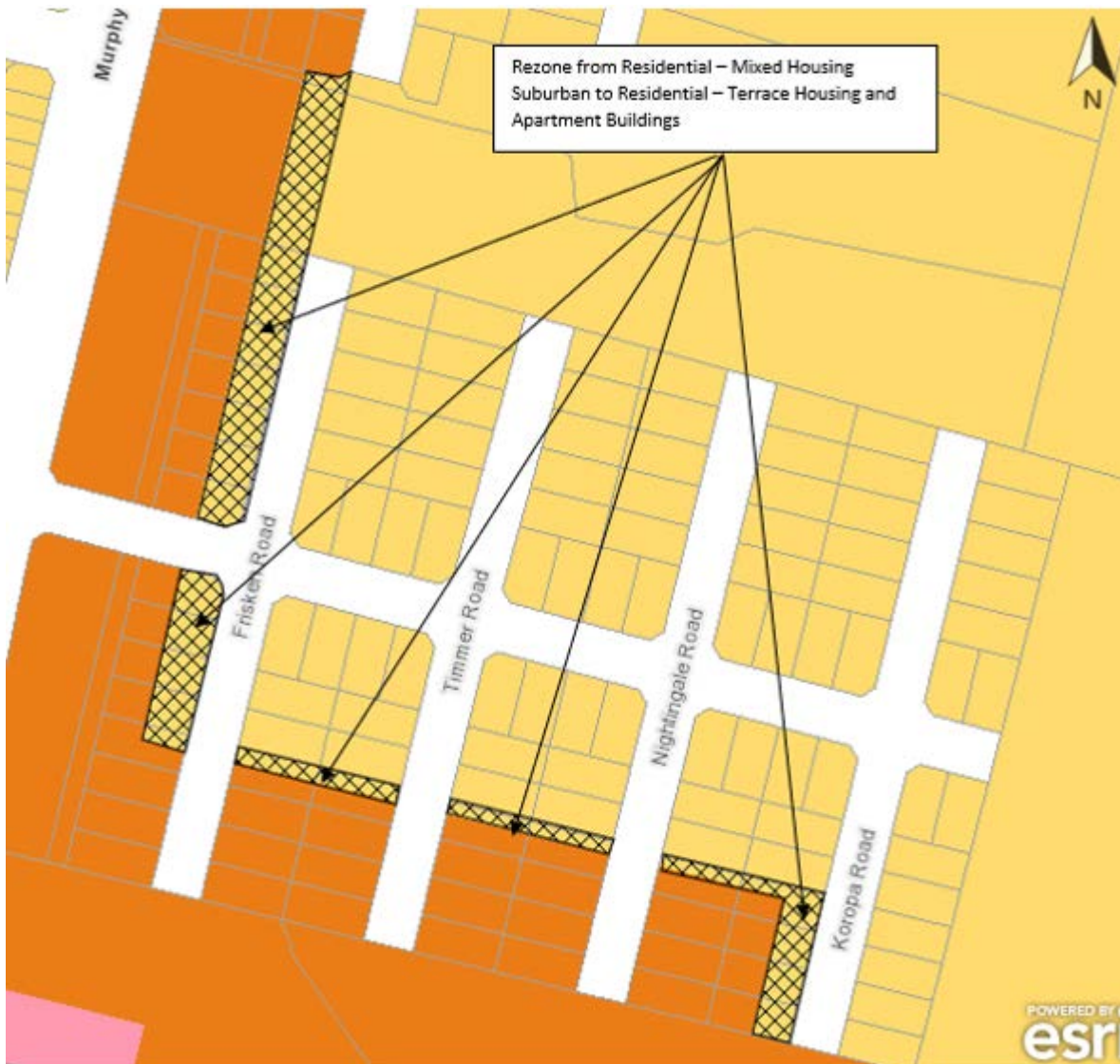
However, as a result of reducing two lots from the previously mentioned subdivision development, a part of the land zoned Rural – Countryside Living with an area of approximately 8300m² remains attached to the parent lot zoned Rural – Mixed Rural, resulting a split-zone. Considering the size of this part of the land and the fact that it is surrounded by the Rural – Countryside Living zone, zoning change was not proposed.

The recommended changes resolve identified anomalies relating to zone boundaries, sub-precinct boundaries and zoning. The proposed change is the most appropriate way to achieve the objectives of the plan, which aligns with the objectives of the Plan Change because the proposed change aligns the sub-precinct boundary and zone boundary with property boundaries.

Council wrote to the property owners on 5 June 2018 to outline the proposed amendment to the zoning of the properties. One of the property owners responded to communicate his opposition to the previously proposed changes to the zoning and zone boundaries. Considering the property owner's views, proposed changes were amended as reflected above.

Frisken Road, Flat Bush

Map 1 – Proposed Rezoning from Mixed Housing Suburban to Terrace Housing and Apartment Building



Map 2 – Proposed changes to Sub-Precinct Boundaries



————— Insert New Sub-precinct boundary

----- Delete existing sub-precinct boundary

Twelve properties along Friskin Road within I412 Flat Bush Precinct have been split zoned Residential – Terrace Housing and Apartment Building and Residential – Mixed Housing Suburban zone. Furthermore, the boundaries of Flat Bush sub-precincts A, D and F do not align with the property boundaries or the road boundary. This has resulted from the subdivision of the parent lots, 217 – 221 Murphys Road, Flat Bush, which was granted on 25 August 2014 (Subdivision Application No. 48504).

The purpose of I412 Flat Bush Precinct is to provide for comprehensive development in the Flat Bush Structure Plan area through a range of subdivision controls relating to block design, road design and road construction standards. The precinct is located in an area extending eastwards from Chapel Road up to the Rural Urban Boundary (RUB) and is made of ten sub-precincts. The spatial application of zones throughout the precinct aligns with the sub-precinct boundaries.

The recommendation is to extend the Residential - Terrace Housing and Apartment Building zone to Fong Road, Frisken Road and adjust the boundary between Flat Bush sub-precincts A, D and F to align with the revised zone boundaries as shown in the above Maps 1 and 2.

The recommended changes resolve identified anomalies relating to property boundaries and sub-precinct boundaries. The proposed changes are the most appropriate way to achieve the objectives of the plan, which aligns with the objectives of the Plan Change because the proposed changes ensure removal of split zoning from 21 sites and alignment of sub-precinct boundary with property boundaries and zoning boundaries.

Council wrote to the property owners on 5 June 2018 to outline the proposed amendment to the zoning of the properties and did not receive any response.

Orewa 1 Precinct – Proposed changes to sub-precinct boundaries

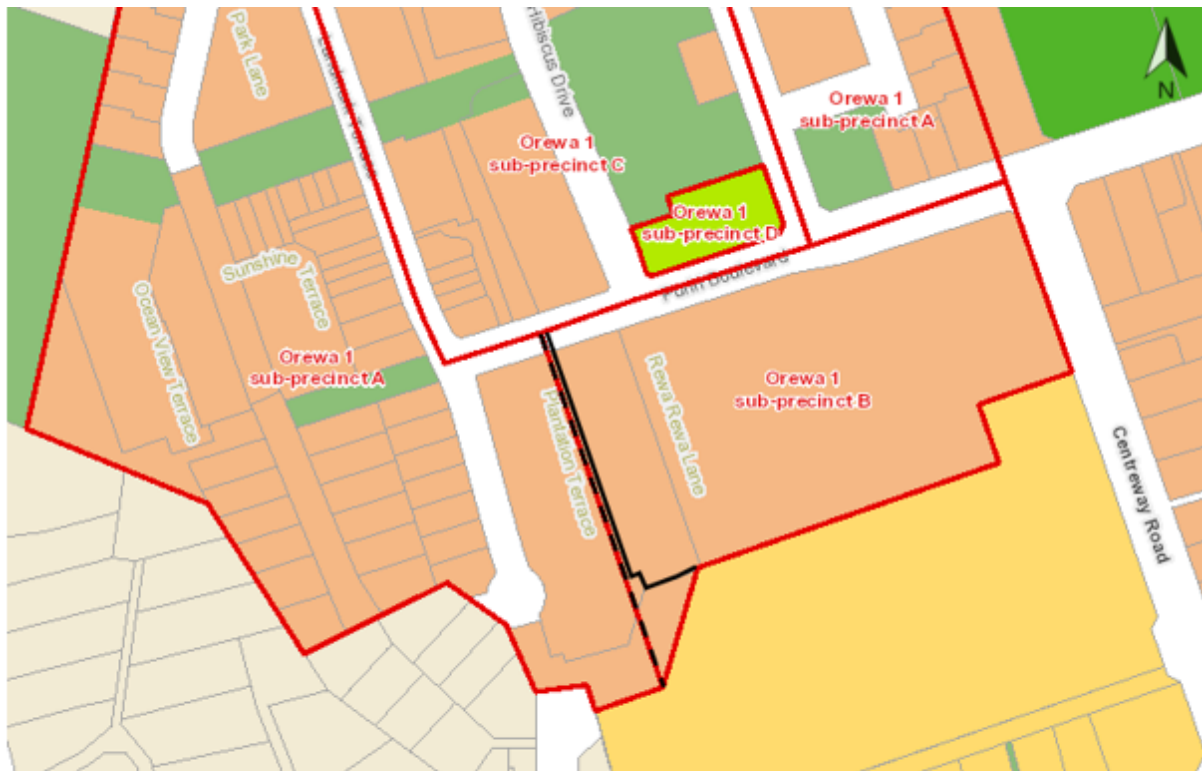
Map 1 - Orewa 1 Precinct – Changes to sub-precinct boundaries (Part 1)



— Insert New Sub-precinct boundary

----- Delete existing sub-precinct boundary

Map 2 - Orewa 1 Precinct – Changes to sub-precinct boundaries (Part 2)



- Insert New Sub-precinct boundary
- - - Delete existing sub-precinct boundary

There are three segments in the I529 Orewa 1 precinct where the sub-precinct boundaries do not align with property boundaries. All three misalignments have been reviewed and are proposed to be rectified by realigning sub-precincts with property boundaries. As substantial parts of the areas are already built, there is hardly any impact on development potential caused by the changes to sub-precinct boundaries.

The purpose of I529 Orewa 1 precinct is to enable the completion of a comprehensive residential community that will have a range of housing typologies, complemented by community facilities, public open spaces, and accessory commercial activities. The precinct is located at the corner of Centreway Road and Puriri Avenue at the northern end of Orewa and is made up of four sub-precincts. The spatial application of zones throughout the precinct align with the sub-precinct boundaries.

Recommendation is to realign sub-precinct boundaries with the property boundaries as shown in the above map to rectify the misalignments.

As a consequential amendment arising from the recommended changes to the Orewa 1 sub-precinct boundary on the AUP Viewer, I529.10.1 Orewa 1 Precinct Plan 1 will also be amended accordingly.

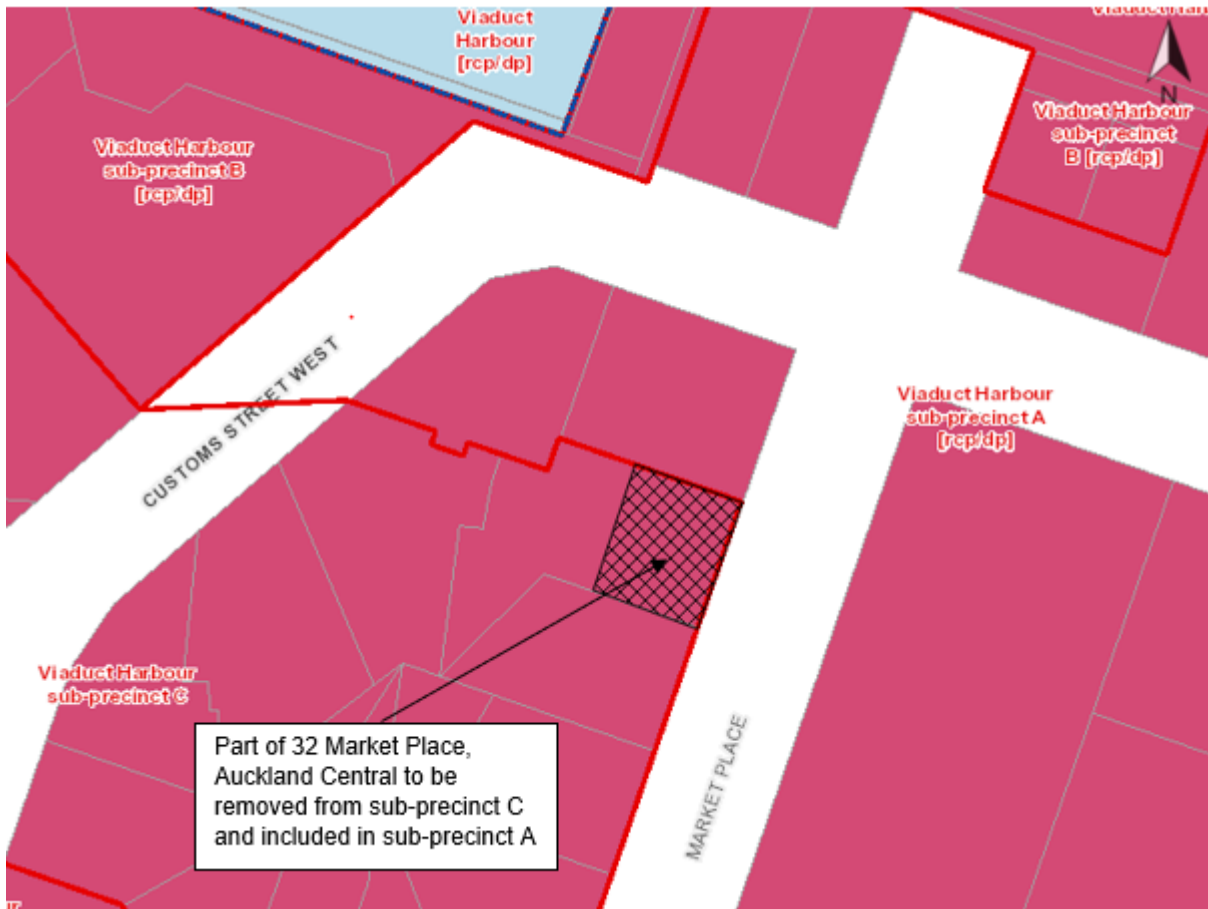
The recommended changes resolve identified anomalies relating to property boundaries and sub-precinct boundaries. The proposed changes are the most appropriate way to achieve

the objectives of the plan, which aligns with the objectives of the Plan Change because the proposed changes enable sub-precinct boundaries to align with property boundaries along Rewa Rewa Lane and those properties located at Eaves Bush Parade.

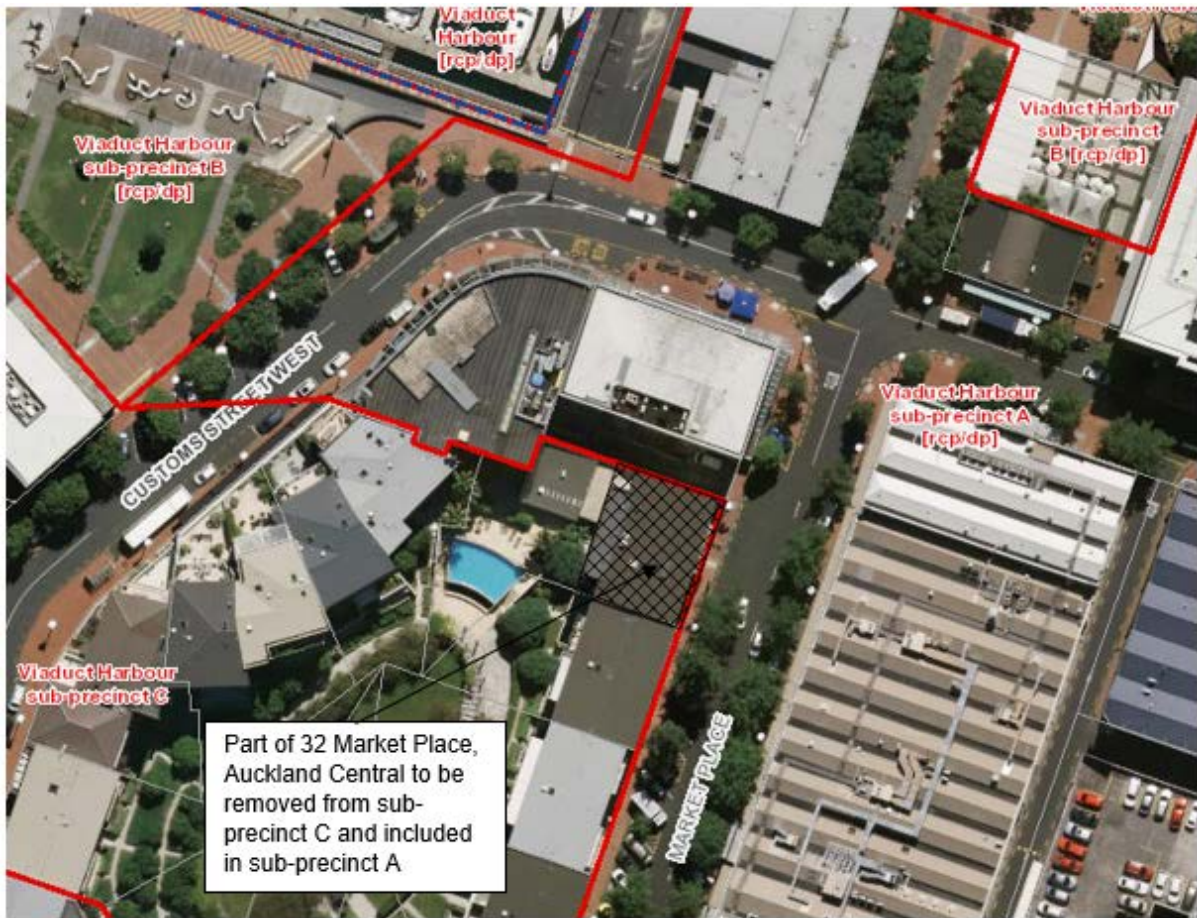
Council wrote to the property owners on 5 June 2018 to outline the proposed amendment to the zoning of the properties. A Planning Consultant acting on behalf of one of the property owners responded to communicate his opposition to the proposed amendment to the zoning. There were three others who sought further clarifications but did not oppose the amendments.

32 Market Place, Auckland Central – I211 Viaduct Harbour Precinct

Map 1 – Proposed area to be removed from sub-precinct C and included in sub-precinct A



Map 2 – Proposed area to be removed from sub-precinct C and included in sub-precinct A
(Aerial Map)



Map 3 – Proposed changes to sub-precinct boundaries



The property at 32 Market Place, Auckland Central is currently within sub-precinct C of the Viaduct Harbour Precinct in the City Centre zone. Sub-precinct C has been applied to the residential area within the precinct and recognises the established high quality residential environment and the benefits that a permanent residential population provides to the character, vitality, safety and amenity of the precinct. However, the main building at 32 Market Place is currently used for commercial purposes, and this activity makes the building more suitable for inclusion within Viaduct Harbour sub-precinct A. (Please refer to the Map 1 and Map 2 above).

Auckland Industrial Projects Ltd (AIPL) is the owner of the four-level commercial building at 32 Market Place, Viaduct Harbour. AIPL contacted the Council in 2016 outlining the concern that their property was incorrectly located in sub-precinct C and requested the Council address the issue. However, at that time, the sub-precinct C was subject to an appeal filed in High Court by Viaduct Harbour Holdings Limited (CIV-2016-404-002276). The Council was unable to consider this request under Plan Change 4 as the matter was potentially impacted by this appeal. AIPL did not become a party to this appeal to seek relief for this current anomaly. A judgement on this appeal was received in February 2018, this confirmed the introduction of sub-precinct C.

Viaduct Harbour Sub-precinct C was not included in the Proposed Auckland Unitary Plan. A submission was received by a number of the Bodies Corporate of the residential apartments within the Viaduct Harbour precinct seeking that a sub-precinct be added to recognise the

established residential population in the area. At the independent hearing, the Council did not support the creation of a sub-precinct. However, the Independent Hearings Panel (IHP) recommendations did support the introduction of sub-precinct C and the Council accepted this recommendation.

It appears that an error resulted from the Panel's reliance on a map (prepared by the submitter) which includes the property at 32 Market Place as part of sub-precinct C. Mr David Haines, Planning Consultant provided planning evidence to the IHP in relation to submissions by the Bodies Corporate for the residential apartments within Viaduct Harbour. He has since provided further background information to the Council regarding the hearings process relating to sub-precinct C. In an email addressed to the Council on 1 September 2017, on behalf of the owner of AIPL, Mr Haines confirmed that the precinct plan containing the error in relation to 32 Market Place was attached to his evidence. He also confirmed that both the IHP and the Council accepted the planning evidence including the incorrect map, resulting in the sub-precinct boundaries as identified in the AUP(OP) provisions. It is considered appropriate to address the issue under the proposed AUP Viewer Plan Change.

Having established that this is an error, options available for rectifying the issue can be considered. There are two ways to address this issue.

- The first option is to remove the entire site from sub-precinct C and include it in sub-precinct A. This enables the site boundary and the sub-precinct boundary to align with each other. However, part of the site forms part of the grounds for The Parc residential apartments and therefore should remain within sub-precinct C.
- The second option is to include only that part of the site which is used for commercial activities in sub-precinct A, leaving the remaining part of the site within sub-precinct C. This will create a misalignment between the site boundary and sub-precinct boundary. However, this is considered appropriate because it reflects the split land use of the site. It is noted that AIPL indicated in their correspondence in 2016 and 2017 that they are happy for the sub-precinct boundary to follow the land use, i.e. only the commercial building is removed from sub-precinct C.

Therefore, the second option is recommended. (The proposed changes to the sub-precinct boundaries are shown in Map 3).

As a consequential change, it is recommended that I211.10.1 Viaduct Harbour: Precinct Plan 1 – Precinct and sub-precincts be amended accordingly to reflect the recommended changes.

The recommended changes help resolve the identified anomaly in the sub-precinct C boundary. The proposed change is the most appropriate way to achieve the objectives of the plan, which aligns with the objectives of the Plan Change.

6.3 Inconsistencies in the mapping of controls and overlays to identified sites

Plan users, including Council staff have identified issues relating to the mapping of various controls and overlays in the AUP Viewer. These issues have arisen for various reasons including:

- The underlying zoning has been amended through the AUP hearings process and the mapping of controls is no longer consistent or compatible with the zoning;
- The control or overlay is no longer required, because the surrounding environment has changed or an alternative control is in place. However the AUP Viewer has not been updated to reflect this. The identified mapping anomalies in respect of the mapped controls are causing undue restrictions on future development potential of affected properties and creating uncertainty for property owners and plan users;
- The control is applied inappropriately ignoring the purpose and methodology of using controls in the AUP. This causes inconsistencies with the underlying zone and its policies and also duplicates an existing control over the activity;
- The overlay is inappropriately applied as it does not accurately reflect the extent of the value being protected.

The options to address the problem identified above are:

- Option 1- Retain the status quo, leaving identified mapping anomalies as they are and not make any changes to the AUP Viewer.
- Option 2 - Amend the AUP Viewer to fix identified mapping control anomalies and rectify inconsistencies with the underlying zoning.

6.3.1 Evaluating the proposal against its objectives

Table 6.3 – Summary of analysis under Section 32(2) of the RMA

Options	Efficiency and effectiveness	Costs	Benefits
Option 1: Retain the status quo without changing the identified anomalies of mapped controls.	<p>Inappropriate or redundant mapping controls may unnecessarily restrict the future development of the property.</p> <p>This could end up with a property being undevelopable to its full potential. Therefore, this would not contribute to efficient management of natural and physical resources.</p> <p>Similarly, the</p>	<p>Greater costs in terms of undertaking specialist's reports to convince approval authorities of the need to change the inappropriate controls when seeking infrastructure and / or resource consents.</p> <p>Additional costs involved in resolving issues arising from separate boundaries in terms of property, zoning and precincts.</p> <p>Optimum benefits of</p>	There are no specific benefits to property owner or to other stakeholders.

	absence of any mapping control that were intended to apply within the AUP will make plan implementation inefficient and ineffective.	the property would not be available to the owners, because of difficulties in enforcing correct lot size, building envelope and development rights.	
Option 2: Amend the AUP GIS Viewer to fix identified issues relating to mapped controls	<p>When mapping controls are made compatible with the Plan's stated and intended land use and transport policies and best practice approaches for rezoning and precincts, the implementation of the plan will become efficient.</p> <p>Ensuring application of controls appropriately and consistently throughout the entire Plan makes interpretation of plan contents more meaningful to the users.</p> <p>Fixing of these issues removes ambiguity over development potential of the related properties.</p>	<p>Reduces consenting costs at each stage of consenting process and implementation of consents granted.</p> <p>Costs of monitoring of consents granted would reduce.</p>	<p>Enables property owners derive optimum benefits from developing the property. Sustainable management of natural and physical resources is facilitated.</p> <p>Environmental benefits improve, as the future development of the properties will more fully achieve Plan objectives.</p> <p>Higher level of accuracy of GIS information in AUP Viewer improves quality of statutory planning processes.</p>

6.3.2 Conclusion

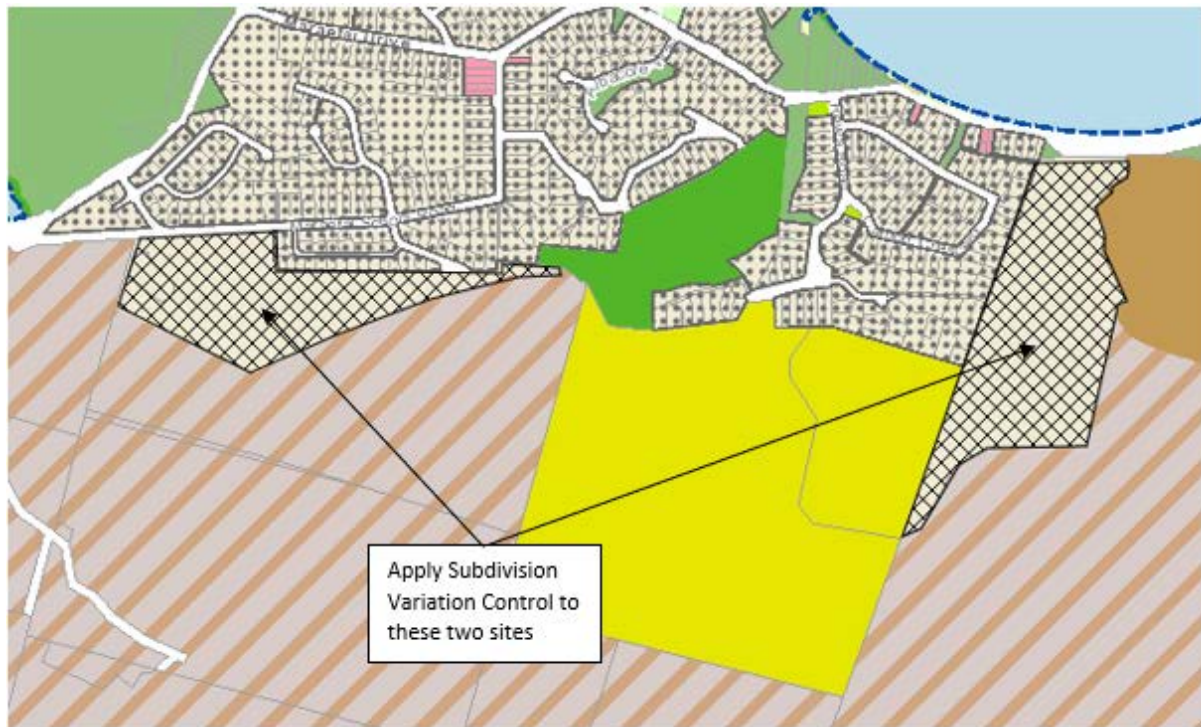
The amendments sought in the AUP Viewer PC 17 and Attachment 1 – (Proposed amendments to the maps in AUP GIS Viewer) of PC 17 are the most appropriate ways to correcting the identified errors and anomalies. Correcting these technical mapping issues in PC 17 to the AUP:

- is effective, as it better aligns with its relevant objectives, policies and purpose of the RMA;
- is efficient, as the potential for users to interpret these provisions incorrectly is reduced;
- is appropriate, as the AUP will function more efficiently and productively with the correction of these errors; and
- gives effect to the objectives and policies of the AUP.

This evaluation applies to the following properties where an issue relating to mapping controls has been identified.

6.3.3 Problem statement and recommendations to amend inconsistencies in the mapping of controls and overlays to identified sites

230 Maraetai School Road, Maraetai, 110 Maraetai School Road, Maraetai, 1 Maraetai Coast Road, Clevedon



There are two separate Residential - Single House zoned areas of land (230 Maraetai School Road, Maraetai; 110 Maraetai School Road, Maraetai; and 1 Maraetai Coast Road, Clevedon) where the Subdivision Variation Control has not been applied. Both sites were zoned Rural – Mixed Rural in the PAUP. There were no submissions relating to these sites. However, both sites were rezoned to Residential – Single House in the Recommendation version of the AUP. Despite the amended zoning the Subdivision Variation Control was not applied. This has created an inconsistency with the approach to managing subdivision in the areas of Maraetai Residential - Single House zone. This mapping anomaly appears to be an oversight.

For the property at 1 Maraetai Coast Road, the property summary of the AUP Viewer correctly shows that Subdivision Variation Control, Urban - Maraetai and Omana Beach 700m² applies. Accordingly, AUP Viewer maps should also show the Control.

Within the Maraetai Township the Subdivision Variation Control has been applied across the majority of the sites zoned Residential - Single House zone. The minimum site area for subdivision within the Residential – Single House zone is 600m². The purpose of the Subdivision Variation Control in Maraetai is to limit the minimum site area for subdivision to 700m². This is to manage the existing pattern and density of subdivision to protect the low-density character of Maraetai⁹.

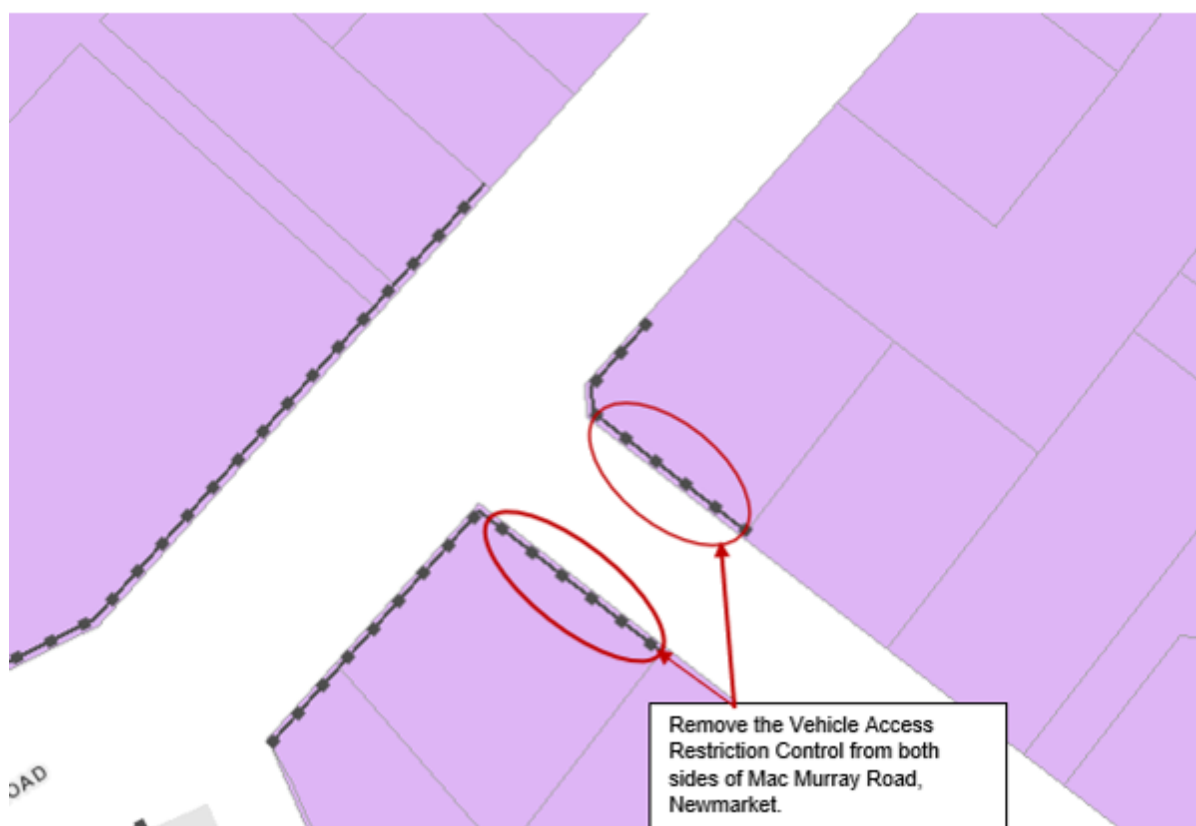
⁹ Chapter E38, policy E38.27

The recommendation is to extend the Subdivision Variation Control to cover the above sites. This helps achieving AUP Viewer Plan Change objective of resolving identified inconsistencies in the mapping of controls.

The proposed change is the most appropriate way to achieve the objectives of the plan, which aligns with the objectives of the Plan Change.

Council wrote to the property owners on 5 June 2018 to outline the proposed amendment to the zoning of the properties and did not receive any response.

Proposed removal of Vehicle Access Restriction Control (VAC) - 8 and 10 St Marks Road, Remuera



St Marks' Women's Health Centre site at 10 St Marks Road on the corner of St Marks and Mac Murray Road has a Motorway Interchange Control - Vehicle Access Restriction (VAR) on both frontages. The owner requested to remove the VAR on Mac Murray Road frontage in submission No.7237 to the Proposed Auckland Unitary Plan (PAUP) to provide for and facilitate the future residential apartment building proposed to be developed on the site.

NZTA agreed with the land owner's submission No. 7237. However, IHP did not comment on this matter in the recommendation report on Topic 043 and Topic 044. IHP Report to Auckland Council on Hearing Topic 074 NZTA Designation 6727 acknowledged the submission of Saint Marks Women's Health Limited (No. 7237-9). The AUP Viewer still shows that the VAR has not been removed from the Mac Murray Road frontage. Similarly, the VAR also appears on the opposite side of Mac Murray Road at 8 St Marks Road. This property is currently used for Auckland Eye Clinic, Surgical and Residential Care Facility where traffic generation is limited. To avoid a potential inconsistency by leaving the VAR control on the Mac Murray Road frontage of 8 St Marks Road, Remuera, it is appropriate to remove the VAR on this side of Mac Murray Road as well.

NZTA accepted and supported the request for removal of the VAR from the Mac Murray Road frontage of the property. Consultant Traffic Engineer, Leo Donald Hills on behalf of NZTA stated in his Primary Statement of Evidence that he agreed with the property owner as he did not consider any new or existing access on MacMurray Road in this location could potentially affect the nearby motorway interchange operation¹⁰.

¹⁰ Primary statement of evidence for Leo Donald Hills for the New Zealand Transport Agency in relation to Topic 043: Transport objectives and policies and Topic 044: Transport Rules and other, dated 16 June 2015

NZTA further explained that when a request for new vehicle access is referred to them, the Agency undertakes an assessment on case-by-case basis to determine the appropriateness of changes to vehicle access to the properties in these Motorway Interchange control areas. Because each interchange has its own unique features. For those sites which do not have VAR, a Restricted Discretionary Activity consent is required where the standards E27.6.4.1(2) and E27.6.4.1(3) apply. Therefore, even after the removal of VAR as proposed, any proposal relating to access across Mac Murray Road boundary of this site will be subject to several tests as given under E27.8.1 Matters of Discretion.

The matters of discretion E.27.8.1(12) applies to assessment of such requests, which include the following:

- a) Adequacy for the site and the proposal
- b) Design and location of access
- c) Effects on pedestrians and streetscape amenity
- d) Effects on the transport network

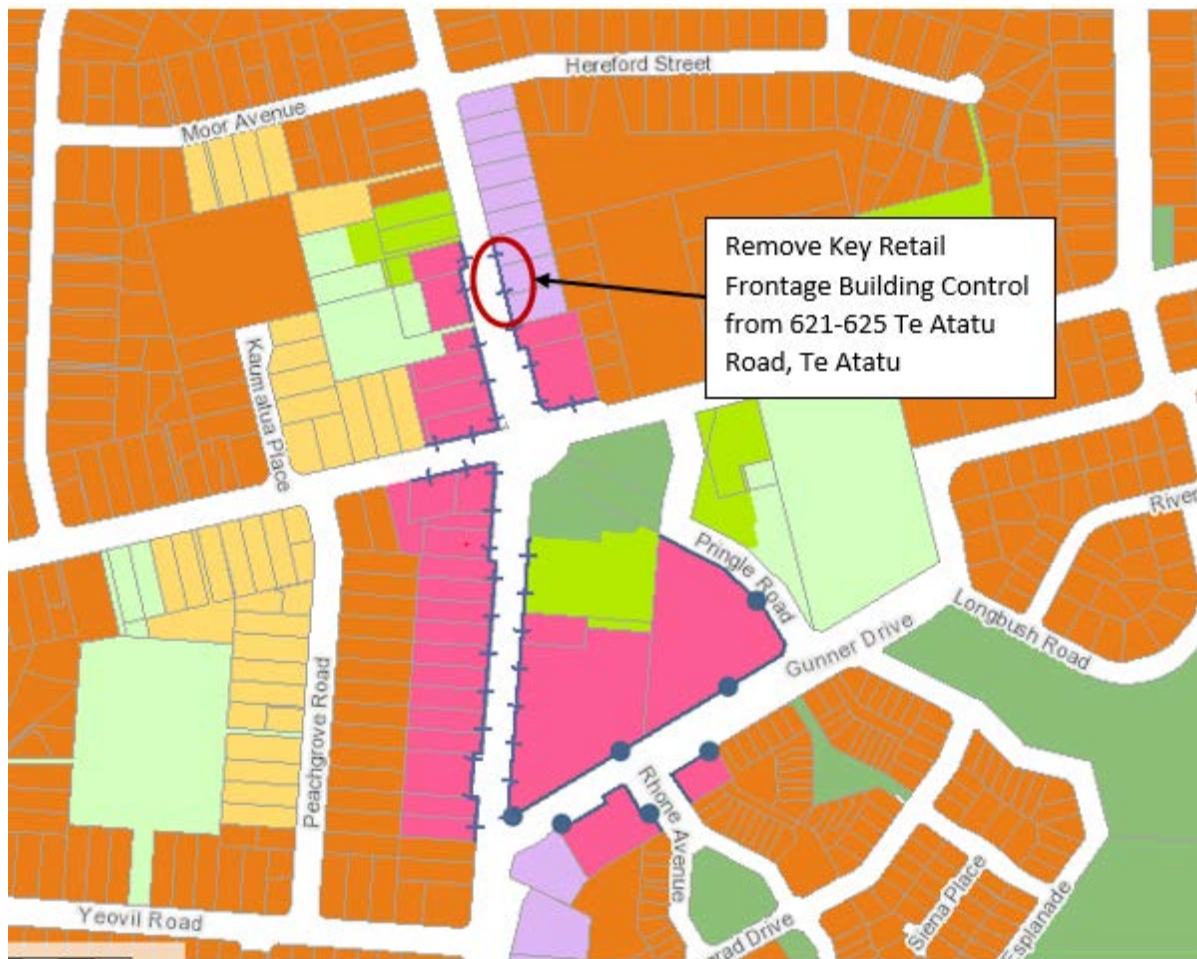
The recommendation is to remove the VAR from Mac Murray Road frontages of both properties (8 and 10 St Marks Road) as shown in the above map.

The proposed change resolves identified inconsistencies in the mapping of controls as the removal of VAR reflects what was agreed with the submitter during the IHP hearing. Therefore, this aligns with the objectives of the Plan Change.

The proposed change is the most appropriate way to achieve the objectives of the plan, which aligns with the objectives of the Plan Change, because the proposed change enables use of the properties at 8 and 10 St Marks Road, Remuera to its full development potential without causing undue disruption to traffic.

In coming to this recommendation, the Council sought input from the NZTA who agreed with the removal of the VAR from both road frontages of Mac Murray Road. The Council also wrote to the property owners on 8 and 10 St Marks Road, Remuera to outline the proposed amendment to the VAR on 5 June 2018 but did not receive any response.

Proposed changes to Key Retail Frontage Control at 621 – 625 Te Atatu Road, Te Atatu Peninsula



The Building Frontage Control - Key Retail Frontage has been mistakenly applied in locations which it was not intended. This anomaly is found at 621-625 Te Atatu Road. The Key Retail Frontage is intended to apply only to Metropolitan and City Centre zones. The purpose of the application of Building Frontage Control - Key Retail Frontage in Business – Town Centre and Business - Metropolitan zones is to facilitate:

- (i) providing high priority for pedestrian movement and safety and amenity and
- (ii) continuity of building frontage and associated activities at street level.

Considering the current level of street activation, building continuity along the frontage, and pedestrian amenity at these sites, the Building Frontage Control - Key Retail Frontage cannot be justified for this location.

The properties at 621 – 635 Te Atatu Road and 2 Hereford Street were initially zoned Residential - Terrace Housing and Apartment Building zone in the PAUP.

The Building Frontage Control – Key Retail Frontage was applied within Council’s evidence in chief to the IHP as an accompaniment to the relief sought of rezoning sites to Business –

Town Centre zone. This relief was not accepted by the IHP (see below). However the Key Retail Frontage affectation was retained in error.

Submissions¹¹ were received requesting a change in zoning and, in response to these submissions the properties 621 – 625 Te Atatu Road, 627 – 635 Te Atatu Road, and 2 Hereford Street were rezoned to Business - Mixed Use zone. Despite the change in zoning, the Building Frontage Control - Key Retail Frontage was not removed from the frontage of 621 – 625 Te Atatu Road properties following the zoning change. This is inconsistent with the adjoining properties zoned Business - Mixed Use located at 627 – 635 Te Atatu Road and 2 Hereford Street which are not subject to the Building Frontage Control - Key Retail Frontage.

The Building Frontage Control - Key Retail Frontage should be removed from the frontage of 621-625 Te Atatu Road, Te Atatu Peninsula to align with the change in the underlying zoning. The removal of the Building Frontage Control – Key Retail Frontage from the frontage of these sites aligns them with the rest of the properties zoned Business – Mixed Use. This, in turn, aligns with the policies of the Plan as restrictions of the Building Frontage Control - Key Retail Frontage is only applied to City Centre and Metropolitan Centre zoned properties.

The recommendation is to remove the Building Frontage Control - Key Retail Frontage as it was not intended to apply at these locations.

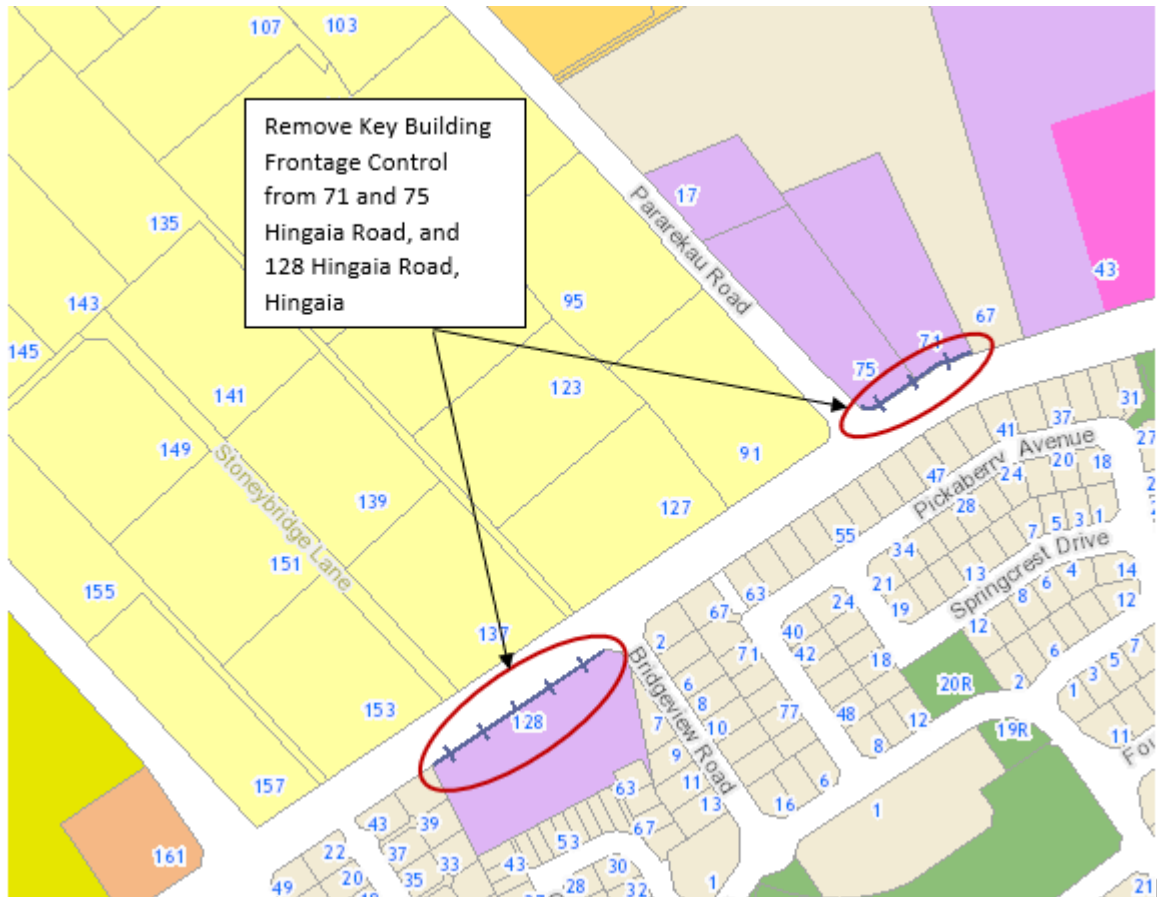
The proposed change resolves identified inconsistencies in the mapping of controls. Therefore, the proposed change is the most appropriate way to achieve the objectives of the plan, which aligns with the objectives of the Plan Change.

Council wrote to the property owners on 5 June 2018 to outline the proposed amendment to the zoning of the properties. One of the property owners responded and sought further clarifications but did not oppose the amendments.

¹¹ 5280-151, 3391-40 and 5277-149

Proposed changes to Key Retail Frontage Control – Hingaia Road, Hingaia

Map 1 – Removal of Building Frontage Control – Key Retail Frontage

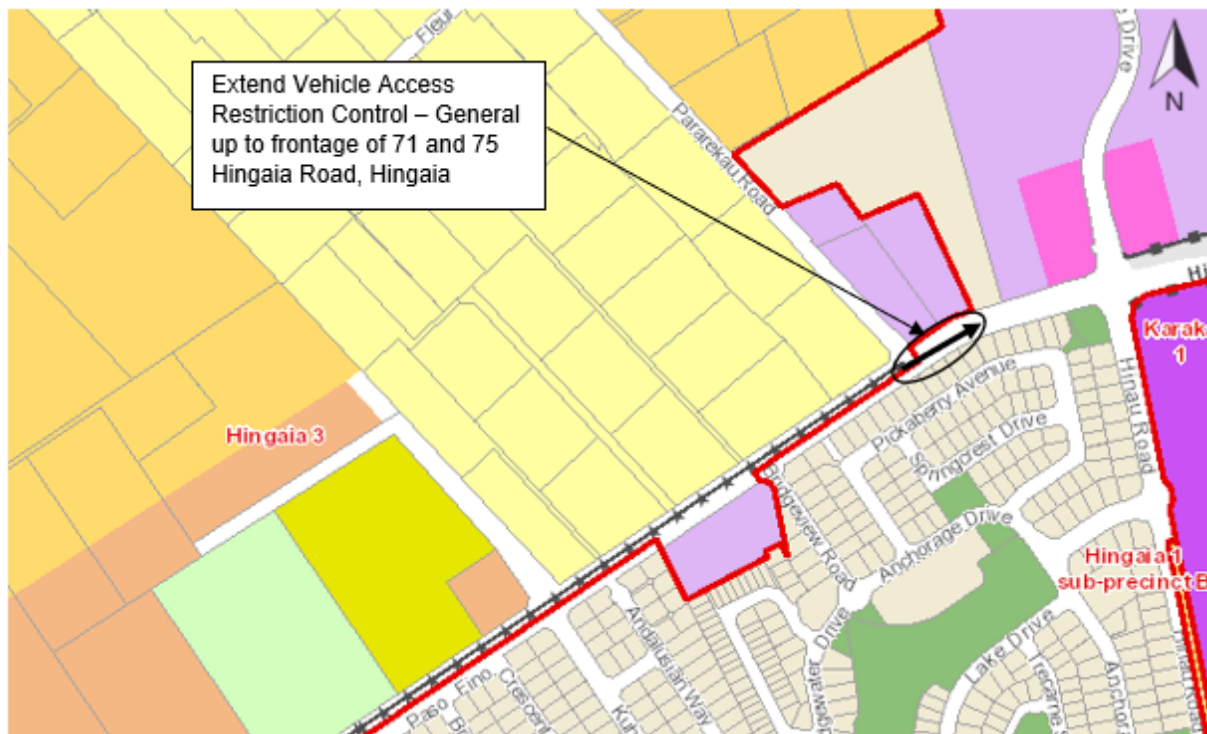


The Building Frontage Control – Key Retail Frontage has been applied at two sites located on Hingaia Road, Hingaia. These two sites 128, 71 and 75 are currently zoned Business – Mixed Use zone. The Building Frontage Control – Key Retail Frontage is only applied in Business – Town Centre and Business – Metropolitan Centre zones to maximise street activation, building continuity along the frontage, pedestrian amenity and safety and visual quality. Some street frontages within the Centre zones are subject to a Building Frontage Control - Key Retail Frontage or Building Frontage Control - General Commercial Frontage provisions. Key retail streets are a focus for pedestrian activity within the centre¹². However, the areas where these Business - Mixed Use zoned sites at Hingaia Road, Hingaia do not experience the same significance in terms of scale and intensity of pedestrian activity that deserve Building Frontage Control - Key Retail Frontage.

Furthermore, given Hingaia Road is an arterial road, the Vehicle Access Restriction Control already applies to properties on both sides of the road (as provided by Rule E27.6.4.1(3)(c)). Vehicle crossings must not be constructed or used to provide vehicle access across the site boundary which adjoins Hingaia Road.

¹² H.9.1 Business – Metropolitan Centre and H.10.1 Business – Town Centre Description

Map 2 – Extension of Vehicle Access Restriction Control – General



Properties at 128, 71 and 75 Hingaia Road, Hingaia are within the 6.33 Hingaia 3 Special Housing Area (SHA) Precinct. Section 6.2 Assessment Criteria specifies under Standard 4(a) Vehicle Access Restrictions that vehicle access restrictions should apply for future lots adjoining Hingaia Road¹³.

Hence, Vehicle Access Restriction Control – General is applied to sites 91 – 239 Hingaia Road, Hingaia. This means the site at 128 Hingaia Road is already subject to this control. However, this control is not applied to 71 and 75 Hingaia Road. Therefore, the application of the same control should be extended to sites at 71 and 75 Hingaia Road as well.

Considering the above, the Building Frontage Control - Key Retail Frontage should be removed from the frontage of 128, 71 and 75 Hingaia Road, Hingaia, as alternative control is already applied at these locations to restrict vehicle access.

The recommendations are to

- Remove the Building Frontage Control - Key Retail Frontage Building Control from the frontage of 128, 71 and 75 Hingaia Road, Hingaia;
- Extend the application of Vehicle Access Restriction Control - General to cover frontages of properties 71 and 75 Hingaia Road.

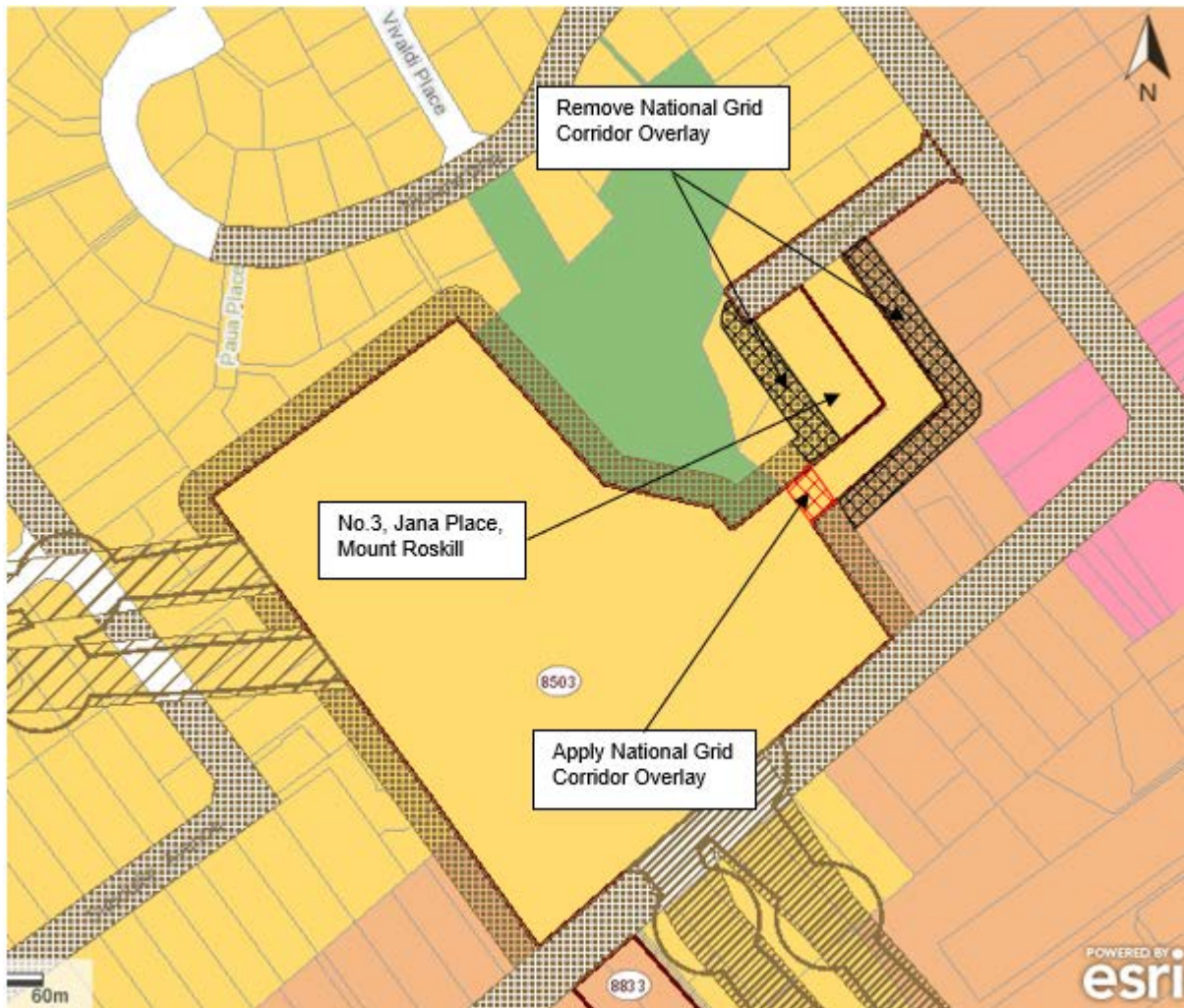
As a consequential change, it is recommended that Figure 1 – Zoning Map and Figure 2 – Structure Plan given in Section 10 Precincts Plans of the 6.33 Hingaia 3 SHA Precinct document be amended accordingly to reflect the recommended changes.

¹³ Page 15, Hingaia 3 SHA Precinct

The proposed change is the most appropriate way to achieve the objectives of the plan, which aligns with the objectives of the Plan Change because, the application of Vehicle Access Restriction Control - General is appropriate at the sites zoned Business - Mixed use, but not the Building Frontage Control – Key Retail Frontage.

Council wrote to the property owners on 5 June 2018 to outline the proposed amendment to the zoning of the properties and did not receive any response.

3 Jana Place, Mount Roskill - Proposed changes to National Grid Corridor Overlay



Transpower have a substation adjacent to Jana Place in Mount Roskill. The substation equipment is located in an area west of that shown in the map above. There is a Transpower owned access link between Jana Place and the substation equipment. Transpower decided that part of the designated land in this access link was not required for its activities. In April 2017, Designation 8503 was partially uplifted from 3 Jana Place. This was then sold to a third party. The boundary of Designation 8503 now runs along 3 Jana Place's eastern boundary (as shown by the brown line).

This sale and partial uplift of designation from 3 Jana Place divorced the western area of the substation corridor shown in purple from the edge of the designated area. This proposed overlay map amendment seeks to remove the existing substation corridor areas shown as purple and add a new substation corridor area shown as red.

The National Grid Corridor Overlay contains several types of corridors. One is the National Grid Substation Corridor, which surrounds substations that belong to Transpower and are part of the National Grid. The National Grid Substation Corridor Overlay is the area identified on planning maps which is within 12m of the site boundary of a National Grid substation. The overlay also applies to the road carriageway of sections of specific roads identified on the planning maps. The overlay seeks to manage sensitive activities and

potentially incompatible development in close proximity to those substations. New buildings for activities sensitive to the Grid and subdivision in the corridor are restricted to prevent risks to people and property, preserve access for inspection and maintenance and the operation of substations, and manage potential reverse sensitivity effects.

This will remove the National Grid Substation Corridor area that surrounds the designated access link that links Jana Place with the substation. Transpower has advised that this area does not contain any sensitive equipment that requires the substation corridor overlay to protect it. While there is a Transpower owned house currently located within this access link, an underground cable may be laid through this access link in the future. Transpower advise that this will not create noise, hazard or visual effects issues. In light of the lack of effects requiring management, it is appropriate to remove the National Grid Substation Corridor Overlay surrounding this area. The National Grid Substation Corridor Overlay that remains and the proposed new area shown in red (on Transpower's land) will continue to manage adverse effects that may arise from the actual substation equipment located in the designated area to the west of the area shown above.

The removal of the substation corridor areas shown in purple is also appropriate as it removes a constraint on privately owned property. The overlay is no longer required in this location.

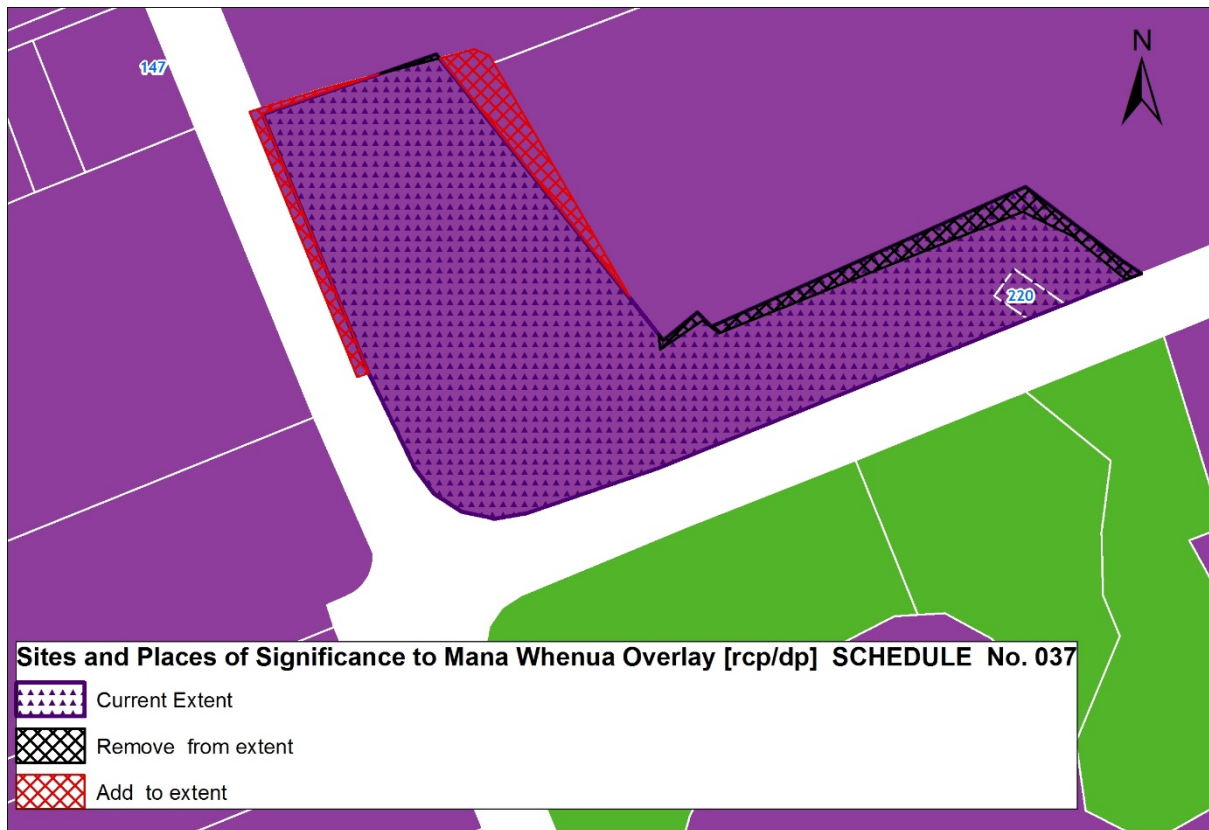
Recommendations are to:

- Remove the National Grid Substation Corridor Overlay from areas shown in purple in the map above
- Apply the National Grid Substation Corridor Overlay to the area marked in red in the map above, joining remaining corridor strips to close the loop.

This proposed mapping change will ensure that the integrity of the National Grid Substation Corridor Overlay surrounding the Mount Roskill substation is maintained and will continue to manage sensitive activities and potentially incompatible development in close proximity to those substations.

Council has discussed this change with Transpower, which has requested that the mapping amendment be progressed through this plan change.

151 Wiri Station Road, Manurewa, 11 Puaki Drive, Manurewa, 220 Wiri Station Road, Manukau Central



The Sites of Significance to Mana Whenua Overlay - 037 Wiri North Stonefields (**SSMW 037**) applies to three sites at 151 Wiri Station Road, Manurewa, 11 Puaki Drive, Manurewa, 220 Wiri Station Road, Manukau Central. However, SSMW 037 is not mapped accurately, as it does not align with the extent of the feature being protected. It is evident from aerial photographs that in some areas, the overlay extends beyond the stonefields feature, whilst in others the feature is not protected by the overlay.

Therefore, it is proposed to amend SSMW 037 to reflect a Conservation Covenant (7768031.1) registered on the title of 151 Wiri Station Road for the protection of the Waahi Tapu. The proposed extent better reflects the outer extent of the stonefields feature. It is noted that the proposed extent differs slightly from the covenant extent to include 220 Wiri Station Road, a Department of Conservation owned site. This is because 220 Wiri Station Road, whilst not being subject to the covenant, is still subject to the feature, and to the operative extent of SSMW 037.

By reflecting the conservation covenant, the proposed extent better gives effect to objectives and policies of the SSMW overlay, by affording protection to the parts of the feature currently not within the overlay boundary from inappropriate development, use and subdivision. This also enhances site development efficiencies by removing the parts of the overlay that do not actually apply to the stonefields feature.

The proposed change is the most appropriate way to achieve the objectives of the plan, which aligns with the objectives of the Plan Change.

Council wrote to the property owners and to the relevant Mana Whenua on 10 October 2018 to outline the proposed amendments.

6.4 Inconsistencies in the mapping of zones, overlays or precincts on certain sites within the Waitakere Ranges

The Waitakere Ranges are subject to several mapping layers within the AUP Viewer, including two zones which are unique to the area; Waitakere Ranges zone and Waitakere Foothills zone and the Waitakere Ranges Heritage Area overlay which covers the majority of the Waitakere Ranges. The mapping of the area has an element of complexity to it which is different to anywhere else in the Auckland Region. There has been a number of mapping anomalies identified in the Waitakere Ranges.

There have been errors on the AUP Viewer identified where incorrect and/or inconsistent application of established zones to parcels of land has led to spot zones that bear no relationship to the adjacent zones, land parcels with split zones, and incorrect zoning of land.

There are currently no resource consent applications being processed where the incorrect zoning or overlay is being applied, however correcting these errors will ensure efficient and effective administration of the Auckland Unitary Plan in future resource consent applications for land use or development on the identified properties.

The eight AUP Viewer anomalies specific to the Waitakere Ranges have been identified internally by Council staff, via the review of the zoning maps on the AUP Viewer.

The proposals to address the problem identified above are:

Option 1 – Retain the status quo

To retain the status quo would mean to leave the identified mapping anomalies in the Waitakere Ranges as they are and not make any changes to the AUP Viewer.

Option 2 – Amend the AUP Viewer to fix identified mapping anomalies in the Waitakere Ranges.

To amend the AUP Viewer to fix anomalies in the mapping of zones, overlays or precincts on certain sites identified in the Waitakere Ranges.

6.4.1 Evaluating the proposal against its objectives

Table 6.4 – Summary of analysis under Section 32(2) of the RMA

Options	Efficiency and effectiveness	Costs	Benefits
Option 1: Retain the status quo	By allowing the anomalies to the AUP Viewer remain, it reduces the efficiency of the zones and overlays that are unique to the	Where the incorrect zone or overlay has been applied to a site there are increased consent costs and uncertainty for consents staff and	A potential benefit of not correcting the AUP Viewer anomalies identified in the Waitakere Ranges and retaining the status quo is that

	<p>Waitakere Ranges meeting the relevant objectives and policies, and therefore limits the functionality of the AUP.</p> <p>This option is not efficient, as users of the AUP Viewer and property owners will need to interpret and clarify the provisions, and will therefore not have a clear understanding of what they can and cannot do on their property.</p> <p>This raises costs of consenting and undermines the efficiency of both the AUP Viewer and the AUP.</p>	<p>property owners who are wanting to progress development plans.</p> <p>If property owners or resource consents staff interpret the zoning, and overlays on properties differentially because of the errors and anomalies, there is an economic and potential environmental cost.</p> <p>The Waitakere Ranges are unique to the region, and therefore not correctly zoning properties or applying the overlays inconsistently could result in both environmental and cultural costs.</p>	<p>if there are more mapping anomalies, there is more time for these to be discovered and potentially remedied at a later date.</p> <p>Another benefit is that there is a risk that the correction of mapping anomalies in the Waitakere Ranges could create further issues, however if the status quo is retained, this can be prevented.</p>
<p>Option 2: Amend the AUP Viewer to fix identified issues in the Waitakere Ranges</p>	<p>Amending the AUP Viewer to fix/remove the identified mapping anomalies will remove ambiguity and confusion from the AUP Viewer. Property owners will have a clear understanding of what they can and cannot do on their property, which will increase the effectiveness of the AUP Viewer and the Auckland Unitary Plan.</p> <p>Correcting the zoning and overlay inconsistencies and anomalies identified in the Waitakere Ranges will improve the overall efficiency</p>	<p>Amending the AUP Viewer to remove mapping anomalies, where the incorrect zoning has been applied will reduce consenting costs at each stage of the consenting process and implementation of consents granted.</p> <p>Costs of monitoring of consents granted would reduce.</p>	<p>Amending the AUP Viewer to correct zoning and overlay mapping anomalies in the Waitakere Ranges enables property owners to derive optimum benefits from developing their property. Sustainable management of natural and physical resources is facilitated.</p> <p>Environmental benefits improve, as the future development of the properties will more fully achieve Plan objectives. Higher level of accuracy of GIS information in AUP Viewer improves</p>

	of the AUP Viewer and is the most appropriate way to achieve the objectives of the plan.		quality of statutory planning processes.
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6.4.2 Conclusion

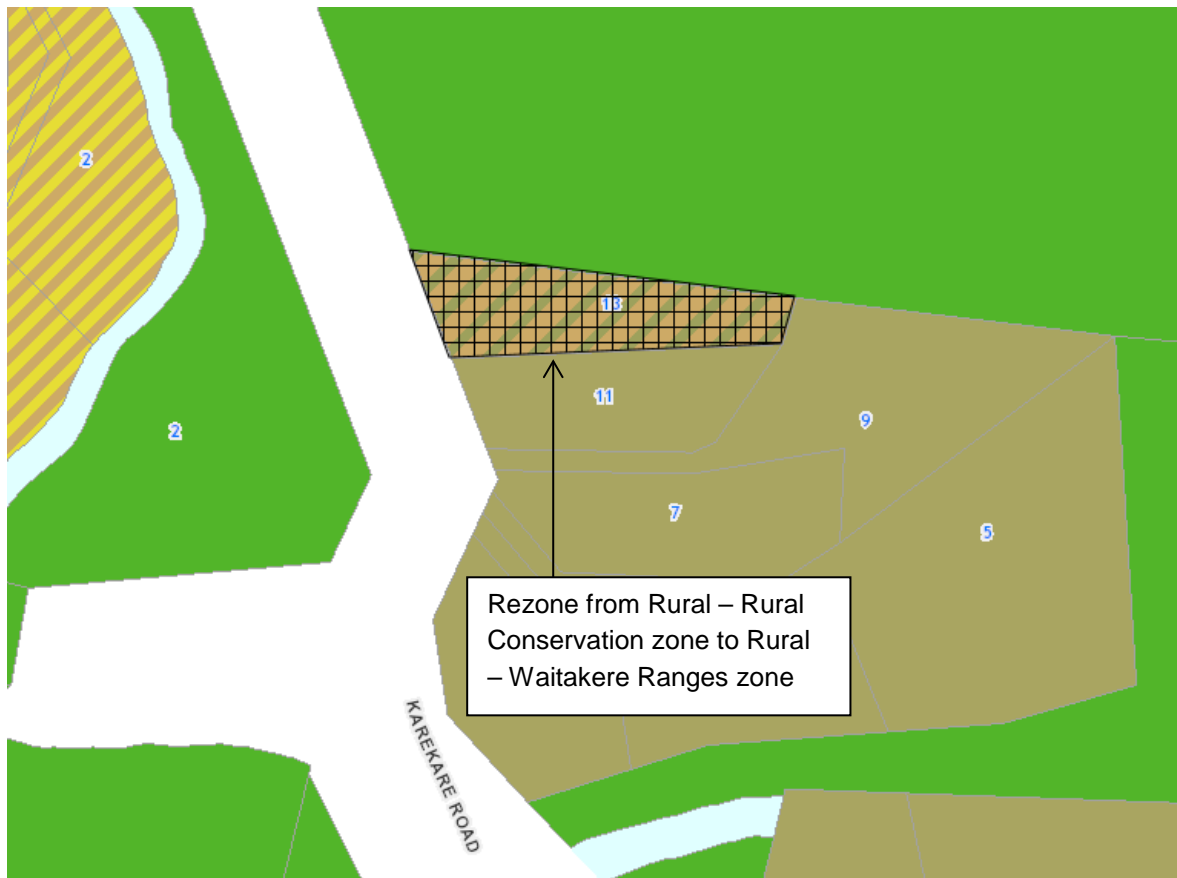
The amendments sought in the AUP Viewer PC 17 and Attachment 1 – (Proposed amendments to the maps in the AUP Viewer) of PC 17 are the most appropriate ways to correcting the identified mapping anomalies. Correcting these technical mapping issues in PC 17 to the AUP:

- is effective, as it better aligns with its relevant objectives, policies and purpose of the RMA;
- is efficient, as the potential for users to interpret these provisions incorrectly is reduced;
- is appropriate, as the AUP will function more efficiently and productively with the correction of these errors; and
- gives effect to the objectives and policies of the AUP.

This evaluation applies to the following properties within the Waitakere Ranges where consistency issues with the mapping of zones, overlays and precincts have been identified.

6.4.3 Problem statement and recommendations to amend inconsistencies in the mapping of zones, overlays or precincts on certain sites within the Waitakere Ranges

13 Karekare Road, Karekare

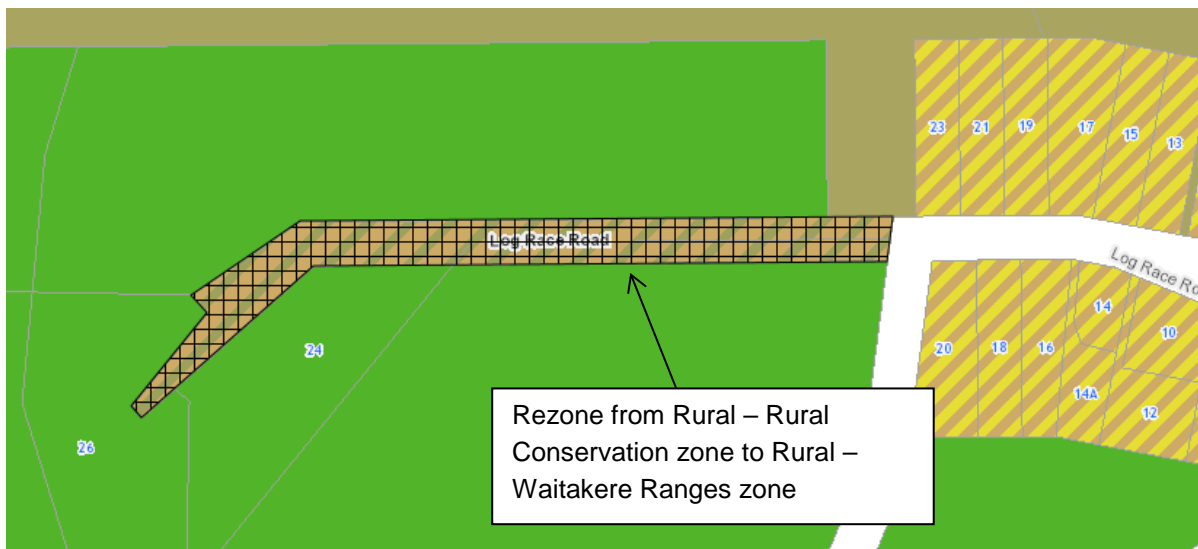


The property at 13 Karekare Road, Karekare has been zoned Rural – Rural Conservation zone. This is a spot zone anomaly. The property is 809m², has an established residential dwelling on the site, and is located between an area of Waitakere Ranges Open Space – Conservation zone to the north, and similar sized residential properties to the south zoned Rural – Waitakere Ranges zone. Including a Rural Conservation zoned site within the Waitakere Ranges Heritage Area is not supported. The Waitakere Ranges zone is the most appropriate zone for privately owned residential properties in the Waitakere Ranges, ensuring the same zone as contiguous parcels of land is applied, thereby enabling a more certain policy and rule framework to be applied in consenting situations.

The recommendation is to rezone 13 Karekare Road, Karekare from Rural – Rural Conservation zone to Rural – Waitakere Ranges zone. This will correct the spot zone anomaly, making the property a consistent zone with contiguous sites which are similar in size and residential use along Karekare Road. Rezoning 13 Karekare Road to the Waitakere Ranges zone is the most appropriate way to achieve the objectives of the plan, which in turn achieve the objectives of the plan change.

Council wrote to the property owners on 5 June 2018 to outline the proposed amendment to the zoning of the properties. No response was received.

Log Race Road, Piha

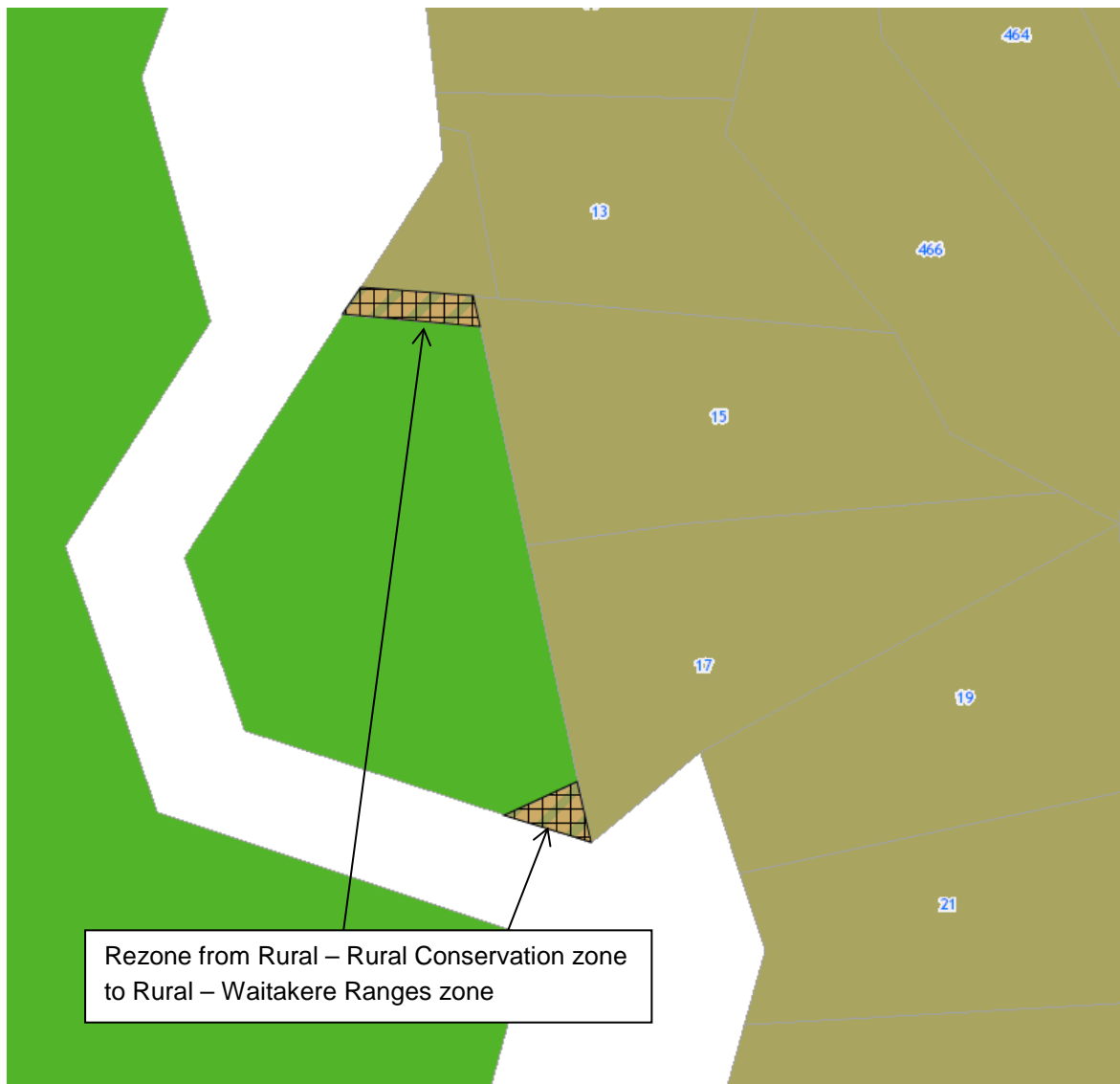


Log Race Road, Piha has been zoned Rural – Rural Conservation zone. This is an incorrect zoning anomaly. The area of land that has been incorrectly zoned is 6,954m², is primarily used as a driveway to a turning circle at the western end of the site and is surrounded by dense Waitakere Ranges native bush which is zoned Open Space – Conservation zone. The properties to the east of the subject site which have been subdivided and are used for residential purposes are zoned Rural and Coastal Settlement zone. The application of the Rural – Rural Conservation zone within the Waitakere Ranges Heritage Area is not supported. The Rural – Waitakere Ranges zone has been introduced into the AUP to be applied to privately owned properties around the periphery of the public open space and the regional park within the Waitakere Ranges Heritage Area. This is to ensure efficient and effective management of land, and enabling a more certain policy and rule framework to be applied in consenting situations

The recommendation to correct the incorrect zoning applied to Log Race Road, Piha is to rezone the site from Rural – Rural Conservation zone to Rural – Waitakere Ranges zone. The Waitakere Ranges zone is the most appropriate zone to be applied to Log Race Road Piha, as it is consistent with the zoning applied to properties in the surrounding areas which do not consist of Waitakere Ranges bush or established residential settlements.

Council wrote to the property owners on 5 June 2018 to outline the proposed amendment to the zoning of the properties. No response was received.

15 & 17 Quinns Road, Waitatarua



The properties at 15 Quinns Road and 17 Quinns Road, Waitatarua both have a split zone of Rural – Rural Conservation zone and Rural – Waitakere Ranges zone over the properties.

This is a split zone anomaly, where small sections of the properties (the driveways) have not been included in the Rural – Waitakere Ranges zone (the zone applied to the majority of both properties as well as adjacent residential properties). The application of Rural – Rural Conservation zone (the zone incorrectly applied to the driveways of 15 and 17 Quinns Road) is not supported within the Waitakere Ranges Heritage Area. The Rural - Waitakere Ranges zone has been established for privately owned land with small holdings and residential properties, on sites that are often surrounded by the public open space and regional park within the Waitakere Ranges Heritage Area.

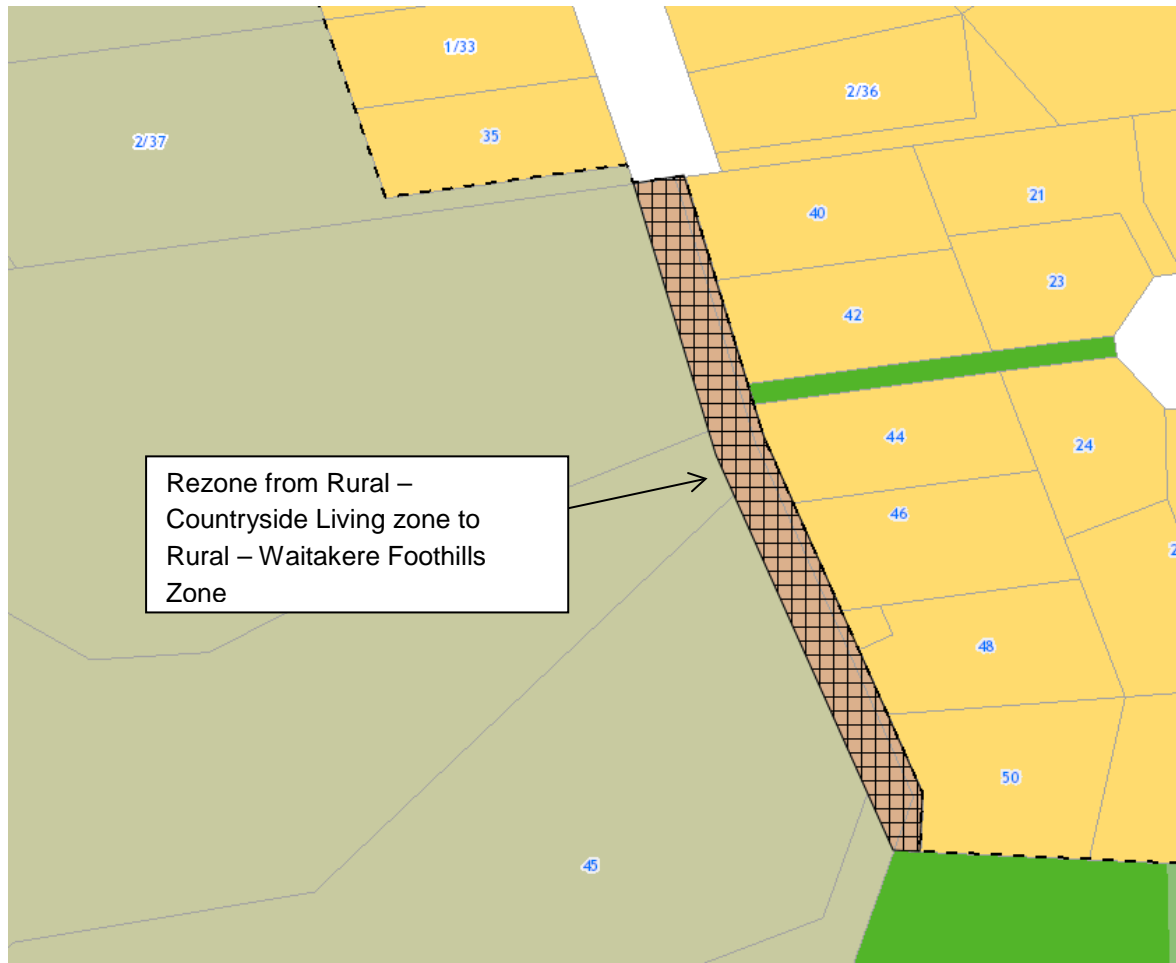
The recommendation is to rezone the front driveway sections of 15 Quinns Road and 17 Quinns Road, Waitatarua, from Rural – Rural Conservation zone to Rural – Waitakere Ranges zone. The proposed rezoning to Waitakere Ranges zone will remove the split zone anomaly and will ensure that one consistent zone is applied over the properties, as well as

ensuring consistency with adjacent residential properties which are also zoned Waitakere Ranges zone.

Council wrote to the property owners on 5 June 2018 to outline the proposed amendment to the zoning of the properties. No response was received.

Autumn Avenue, Glen Eden

(Lot 6 DP 109668, Lot 45 DP 2102670)



The shared access/ driveway off Autumn Avenue, Glen Eden identified by the black hatching above, is zoned Rural – Countryside Living zone. This is a spot zone and split zone mapping anomaly. The shared access is outside the RUB and is also subject to the Waitakere Ranges Heritage Area overlay, similar to the properties to the west zoned Waitakere Ranges zone. The application of Rural – Countryside Living zone within the Waitakere Ranges Heritage Area overlay is not supported.

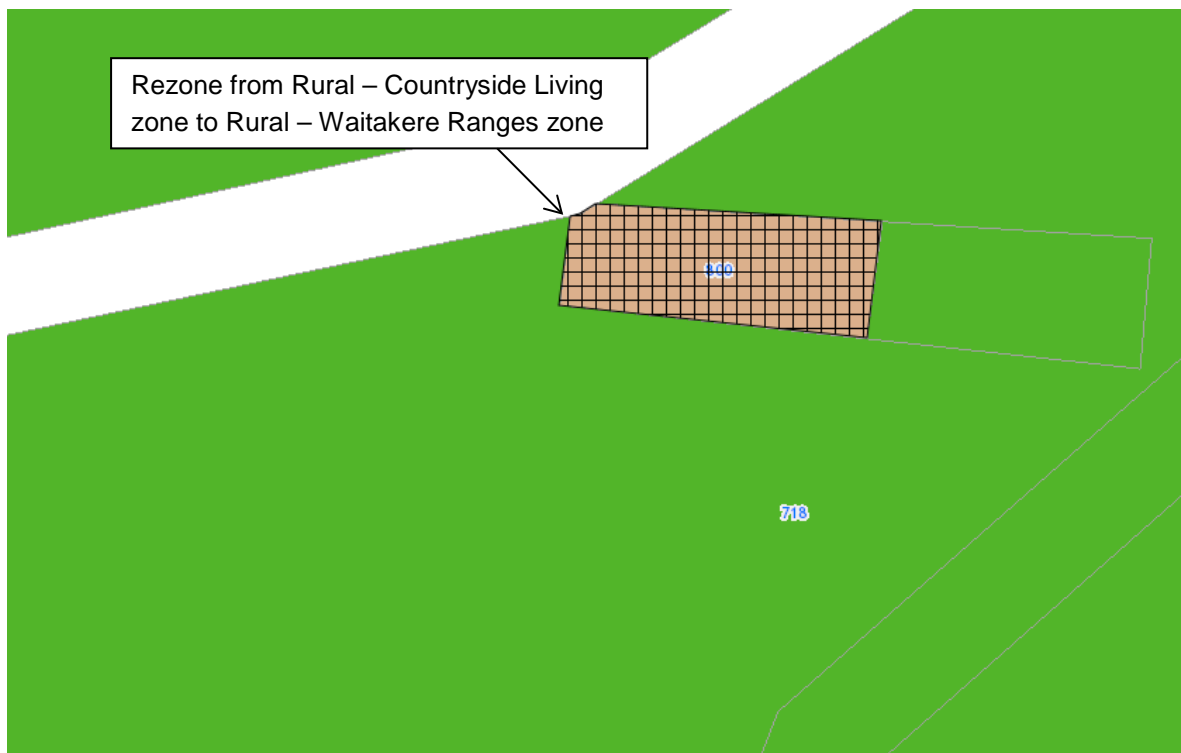
There are two reasonably practicable options to address this inconsistent zoning pattern:

- Rezone the shared access from Rural – Countryside Living zone to Rural – Waitakere Foothills zone, consistent with the adjacent properties to the west, which are also located outside of the RUB and are subject to the Waitakere Ranges Heritage Area overlay; or
- Rezone the shared access from Rural – Countryside Living zone to Residential – Mixed Housing Suburban zone, consistent with the adjacent properties to the east, which are located inside the RUB.

The recommendation is to rezone the shared access from Rural – Countryside Living zone to Rural – Waitakere Foothills zone. The proposed rezoning will ensure that a consistent zone is applied with the adjacent properties to the west which are also located outside the RUB and are subject to the Waitakere Ranges Heritage Area overlay. The proposed rezoning to Waitakere Foothills zone is the most appropriate way to achieve the objectives of the plan, which in turn achieves the objectives of the plan change.

Council wrote to the property owners on 5 June 2018 to outline the proposed amendment to the zoning of their property. Council did receive a further enquiry from one affected property owner who was seeking clarification on what the change meant for their property, as well as seeking additional advice on the RUB. No further action was required, and the customer was satisfied with the proposed amendment.

800 Huia Road, Huia

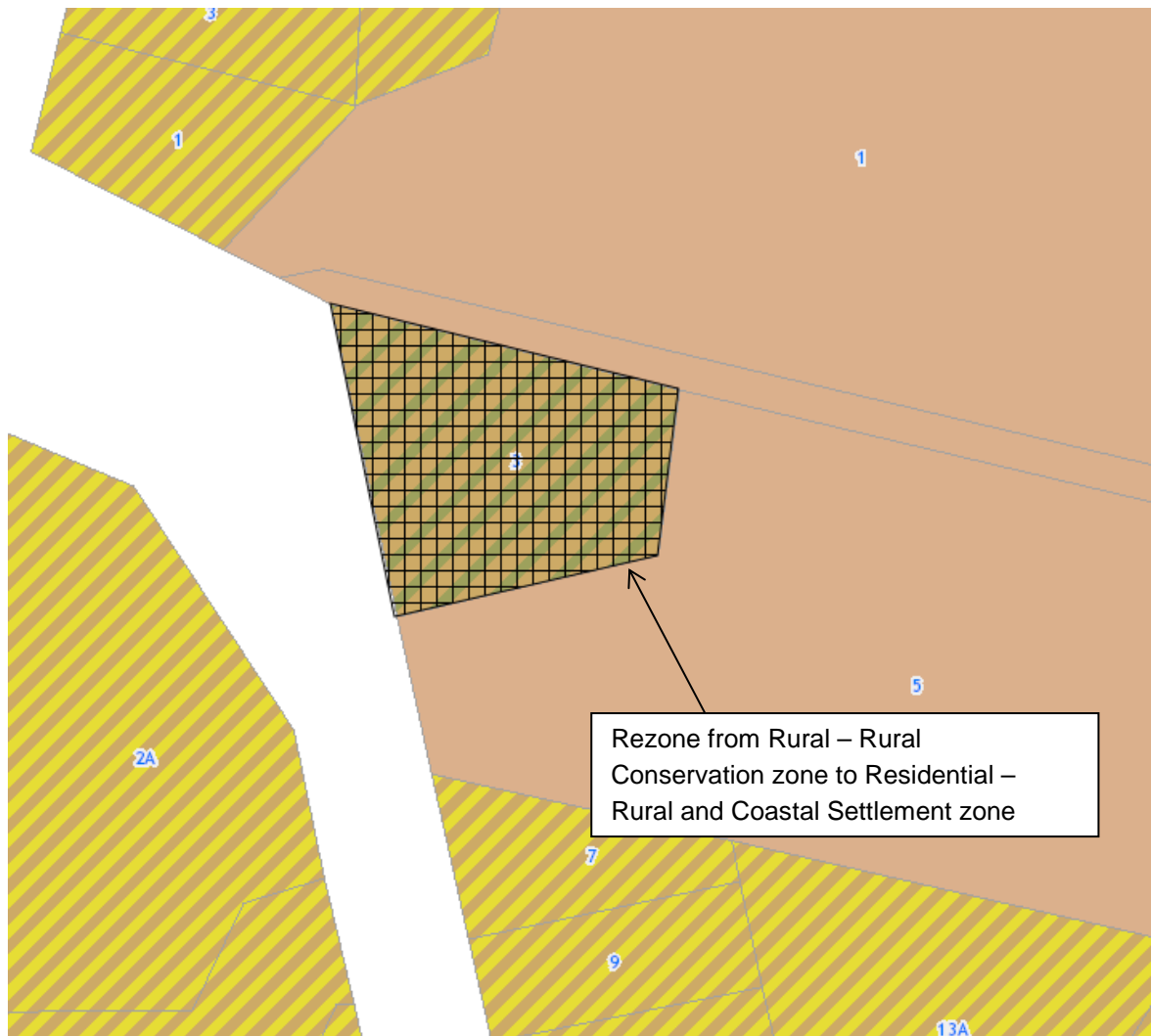


The property at 800 Huia Road, Huia has been incorrectly zoned Rural – Countryside Living zone. This is a spot zone anomaly. The property is 1315m² and has an established residential dwelling on site. The application of Rural – Countryside Living zone within the Waitakere Ranges Heritage Area overlay is not supported. The Rural – Waitakere Ranges zone has been introduced into the AUP to be applied to privately owned properties which are used for residential purposes around the periphery of the public open space and the regional park within the Waitakere Ranges Heritage Area. Although the adjacent sites are Open Space – Conservation zone and the property is surrounded by established Waitakere Ranges bush, other residential properties similar in size and use in the Waitakere Ranges are zoned the intended Rural - Waitakere Ranges zone.

The recommendation is to rezone the property at 800 Huia Road, Huia from Rural – Countryside Living zone to Rural – Waitakere Ranges zone. The proposed rezoning to the Waitakere Ranges zone will remove the incorrect zoning anomaly and is the most appropriate way to achieve the objectives of the plan, which in turn achieve the objectives of the plan change.

Council wrote to the property owners on 5 June 2018 to outline the proposed amendment to the zoning of the properties. No response was received.

3 McEntee Road, Waitakere



The property at 3 McEntee Road, Waitakere has been incorrectly zoned Rural – Rural Conservation zone. This is an incorrect zoning anomaly. The property is 1,932m² and is developed for residential purposes, with two established buildings on-site. In the Waitakere District Plan the property was zoned Rural Village, the same zone as all of the properties rezoned Rural and Coastal Settlement zone in the AUP along McEntee Road and Township Road. There were no submissions on the zoning of this property. The properties that are directly adjacent to the subject site (1 and 5 McEntee Road) are zoned Rural – Countryside Living zone, however, developed sites which are similar in size (between 1,000m² and 4,000m²) with frontages along McEntee Road and Township Road which were also zoned Rural Village in the Waitakere District Plan are zoned Residential – Rural and Coastal Settlement zone.

There are two reasonably practicable options to address this inconsistent zoning pattern:

- Rezone the property at 3 McEntee Road from Rural – Rural Conservation zone to Residential – Rural and Coastal Settlement zone which is the zone applied in the

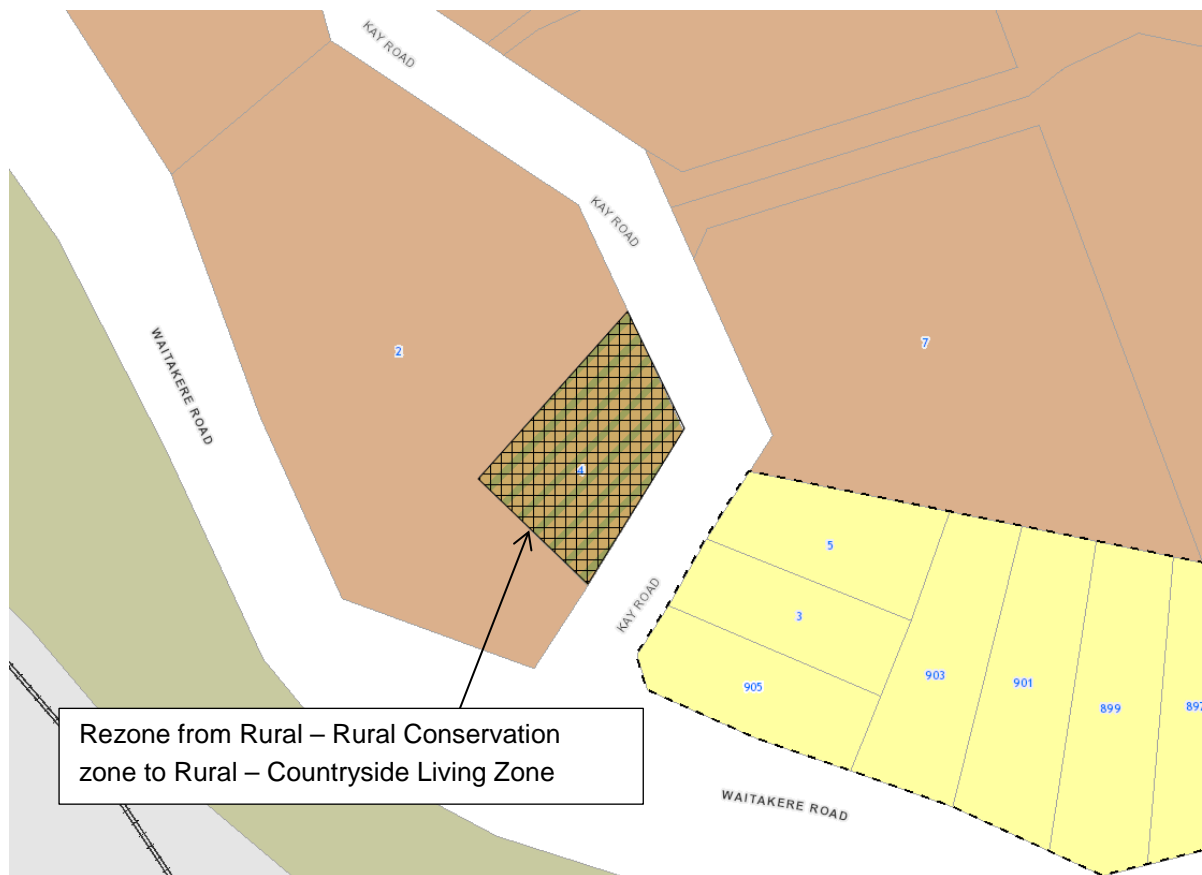
AUP Viewer to properties that were previously zoned Rural Village in the Waitakere District Plan, or;

- Rezone the property at 3 McEntee Road from Rural – Rural Conservation zone to Rural Countryside Living zone consistent with the zoning applied to adjacent properties (1 and 5 McEntee Road, Waitakere).

The recommendation is to rezone the property from Rural – Rural Conservation zone to Residential – Rural and Coastal Settlement zone. Residential – Rural and Coastal Settlement zone is the most appropriate zone to be applied to this property as it was applied to all properties previously zoned Rural Village in the District Plan and there were no submissions on the zoning of this site. Rural and Coastal Settlement zone is also most appropriate given the site size, the residential development and use on the property and the location fronting McEntee Road. The proposed rezoning is the most appropriate way to achieve the objectives of the plan, which in turn achieves the objectives of the plan change.

Council wrote to the property owners on 5 June 2018 to outline the proposed amendment to the zoning of the properties. No response was received.

4 Kay Road, Swanson



The property at 4 Kay Road, Swanson has been incorrectly zoned Rural – Rural Conservation zone. This is a spot zone anomaly. The site is 1,632m² and has an established residential dwelling in the centre of the property. The neighbouring properties, both directly adjacent and on the opposite side of Kay Road, which are also outside the RUB are zoned Rural – Countryside Living Zone.

The recommendation is to rezone the property at 4 Kay Road, Swanson from Rural – Rural Conservation zone to Rural – Countryside Living zone.

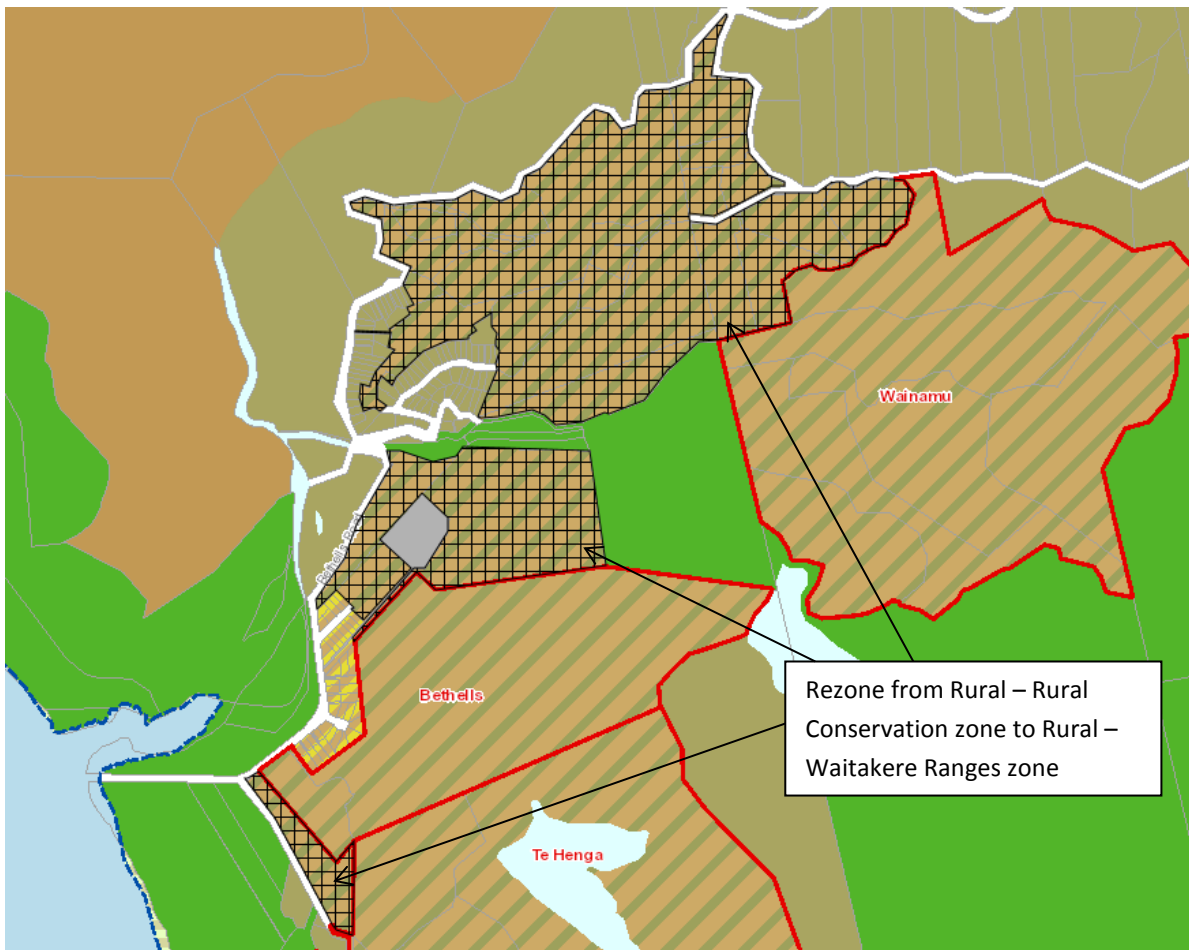
Objective 1 of the Rural – Countryside Living zone specifies the anticipated land-use of properties zoned Countryside Living as follows:

1. *'Land is used for rural lifestyle living as well as small-scale rural production'.*

Rural – Countryside Living zone is the most appropriate zone to be applied to the property at 4 Kay Road, Swanson given the use of the property being rural living/lifestyle block and the property is located outside of the RUB. The Rural – Countryside Living zone is consistent with the zoning of adjacent properties (2 and 7 Kay Road, Swanson), which in turn removes the spot zone anomaly, and the Countryside Living zone is an appropriate zone to be applied to properties of the scale of 4 Kay Road. Rezoning the property to Countryside Living zone is the most appropriate solution to correct an unintended spot zone anomaly.

Council wrote to the property owners on 5 June 2018 to outline the proposed amendment to the zoning of the properties. No response was received.

228 Bethells Road, Bethells, 17 Erangi Place Bethells, 240 Bethells Road, Bethells, 284-286 Bethells Road Bethells, 36 Te Aute Ridge Road Bethells, 2 Kokako Grove Bethells, 40 Te Aute Ridge Road Bethells, 10 Kokako Grove Bethells, 18 Kokako Grove Bethells, 9 Tasman View Road Bethells, 7 Kokako Grove Bethells, 9 Kokako Grove Bethells, 5 Kokako Grove Bethells, 12 Tasman View Road Bethells, 18 Tasman View Road Bethells, 160 Bethells Road Bethells, 156 Bethells Road Bethells, 156A Bethells Road Bethells, 152 Bethells Road Bethells, 150 Bethells Road Bethells, 154 Bethells Road Bethells, 46 Te Aute Ridge Road Bethells, 44 Te Aute Ridge Road Bethells, 44B Te Aute Ridge Road Bethells, 44A Te Aute Ridge Road Bethells, 58 Tasman View Road Bethells



The properties identified in the black hatching above have been zoned Rural – Rural Conservation zone. This is a mapping anomaly as the application of Rural – Rural Conservation zone within the Waitakere Ranges Heritage Area overlay is not supported, with the exception of properties in the Bethells, Wainamu and Te Henga Precincts outlined in red above.

The properties that are subject to the zoning anomaly are generally large life-style block sections, with a residential dwelling on-site as well as significant sections of Waitakere Ranges bush which covers the majority of the properties. The properties are large, with the majority of the properties being between 1 and 3 hectares, and the subject sites also have a similar use as properties that are zoned Rural – Waitakere Ranges zone in the area.

The recommendation is to rezone the properties from Rural – Rural Conservation zone to Rural – Waitakere Ranges zone. This is consistent with the zoning applied to adjacent properties, which are similar in site size, use, and location, and are not subject to one of the three identified precincts. The proposed rezoning to Rural – Waitakere Ranges zone is the most appropriate way to achieve the objectives of the plan, which in turn achieves the objectives of the plan change.

Council wrote to the property owners on 5 June 2018 to outline the proposed amendment to the zoning of their property. Three affected property owners contacted Council requesting clarification on the intent of the recommended change, what the change means for their particular property and the key differences between the Conservation zone and the Waitakere Ranges zone. All three property owners were satisfied with the reasons for the recommended change and required no further information from Council.

7. Conclusion

PC 17 seeks to amend the AUP viewer to address identified technical issues at a property scale. The main conclusions of the evaluation under Part 2 and Section 32 of the RMA are summarised below:

1. PC 17 is consistent with the purpose of sustainable management in Section 5 and with the principles in Sections 6, 7 and 8 and Part 2 of the RMA.
2. PC 17 assists the Council in carrying out its functions set out in Sections 30 and 31 of the RMA.
3. Pursuant to Section 75(3)(c) of the RMA, PC 17 is consistent with the objectives and policies of the RPS.
4. The evaluation undertaken in accordance with Section 32 concluded:
 - i. the use of the existing objectives of the AUP would be the most appropriate way to achieve the purpose of the RMA.
 - ii. the amendment of the spatial applications of zones, overlays or precincts over xx properties is the most appropriate means of achieving the objectives identified in Section 3 of this report.