

**BEFORE THE ENVIRONMENT COURT  
AT AUCKLAND**

**ENV-2016-AKL-**

**IN THE MATTER** of the Local Government (Auckland Transitional Provisions) Act 2010 (**LGATPA**) and the Resource Management Act 1991 (**RMA**)

**AND**

**IN THE MATTER** of an appeal under section 156(1) and section 156(3) of the LGATPA against a decision of the Auckland Council on a recommendation of the Auckland Unitary Plan Independent Hearings Panel (**Hearings Panel**) on the proposed Auckland Unitary Plan (**Proposed Plan**)

**AND**

**IN THE MATTER** of Proposed Plan Hearing Topic 028 (Future Urban Zone)

**BETWEEN** **ALBANY NORTH LANDOWNERS' GROUP (ANLG)**

**Appellant**

**AND**

**AUCKLAND COUNCIL**

**Respondent**

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**NOTICE OF APPEAL**

**16 September 2016**

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**TO:** The Registrar  
Environment Court  
Auckland

- 1 Albany North Landowners' Group (**ANLG**) appeals the decision of the Auckland Council (the **Council**) on the proposed Auckland Unitary Plan (**Proposed Plan**).
- 2 ANLG has the right to appeal the Council's decision on two grounds –
  - (a) under section 156(1) of the LGATPA because the Council rejected a recommendation of the Hearings Panel in relation to a provision or matter ANLG addressed in its submission on the Proposed Plan (submission 4282, further submission 3365). The Council decided on an alternative solution, which resulted in a provision being included in the proposed plan or a matter being excluded from the Proposed Plan:
  - (b) under section 156(3) of the LGATPA because the Council accepted a recommendation of the Hearings Panel that was beyond the scope of the submissions made on the Proposed Plan. The Council's decision resulted in a matter being excluded from the Proposed Plan. ANLG will be unduly prejudiced by the exclusion of the matter.
- 3 Further details of the reasons for the appeal are provided below.
- 4 ANLG is not a trade competitor for the purposes of section 308D of the RMA.
- 5 ANLG received notice of the decision on 19 August 2016.
- 6 ANLG is appealing on two alternative grounds. The parts of the decision that ANLG appealing is:
  - (a) Hearing Topic 028 (Future Urban Zone) – Rule E39.4.3 (A31) - Activity status of subdivision not otherwise provided for in the Future Urban Zone (**FUZ**): The decision of the Council to reject the Hearing Panel recommendation for subdivision not otherwise provided for to be a discretionary activity and to approve an alternative solution that such subdivision be a non-complying activity.

- (b) Hearing Topic 028 (FUZ) – zoning of the land included in the table below (**the ANLG site**) as FUZ which was beyond scope as no submission sought FUZ zoning and FUZ zoning was not consequential to relief in any other submission.

Address	Land Area	Title Reference
300 Dairy Flat Highway	3,245m <sup>2</sup>	CT 311072
310 Dairy Flat Highway	6,078m <sup>2</sup>	CT NA451/11
316 Dairy Flat Highway	4,005m <sup>2</sup>	CT NA53D/727
318 Dairy Flat Highway	6,289m <sup>2</sup>	CT NA54A/1179
350 Dairy Flat Highway	15.3592 ha	CT NA89B/49
8 Stevensons Cres	2.4281 ha	CT NA1B/809
16 Stevensons Cres	4.1050 ha	CT NA21B/229

## BACKGROUND

- 7 The ANLG site is approximately 25 ha overall with a developable area of approximately 16ha. The land abuts the existing residential edge of Albany Village, and associated amenities, public transport and schools, and is large enough to provide for a range of housing types and compact development.
- 8 The Proposed Plan as notified proposed that ANLG site be zoned a mix of Large Lot Residential and Countryside Living.
- 9 The submission by ANLG sought that the ANLG site be rezoned either:
- (a) A mix of Mixed Housing Suburban (**MHS**) and Single House Zones;
  - (b) Or, if that zoning was not successful, FUZ.
- 10 At the time of evidence exchange, the relief sought had evolved to the simple application of the MHS provisions. As a result of further consultation with Auckland Transport in particular and Auckland Council, it was also proposed there also be an Albany North Precinct overlay to the MHS provisions.
- 11 Evidence was presented in support of the zoning, addressing landscape, urban design, infrastructure, traffic and planning.
- 12 The MHS zoning as sought by ANLG will provide an appropriate method to use, develop and protect the ANLG site:

- (a) There are no practical impediments to further residential development of this land as the area can be adequately and efficiently serviced with water, wastewater, and traffic infrastructure. The only outstanding infrastructure matter is the intersection between The Avenue and Dairy Flat Highway. There is no doubt that the intersection will be upgraded at some time in the future, therefore, the only issue in relation to the intersection is timing. This matter is addressed by the proposed Albany North Precinct overlay;
  - (b) MHS zoning will provide for a logical extension of the adjacent Albany Village and will link with existing infrastructure and transport networks;
  - (c) The ecological and landscape features of the ANLG site can be protected whilst providing for the additional urban development;
  - (d) The ANLG site cannot be used economically for rural productive purposes.
- 13 At least one of the landowner group (owner of 15.4 ha), has immediate plans to develop. MHS zoning of this land will therefore help address the demand for residential development in the short to medium term given the preparedness of the landowner to proceed.
- 14 By legal submissions dated 29 April 2016, ANLG formally withdrew its relief alternative relief seeking FUZ. This was confirmed by letter dated 2 May 2016.

#### **ALTERNATIVE GROUND 1 - ACTIVITY STATUS OF SUBDIVISION IN THE FUTURE URBAN ZONE**

- 15 ANLG appeal the decision of the Council to reject the Hearings Panel recommendation for the activity status of subdivision in the FUZ which is not otherwise provided for by the rules.
- 16 The Hearings Panel recommended that subdivision not otherwise provided for in the rules be a discretionary activity (Rule E39.4.3 (A31)).
- 17 The Council rejected the Hearings Panel recommendation and approved an alternative solution that prescribes subdivision not otherwise provided

for in the rules be a non-complying activity (Decision 24.2(a), Rule E39.4.3 (A32)).

### **Reasons for Appeal**

- 18 The decision of Auckland Council:
- (a) Will not promote the sustainable management of natural and physical resources;
  - (b) Is not the most effective or efficient way of achieving either sustainable management or the objectives included in the Proposed Plan; and
  - (c) Will unnecessarily constrain use and development of land within the FUZ.
- 19 ANLG supports a discretionary activity status for FUZ subdivision which is not otherwise provided for by the rules. Discretionary activity status, together with other relevant provisions of the Proposed Plan, appropriately provide for use of the FUZ prior to its anticipated rezoning to an active residential zone.

### **Relief Sought**

- 20 Amend Rule E39.4.3 (A32) to provide that, in the FUZ, subdivision which is not otherwise provided for in the rules is a discretionary activity.
- 21 In addition to the above, the following relief is also sought:
- (a) Any additional or alternative relief that achieves the same or similar outcome;
  - (b) Consequential or ancillary changes to the above; and
  - (c) Costs.

### **ALTERNATIVE GROUND 2 - ZONING OF THE ANLG SITE AS FUTURE URBAN**

- 22 In the alternative, ANLG appeal the decision of the Council to approve the recommendation of the Hearing Panel to zone the ANLG site as FUZ.

- 23 The Proposed Plan as notified proposed that ANLG site be zoned a mix of Large Lot Residential and Countryside Living.
- 24 The submission by ANLG sought that the ANLG site be rezoned either:
- (a) A mix of MHS and Single House Zones;
  - (b) Or, if that zoning was not successful, FUZ.
- 25 By legal submissions dated 29 April 2016, ANLG formally withdrew its relief alternative relief seeking FUZ zoning. This was confirmed by letter dated 2 May 2016. The ANLG site is the only land in this location to be zoned FUZ. Accordingly, the zoning is not consequential to zoning of adjacent land in order to achieve a coherent zoning pattern.

### **Reasons for Appeal**

- 26 FUZ zoning of the ANLG site is beyond scope because:
- (a) This relief was withdrawn from the ANLG submission;
  - (b) No other submissions sought FUZ for the ANLG site or specifically addressed zoning of the ANLG site;
  - (c) The ANLG site is the only land in this location to be zoned FUZ. Accordingly, the zoning is not consequential to zoning of adjacent land or required in order to achieve a coherent zoning pattern; and
  - (d) ANLG can identify no general submission or further submission which would provide scope for the FUZ zoning of the ANLG site.
- 27 ANLG conclude that the Hearings Panel's failure to identify the FUZ zoning of the ANLG site as beyond scope was an error or omission following withdrawal of this alternative relief from the ANLG submission.
- 28 The decision to zone the ANLG site FUZ:
- (a) Will not promote the sustainable management of natural and physical resources;
  - (b) Is not the most effective or efficient way of achieving either sustainable management or the objectives included in the proposed plan;
  - (c) Does not recognise the ability for the ANLG site to contribute to housing supply in the short to medium term;

- (d) Is not supported by any evidence of probative value, or has no rational basis.
- 29 The ANLG site is more appropriately zoned Mixed Housing Suburban with an Albany North Precinct overlay, for the reasons set out in paragraph 12. The Albany North Precinct overlay provisions sought, and as presented to the Hearing Panel attached to Supplementary Legal Submissions filed on 29 April 2016, are attached as **Appendix 1**.

### **Relief Sought**

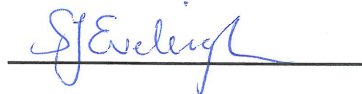
- 30 Zone the ANLG site either:
- (a) Mixed Housing Suburban, as shown in the amended planning map in **Appendix 1**; or
  - (b) Mixed Housing Suburban with an Albany North Precinct overlay, consistent with the amended planning map and plan provisions contained in **Appendix 1**.
- 31 In addition to the above, the following relief is also sought:
- (a) Any additional or alternative relief that achieves the same or similar outcome;
  - (b) Consequential or ancillary changes to the above; and
  - (c) Costs

### **Related proceedings**

- 32 ANLG is lodging the following related proceedings concerning the Proposed Plan in the High Court:
- (a) Albany North Landowners' Group v Auckland Council: under the LGATPA and RMA – Appeal against decision on the proposed Auckland Unitary Plan under s158 LGATPA – Topic 028 (FUZ) – rezoning of the ANLG site as FUZ.
- 33 In light of the Hearings Panel's failure to identify the recommendation to zone the ANLG site FUZ as beyond the scope of submission, it is unclear whether the correct appellate pathway for the appeal is to the Environment Court under s158(3) or to the High Court under s158(1). The Appellant has filed in both Courts to protect its position and will seek directions concerning the correct appellate pathway.

- 34 An electronic copy of this notice is being served today by email on the Auckland Council at [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz). Waivers and directions have been made by the Environment Court in relation to the usual requirements of the RMA as to service of this notice on other persons.
- 35 The following documents are **attached** to this notice:
- (a) A copy of the amended planning map and Albany North Precinct overlay provisions sought as relief (**Appendix 1**).
  - (b) A copy of the relevant parts of the Hearings Panel's recommendation on Hearing Topic 028 (Future Urban Zone) (**Appendix 2**).
  - (c) A copy of the relevant parts of the Council's Decision 24 on Hearing Topic 028 (Future Urban Zone) (**Appendix 3**).
  - (d) A copy of ANLG's submission and further submissions on the Proposed Plan (**Appendix 4**).
  - (e) A copy of legal submissions for ANLG dated 29 April 2016, and letter dated 2 May 2016, withdrawing the Future Urban Zone relief (**Appendix 5**).
  - (f) A list of names and addresses of persons to be served with a copy of this notice (**Appendix 6**).

**DATED** this 16th day of September 2016



M A Baker-Galloway / S J Eveleigh  
Counsel for Albany North Landowners' Group



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**Advice to recipients of copy of notice of appeal***How to become party to proceedings*

You may become a party to the appeal if you are one of the persons described in section 274(1) of the RMA.

To become a party to the appeal, you must, within 15 working days after the period for lodging a notice of appeal ends, lodge a notice of your wish to be a party to the proceedings (in form 33 of the Resource Management (Forms, Fees, and Procedure) Regulations 2003) with the Environment Court by email (to [unitaryplan.ecappeals@justice.govt.nz](mailto:unitaryplan.ecappeals@justice.govt.nz)) and serve copies of your notice by email on the Auckland Council (to [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)) and the appellant.

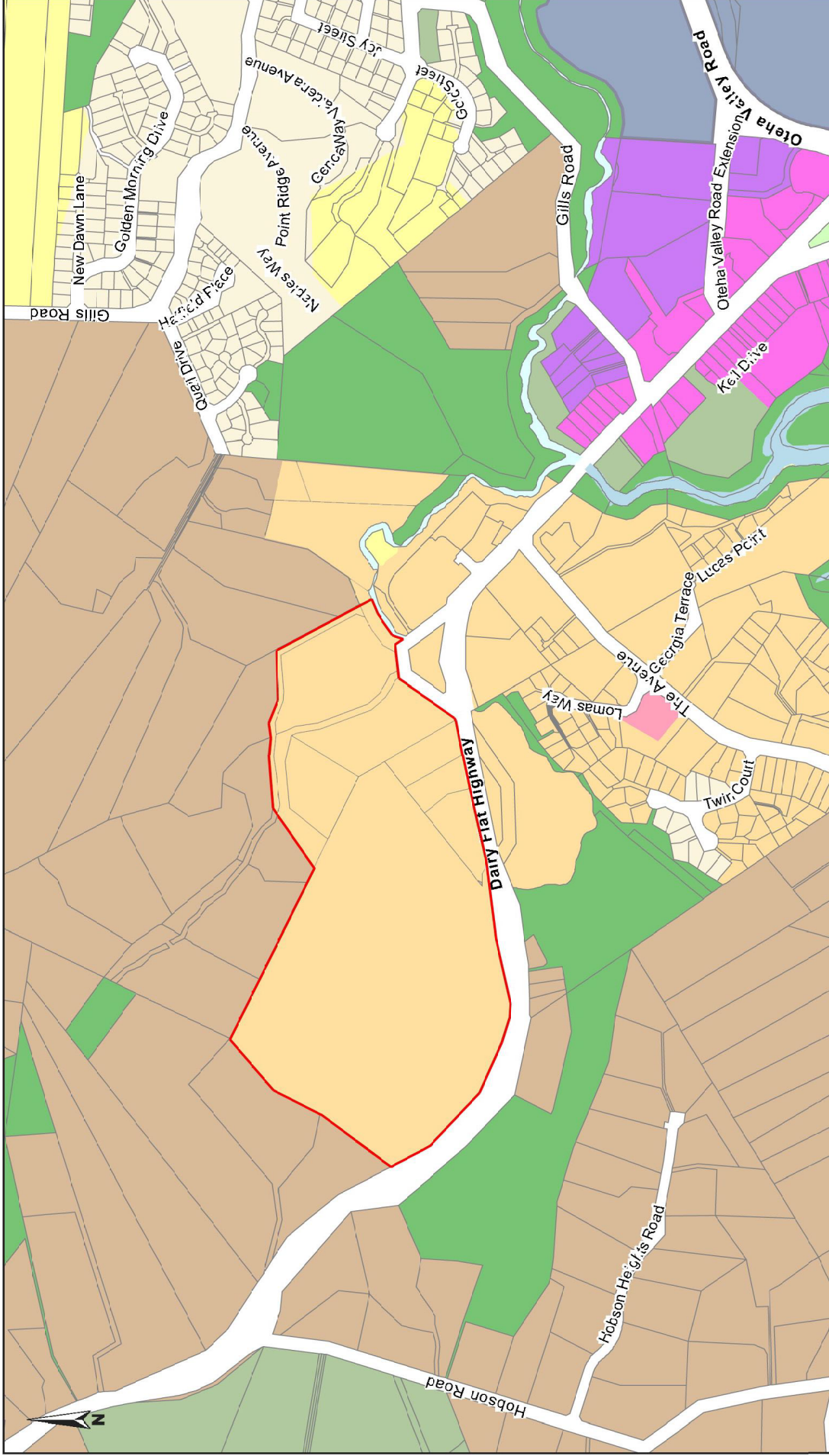
Your right to be a party to the proceedings in the Court may be limited by the trade competition provisions in section 274(1) and Part 11A of the RMA.

You may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing or service requirements (see form 38 of the Resource Management (Forms, Fees, and Procedure) Regulations 2003).

*Advice*

If you have any questions about this notice, contact the Environment Court in Auckland.

**APPENDIX 1 – RELIEF SOUGHT – AMENDED PLANNING MAP AND  
ALBANY NORTH PRECINCT OVERLAY**



ALBANY NORTH PRECINCT

## Albany North Precinct

The objectives, policies, activities, controls and assessment criteria in the underlying Mixed Housing Suburban Zone, Significant Ecological Area overlay and Auckland-wide rules apply in the Albany North Precinct, unless otherwise specified below.

Refer to planning maps for the location and extent of the Precinct.

### Precinct description:

The Albany North Precinct contains 26 hectares, located north of Dairy Flat Highway and Stevensons Crescent, Albany. It is greenfields land with an underlying zone of Mixed Housing Suburban.

The purpose of the Precinct is to enable: greater height in the middle and lower elevated parts of the Precinct and lower density in the higher elevated parts of the Precinct; and to enable and ensure two traffic-related outcomes when the land is subdivided:

- (a) Road access points are required from both Dairy Flat Highway and Stevensons Crescent, and roading within the Precinct shall connect Dairy Flat Highway and Stevensons Crescent. Public transport access shall be facilitated to and within the Precinct; and
- (b) A focus of assessment on the impact of new development within the Precinct on the safe and efficient functioning of the intersection of Dairy Flat Highway and The Avenue, prior to the upgrade of the intersection.

The location and topography of the Precinct are such that greater building height is able to be comfortably absorbed in the middle and lower elevations of the Precinct, and the additional floor space capacity that this could enable will increase the Precinct's ability to contribute to Auckland's housing market, and to improve the viability of a public transport link to the Precinct. The upper elevations are visible from a wider area and a lower density of development (residential sites of an average of 1000m<sup>2</sup>) are appropriate in this part of the Precinct.

### Objectives:

The objectives are as listed in the Mixed Housing Suburban Zone and the Auckland-wide objectives, except as specified below:

1. Additional building height within the middle and lower elevations of the Precinct.
2. Lower density of development within the upper elevations of the Precinct.
3. Road access to the Precinct facilitates public transport to and within the Precinct.
4. The safe and efficient functioning of the Dairy Flat Highway / The Avenue intersection is maintained.

### Policies:

The policies are as listed in the Mixed Housing Suburban Zone and the Auckland-wide policies, except as specified below:

1. The potential for additional building height in the middle and lower elevations of the Precinct (below 55masl) is encouraged.
2. In the upper elevations of the Precinct (above 70masl) an average site density of 1000m<sup>2</sup> is required.

3. There shall be one road access point from Dairy Flat Highway and at least one road access point from Stevensons Crescent. These can be provided for in separate stages of subdivision. Roading within the Precinct shall eventually connect Dairy Flat Highway and Stevensons Crescent. Public transport access shall be facilitated to and within the Precinct.
4. The impact of development within the Precinct on the Dairy Flat Highway / The Avenue intersection is specifically assessed prior to the upgrade of this intersection.

**Rules:**

The rules of the Mixed Housing Suburban Zone and relevant Auckland-wide rules apply in the Precinct, except where specified below:

**1. Activity Table**

<b>Activity</b>	<b>Activity status</b>
(a) All subdivision and development prior to completion of the Dairy Flat Highway / The Avenue intersection upgrade that meets at a minimum the items in Rule 1A below	RD
(b) Subdivision that complies with Rule 2.1 below	RD
(c) Subdivision that does not comply with Rule 2.1 below	NC
(d) Subdivision that does not comply with Rule 2.2 below	D

**1A. Description of intersection upgrade for purpose of Rule (a) in Table 1:**

For the Dairy Flat Highway / The Avenue intersection, the upgrade works include the following, or equivalent works:

- (a) The creation of an additional southbound through lane (merging back to a single through lane south of the intersection);
- (b) An additional left turn lane from the southern approach for left turns into The Avenue;
- (c) An extension of the right turn lane from the north for right turns into The Avenue;
- (d) Installation of traffic lights including pedestrian phases on the northern and western approaches;
- (e) Associated widening/earthworks to achieve the above all within the current public road reserve;

**2. Subdivision controls**

**2.1 Internal roading link**

A road connection between Dairy Flat Highway and Stevensons Crescent shall be formed and, if land is to be subdivided in stages, no stage shall foreclose the ability of the road connection to be formed at a later stage. There shall be a loop or turn-around point of suitable location, alignment and dimensions to be capable of efficient use as a bus route into and out of the Precinct land.

## **2.2 Density**

Above 70masl residential sites shall be an average of 1000m<sup>2</sup>.

## **3. Assessment: restricted discretionary activity**

### **3.1 Matters of discretion – Rule 2.1**

In addition to the matters in Rule H.5.4.1, the Council will restrict its discretion to the matters below for subdivision within the Precinct.

- a. Timing, location and width of the road connection between Dairy Flat Highway and Stevensons Crescent.

### **3.2 Matters of discretion – all subdivision and development**

In addition to the matters in Rule H.5.4.1 and I.1.10.1, the Council will restrict its discretion to the matters below for all subdivision and development within the Precinct:

- a. The safe and efficient functioning of the intersection of Dairy Flat Highway and The Avenue.

### **3.3 Assessment criteria – Rule 2.1**

In addition to the matters in Rule H.5.4.2, the Council will consider the assessment criteria below for subdivision within the Precinct:

- a. The road connection between Dairy Flat Highway and Stevensons Crescent should be appropriately located. If staged, the Council shall consider whether the road layout will provide for the appropriate connection at future stages. There shall be a loop or turn-around of sufficient width and dimensions to be capable of efficient use for public transport.

### **3.4 Assessment criteria – all subdivision and development**

In addition to the matters in Rule H.5.4.2 and I.1.10.2 the Council will consider the assessment criteria below for subdivision within the Precinct:

- a. The impact of the subdivision or development on the safe and efficient functioning of the Dairy Flat Highway / The Avenue intersection and the safe movement of pedestrians and cyclists along Dairy Flat Highway between Stevensons Crescent and Albany Village.

## **APPENDIX 2 – HEARING PANEL RECOMMENDATION**

AUCKLAND UNITARY PLAN  
INDEPENDENT HEARINGS PANEL

*Te Paepae Kaiwawao Motuhake o te Mahere Kotahitanga o Tāmaki Makaurau*

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**Report to Auckland Council**  
**Hearing topic 028**  
**Future Urban Zone**  
**July 2016**

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# Report to Auckland Council - Hearing topic 028 Future Urban Zone

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# 1. Hearing topic overview

## 1.1. Topic description

Topic 028 addresses the district plan provisions of the proposed Auckland Unitary Plan relating to:

<b>Topic</b>	<b>Proposed Auckland Unitary Plan reference</b>	<b>Independent Hearings Panel reference</b>
028 Future Urban	D4 Future Urban zone I5 Future Urban zone Indicative Roads and Open Space overlay Green Infrastructure Corridor Zone	H18 Future Urban Zone

Under the Local Government (Auckland Transitional Provisions) Act 2010, section 144 (8) (c) requires the Panel to set out:

the reasons for accepting or rejecting submissions and, for this purpose, may address the submissions by grouping them according to—

- (i) the provisions of the proposed plan to which they relate; or
- (ii) the matters to which they relate.

This report covers all of the submissions in the Submission Points Pathways report (SPP) for this topic. The Panel has grouped all of the submissions in terms of (c) (i) and (ii) and, while individual submissions and points may not be expressly referred to, all points have nevertheless been taken into account when making the Panel's recommendations.

## 1.2. Summary of the Panel's recommended changes to the proposed Auckland Unitary Plan

- i. The Future Urban Zone should be applied to land which does not have major constraints to urbanisation, although it may include areas with lesser constraints where those can be accommodated by appropriate subdivision and development.
- ii. Objectives and policies for the Future Urban Zone amended to make the transitional nature of the zone clear, enabling ongoing rural use while preventing subdivision, use and development which might prevent or hinder sustainable urbanisation at an appropriate time in the future.

- iii. Major constraints to urbanisation should be explicit in the Plan: that is, they should be mapped with clear boundaries and subject to clear controls on subdivision, use and development.
- iv. The rules for the Future Urban Zone are based closely on the corresponding rules for the Rural Production Zone, except intensive activities that will require substantial infrastructure and buildings to support are not provided for as such structures could prevent or hinder urbanisation.
- v. Additional subdivision controls for the Future Urban Zone to avoid pre-emptive urbanisation.
- vi. The primary method for managing the transition from rural to urban land use is to require careful planning of any substantial change, following the structure planning guidelines as set out in Appendix 1 to the Unitary Plan.
- vii. The Green Infrastructure Corridor Zone is deleted. Any such provision should be assessed during structure planning.
- viii. Deletion of indicative roads and open space overlays. Any such provision should be assessed during structure planning.

### 1.3. Overview

The Future Urban Zone is applied to over 11,000 ha of land on the periphery of existing urban areas. The most extensive areas are located on the edge of the metropolitan area:

- i. in the north along State Highway 1 at Dairy Flat, Silverdale and Wainui
- ii. in the northwest:
  - a. adjacent to the metropolitan area at Redhills, Westgate, Birdwood, Hobsonville and Whenuapai;
  - b. further out at Kumeu, Huapai and Riverhead;
- iii. in the south:
  - a. along the southern edge of Flat Bush
  - b. on the eastern side of Takanini;
  - c. to the south and west of Papakura and around Drury at Hingaia, Karaka and Runciman.

There are also significant areas around the satellite towns of Warkworth and Pukekohe (including Paerata). There are smaller areas adjacent to rural towns and settlements of Wellsford, Algies Beach, Helensville, Kingseat, Clark's Beach, Glenbrook Beach. There are some infill areas at Red Beach and Māngere.

For the areas at the edge of the metropolitan area and around the satellite towns, the outer boundary of the Future Urban Zone coincides with the Rural Urban Boundary. The smaller areas were notified without a Rural Urban Boundary and the infill areas do not require one.

## **1.4. Scope**

The Panel considers that the recommendations in 1.2 above and the changes made to the provisions relating to this topic (see 1.1 above) are within scope of submissions.

Matters considered by the Panel to be beyond the scope of submissions are:

- i. deletion of the Green Infrastructure Corridor Zone;
- ii. deletion of indicative roads and open space overlays.

For an explanation of the Panel's approach to scope see the Panel's Report to Auckland Council – Overview of recommendations July 2016.

## **1.5. Documents relied on**

Documents relied on by the Panel in making its recommendations are listed below in section 9 Reference documents.

## 2. Reasonable use

### 2.1. Statement of issue

The main purpose of the Future Urban Zone is to identify its transitional status. While its existing development and use is rural, it is applied to areas that are expected to become urban sometime in the next 30 years. It is the bulk of the greenfield (as defined in the Unitary Plan) land in the region. This transitional purpose creates a number of issues where the potentially conflicting interests of strategic planning and property rights meet:

- i. pre-emption of structure planning balanced against enabling reasonable use on an interim basis;
- ii. efficient development overall can be hindered by small-scale ad hoc developments;
- iii. end-use development can be disconnected from bulk infrastructure;
- iv. limited heritage/hazard assessment;
- v. urbanisation without full information.

### 2.2. Panel recommendation and reasons

During the period before urbanisation occurs (which may be as long as 30 years) the degree of restriction on the use and development of the land must not render it incapable of reasonable use (see section 85 Resource Management Act 1991). In broad terms, landowners and occupiers must still be able to use the land generally for rural purposes. In that sense, and notwithstanding the firm assertions of Mr Philip Brown, the Council's planning witness, the Future Urban Zone is really a rural zone: the land is not able to be used for urban purposes until an urban zone is applied to it.

The Panel considered a range of options to address the issues relating to the Future Urban Zone, including:

- i. delete the Future Urban Zone entirely and rely on the Rural Urban Boundary and zone changes to manage transition and urbanisation – requires amendment of rural zone activity and subdivision rules to create inside/outside Rural Urban Boundary differences;
- ii. use the Future Urban Zone together with the Rural Urban Boundary and zone changes to add transitional layer based on subdivision; and
- iii. use special housing area-type processes for all Future Urban Zone proposals (including business as well as residential areas).

The Panel's preferred option is the second: to use the Future Urban Zone together with the Rural Urban Boundary and zone changes. This method helps identify areas suitable for urbanisation, providing clear signals to landowners, infrastructure providers and developers. This approach is adaptable to circumstances where there is no Rural Urban Boundary. Clarification of objectives and policies for urban growth, together with structure planning guidelines, provide clear thresholds for rezoning proposals.

## **3. Capacity for urbanisation**

### **3.1. Statement of issue**

An essential characteristic of land zoned future urban is that it must be capable of being urbanised. This involves both the intrinsic capacity of the land itself to be developed for urban uses and its extrinsic capacity to fit into the existing urban form and to be efficiently provided with infrastructure.

### **3.2. Panel recommendation and reasons**

The Future Urban Zone should be applied to land which does not have major constraints to urbanisation, although it may include areas with lesser constraints where those can be accommodated by appropriate subdivision and development. Such constraints should be explicit in the Plan: that is, they should be mapped with clear boundaries. For example, an intrinsic constraint may be identified by an existing overlay in the planning maps such as one of those used to show the location of an outstanding natural landscape or an area which is or is likely to be subject to coastal inundation as a result of sea level rise. Constraints at a major level should be avoided by not zoning the area Future Urban and leaving it with a rural or open space zoning.

Such avoidance will not normally extend to local constraints (e.g. significant ecological areas or minor floodplains) which could be addressed through structure planning and incorporated within the urban area albeit potentially with a zoning which reflected its lower capacity for development.

In relation to infrastructure, an extrinsic constraint may be identified in terms of connection or capacity constraints or economic feasibility in the Unitary Plan or in any spatial plan prepared in accordance with Part 6 of the Local Government (Auckland Council) Act 2009. In practical terms, the infrastructure providers themselves can determine areas to be urbanised by identifying areas of service or areas with constrained capacity.

## **4. Avoidance of pre-emptive urbanisation**

### **4.1. Statement of issue**

Uncoordinated small-scale or ad hoc subdivision and development for urban purposes are likely to create cumulative adverse effects on urban form, compromising its sustainability.

### **4.2. Panel recommendation and reasons**

The objectives and policies for the Future Urban Zone are designed to make the transitional nature of the zone clear, enabling on-going rural use while preventing subdivision, use and development which might prevent or hinder sustainable urbanisation at an appropriate time in the future. The rules for the Future Urban Zone are based closely on the corresponding rules for the Rural - Rural Production Zone, with some restrictions on activities and subdivision to give effect to the policies as discussed above.

As a rural zone, the Future Urban Zone provides for rural uses on an interim basis. There is a limited range and extent of subdivision. While the range and extent of subdivision outside

the Rural Urban Boundary is limited, there are further restrictions proposed for the rural land inside the Rural Urban Boundary. The focus of these additional subdivision controls is on the avoidance of pre-emptive urbanisation: ad hoc creation of relatively small-scale urban development which would hinder larger-scale urban zoning.

The primary method for managing the transition from rural to urban land use is to require careful planning of any substantial change, with full assessment of both the most appropriate methods and the effects (both positive and adverse) of urbanisation in advance of urban zoning. The format of structure planning, as set out in Appendix 1 of the Panel's recommendation version of the Plan (Appendix 1 - Structure plan guidelines), is the recommended guideline for such a planning exercise.

In very broad terms the key control required is to avoid the pre-emption of sustainable urban form resulting from irreversible changes to the current rural environment before there has been a process of planning for urbanisation. In differentiating uses according to the degree of reversibility, it is also important to pay close attention to potential subdivision which may hinder future urbanisation by fragmenting parcels of land and creating roads (whether formed or not) in ways that can result in urban form with poor amenity values and low levels of efficiency. This method must be considered in terms of its relationship with other methods in the Plan, including the Rural Urban Boundary and zoning. It is also relevant to consider the Council's proposal to create a Future Urban Land Supply Strategy as a non-statutory planning document.

## **5. Contestable methods of managing growth**

### **5.1. Statement of issue**

Options for providing land for urban development should be generally contestable so as to enable choices and reassure people and communities that restrictions on urbanisation will not result in the undersupply of land for urban purposes.

### **5.2. Panel recommendation and reasons**

The methods to manage transition from rural to urban discussed in section 4 above are closely related to the issue of managing Auckland's growth. On the evidence before it, the Panel is convinced it is essential that these methods be fully responsive to the effects they seek to address as well as to the effects which the methods themselves have on growth and on the environment overall. In that context a key issue for these related methods is whether they are generally contestable, that is, whether they are able to be initiated or challenged by any person with an interest in the management of urban growth, including not only the Council but also landowners, developers, infrastructure providers and people or groups with particular interests in the protection of matters of national importance and the maintenance and enhancement of the quality of the environment.

In considering the range of methods, one may question why more than one layer of regulation is required to achieve the objectives of the Plan? If the Rural Urban Boundary is an appropriate method for managing growth (and the Panel thinks it is for the reasons set out in relation to Topic 013) and is located appropriately in a manner that provides a



defensible boundary for urban growth and for protection of the rural environment, then why not simply manage the transition from rural to urban based on that boundary?

There appear to be two main reasons why the Rural Urban Boundary is insufficient by itself:

- i. because the rural environment must be managed differently depending on which side of the Rural Urban Boundary it is on – rural land outside Rural Urban Boundary is to remain rural in the longer term, but inside the Rural Urban Boundary is to change in the short to medium term;
- ii. because while the transition is identified now, the medium timeframe of up to 30 years is sufficiently long that an intermediate regime is appropriate to control decision-making pending a change of zoning.

It is therefore important to consider the Future Urban Zone and the Rural Urban Boundary as complementary methods of managing urban growth and the process of urbanisation. In other recommendations (see the Panel's Report to Auckland Council – Overview of recommendations July 2016 and Report to Auckland Council – Hearing topic 013 Urban growth July 2016), the Panel recommends making the Rural Urban Boundary a method in the district plan rather than keeping it as a policy in the regional policy statement. The Panel thinks this is the most appropriate place for it, to enable changes to the Rural Urban Boundary by changes to the district plan and therefore potentially by private plan change.

The Panel makes this recommendation notwithstanding the urgings of counsel for the Auckland Council and several witnesses called by her, most notably Dr Fairgray who argued strenuously against what he described as a 'soft' Rural Urban Boundary, that is, one that could be changed by private plan change. With great respect, the Panel does not accept that there is anything 'soft' about the requirements of demonstrating that the Rural Urban Boundary should be moved, no matter who proposes it, the need for a full evaluation of a proposed change in terms of section 32 of the Resource Management Act 1991 in a way that gives effect to the regional policy statement will ensure that any change is properly considered.

If the Council is concerned about poor proposals wasting its resources in processing private plan changes, the Panel thinks it has broad powers under clause 25 of Schedule 1 to the Resource Management Act 1991 to reject such applications. The Panel thinks it is far more important that the location of the Rural Urban Boundary be properly contestable so that one of the principal options for enabling greenfield land to be identified is available to anyone who can make a case for it, and not limited to the Council.

These considerations are also relevant in considering the Future Urban Land Supply Strategy. As it exists presently, this is a policy document created by the Council under the Local Government Act 2002. While adopted following a special consultative procedure, its creation was not contestable in the same way as a statutory planning document created under the Resource Management Act 1991. The Future Urban Land Supply Strategy has no regulatory effect, but does appear to describe, in very general terms, where and when greenfield areas will be urbanised.

The Panel thinks there is a danger that the description of the process of urbanisation in the Future Urban Land Supply Strategy will, over time, be treated as a method of controlling the process, effectively by directing when and how essential infrastructure will be provided. This

could inhibit or even prevent meritorious proposals for greenfield development without a full assessment of those merits. While the Future Urban Land Supply Strategy may be a relevant policy document for consideration in a structure planning process, the Panel does not think it should formally be treated at the same level as the Rural Urban Boundary and the Future Urban Zone because of its lack of contestability.

## **6. Green Infrastructure Corridor Zone**

### **6.1. Statement of issue**

The extent to which the Green Infrastructure Corridor Zone is an appropriate policy response and whether the outcome sought by this zone can best be achieved by other resource management means.

### **6.2. Panel recommendation and reasons**

The Panel recommends the deletion of this zone. The purpose of this zone as notified applies to land that needs to be set aside from development and used primarily for stormwater and flood hazard mitigation purposes. The Panel recommends these matters should be addressed in the structure plan and a live zoning with less capacity could be applied to these areas. Hence, a Green Infrastructure Corridor Zone is not required.

While there are no submissions seeking to delete this zone, the Panel considers its deletion is a consequential change arising from the application of the Future Urban Zone and the Panel's growth management method.

## **7. Indicative roads and open space overlays**

### **7.1. Statement of issue**

Some submitters sought the deletion from the Future Urban Zone of indicative roads and open space overlays

### **7.2. Panel recommendation and reasons**

The Panel supports the relief sought by these submitters and recommends the deletion of indicative roads and open space overlays from the Future Urban Zone on the grounds that these are not section 6 and 7 Resource Management Act 1991 matters.

The Panel finds that the inclusion of indicative roads and open space overlays is unhelpful and does not assist land owners to plan for future development of their land. Both indicative roads and open space overlays are unnecessary because during a structure plan process the location of indicative roads and open space will be identified and the appropriate open space zoning can be applied. The location and alignment of roads are usually further refined at time of subdivision.

## 8. Consequential changes

### 8.1. Changes to other parts of the plan

As a consequence of the Panel's recommendations on this topic, there are consequential changes to other parts of the Plan as listed below:

- i. deletion of the Green Infrastructure Corridor Zone as a result of application of the Future Urban Zone and the Panel's growth management method, see section 6 above.

### 8.2. Changes to provisions in this topic

There are no changes to provisions in this topic as a result of the Panel's recommendations on other hearing topics.

## 9. Reference documents

The documents listed below, as well as the submissions and evidence presented to the Panel on this topic, have been relied upon by the Panel in making its recommendations.

The documents can be located on the aupihp website ([www.aupihp.govt.nz](http://www.aupihp.govt.nz)) on the hearings page under the relevant hearing topic number and name.

You can use the links provided below to locate the documents, or you can go to the website and search for the document by name or date loaded.

(The date in brackets after the document link refers to the date the document was loaded onto the aupihp website. Note this may not be the same as the date of the document referred to in the report.)

### 9.1. General topic documents

#### **Panel documents**

[028 Submission Point Pathway Report \(8 December 2014\)](#) (8 December 2014)

[028 Parties and Issues Report \(17 February 2015\)](#) (5 March 2015)

[028 Joint Mediation Statement \(9 February 2015\)](#) (2 March 2015)

#### **Auckland Council marked up version**

[Markup Version of Green Infrastructure Zone](#) (4 February 2015)

[Markup Version of Objectives and Policies](#) (4 February 2015)

[Markup Version of Rules](#) (4 February 2015)

[Markup Version of Indicative Roads and Open Space Overlay - Objectives and Policies](#) (5 February 2015)

[Markup Version of Indicative Roads and Open Space Overlay - Rules](#) (5 February 2015)

#### **Auckland Council closing statement**

[Closing statement](#) (20 March 2015)

[Closing statement - Attachment A](#) (20 March 2015)

[LATE Closing statement - Indicative Roads](#) (23 April 2015)

## **9.2. Specific evidence**

### **Auckland Council**

[Hearing evidence \(Douglas Fairgray\) - Economic](#) (20 February 2015)

[Hearing evidence \(Philip Brown\) - Planning](#) (20 February 2015)

**APPENDIX 3 – AUCKLAND COUNCIL DECISION**

**24. Council decisions relating to Panel report entitled “Report to Auckland Council Hearing Topic 028 (Future urban zone), July 2016”**

**Panel recommendations accepted:**

24.1 The Council has accepted all the recommendations of the Panel contained in the Panel report for Hearing Topic 028 (Future urban zone), as they relate to the content of the PAUP, and also the associated recommendations as they appear in the plan and the maps except as listed below at paragraph 24.2.

**Panel recommendations rejected:**

24.2 The Council has rejected the Panel recommendations in relation to Hearing Topic 028 (Future urban zone) as listed below, with accompanying reasons, alternative solutions and section 32AA evaluation (where necessary):

**(a) Changing the activity status of subdivision in the Future Urban zone from a Prohibited activity to a Discretionary activity.**

<b>Reasons</b>	
(i) It is an important that the PAUP does not facilitate the fragmentation of land within the Future Urban zone, which might prevent or hinder efficient and well planned urbanisation with good urban form and efficient and orderly provision of infrastructure.	
(ii) By allowing discretion, the recommended wording of the subdivision provisions in the Future Urban zone is unclear about the types of subdivision that could be promoted.	
<b>Alternative solution</b>	See Attachment A

Topics 028  
E39.4.3 Subdivision FUZ  
Activity Table

**E39. Subdivision – Rural****E39.1. Introduction**

Subdivision is the process of dividing a site or a building into one or more additional sites or units, or changing an existing boundary location...

**E39.4. Activity table**

Tables E39.4.1 to E39.4.5 specify the activity status of subdividing land pursuant to section 11 of the Resource Management Act 1991...

**Table E39.4.3 Subdivision in Future Urban Zone**

Activity		Activity status
<u>(A31)</u>	<u>Subdivision for open spaces, reserves or road realignment</u>	<u>D</u>
<del>(A31)</del> <u>(A32)</u>	Any other subdivision not provided for in Table E39.4.1 <u>or</u> <u>E39.4.3</u>	<u>NC</u> <del>D</del>

**Table E39.4.4 Subdivision in Special Purpose – Quarry Zone**

Activity		Activity status
<del>(A32)</del> <u>(A33)</u>	Any other subdivision not provided for in Table E39.4.1	D

**Table E39.4.5 ...**



## **APPENDIX 4 – ANLG SUBMISSION AND FURTHER SUBMISSION**

## Proposed Auckland Unitary Plan Submission Form

Sections 123 and 125, Local Government (Auckland Transitional Provisions) Act 2010  
Clause 6 of First Schedule, Resource Management Act 1991  
FORM 2

Correspondence to:  
Attn: Unitary Plan Submission Team  
Auckland Council  
Freepost Authority 237170  
Private Bag 92300  
Auckland 1142

For office use only

**Submission No:**

**Receipt Date:**

### 1. Submitter details

**Full Name of Submitter:** **ALBANY NORTH LANDOWNERS' GROUP**  
(R & I Chan, B Allpress, Wang Family, G M Welsford Family Trust)

**Address for service:** **C/- Brown & Company Planning Group, PO Box 91839, Victoria Street West, Auckland 1142**

**Email:** **office@brownandcompany.co.nz**

**Contact Person:** **Jeffrey Brown**

**Local Board area of property:** **Upper Harbour**

### 2. Scope of submission

**This is a submission to: Proposed Auckland Unitary Plan ("PUP")**

**The specific provisions that my submission relates to are:**

- 2.1 Part 1.2.1 – Providing for growth in a compact urban form; Part 1.2.2 – A quality built environment; and Part 1.2.3 – Development capacity and supply of land for urban development.
- 2.2 Rule 5.1 (Activity Tables in Part 3 – subdivision), in particular Table 6 which applies a default rule (Discretionary Activity) for subdivision not listed in the other Activity Tables.
- 2.3 The location of the rural urban boundary (**RUB**) north of Albany Village in the vicinity of Dairy Flat Highway and Stevensons Crescent and the zoning of the properties listed below:

Address	Land Area	Title Reference	Registered Proprietors
300 Dairy Flat Highway	3,245m <sup>2</sup>	CT 311072	Yunkai Liang
310 Dairy Flat Highway	6,078m <sup>2</sup>	CT NA451/11	Bruce Robert Allpress
316 Dairy Flat Highway	4,005m <sup>2</sup>	CT NA53D/727	Qianshui Wang
318 Dairy Flat Highway	6,289m <sup>2</sup>	CT NA54A/1179	Irene Sow Lin Chan and Robert Soo Hian Chan

350 Dairy Flat Highway	15.3592 ha	CT NA89B/49	Robert Soo Hian Chan and Irene Sow Lin Chan
8 Stevensons Cres	2.4281 ha	CT NA1B/809	Gweneth Mae Welsford, Peter Denny Leslie, John Leslie Welsford, Ann Margery Grieve and Evelyn Mae Connell
12 Stevensons Cres	12.0568ha	CT 36049	Max Rodney Pople as to a 1/3 share Anthony Walter Mexted and Colleen Elsie Mexted as to a 2/3 share
16 Stevensons Cres	4.1050 ha	CT NA21B/229	A C Blackmore Limited

These properties are owned by members of the Albany North Landowners' Group ("the **Group**"). The properties are collectively referred to below as "the **Submitters' Land**". The total area of the Submitters' Land is 35.9108ha. The Submitters' Land is shown on the Location Plan attached, marked **A**.

This submission is lodged by the Group, an unincorporated body representing the interests of the landowners detailed in paragraph 2.3 above. This submission is lodged on behalf of those landowners collectively and individually.

### 3. Submission

#### The Group's submissions are:

- 3.4 The Group **SUPPORTS** the specific provisions of Parts 1.2.1, 1.2.2 and 1.2.3 of the Proposed Regional Policy Statement.

The reasons for this support are that the provisions are necessary for enabling quality urban growth in suitable locations.

- 3.5 The Group **SUPPORTS** Rule 5.1 (Activity Tables in Part 3 – subdivision), in particular Table 6 which applies a default rule (Discretionary Activity) for subdivision not listed in the other Activity Tables. The Discretionary status would therefore apply to subdivisions that may not meet the minimum lot size for that particular zone.

The reason for this support is that the rule enables flexibility of development by avoiding the rigidity of non-complying status for density. The discretionary status better enables developers to promote imaginative and innovative designs when subdividing and developing. The status will assist in avoiding monotonous, uniform development (that typifies how many parts of residential Auckland have developed in the last few decades).

- 3.6 The Group **OPPOSES** the location of the RUB and the zoning of the Submitters' Land and seeks amendments as follows:

3.3.1 To shift the RUB west by approximately 500m to the location as detailed in Part 4.1 of this submission, below; and

3.3.2 EITHER (and preferably):

To rezone the Submitters' Land within the newly located RUB to the Mixed Housing Suburban and the Single House residential zones, and with an

overlay requiring a Framework Plan process prior to subdivision or development;

3.3.3 OR (as a second preference):

To rezone the Submitters' Land within the newly located RUB to the Future Urban Zone.

3.7 The Group otherwise supports or opposes (as appropriate to the content of this submission) any other provisions of the PUP relevant to the relief sought in this submission.

3.8 If this submission is accepted, that decision might logically suggest that the RUB be further amended slightly to avoid an incongruous outcome. If that is the case, this submission also seeks further amendment of the RUB to avoid any such incongruous outcome. The purpose of this submission point is to provide jurisdiction for any such consequential amendment which may be considered appropriate.

The submission and the reasons are detailed in Part 4 below.

4. **Reasons for the RUB shift and the rezoning**

This section is structured as follows:

- Part 4.1 Detailed description of the changes sought to the PUP;
- Part 4.2 Description of the Submitters' Land;
- Part 4.3 Growth, and the Auckland Plan's directions and targets to accommodate growth;
- Part 4.4 The PUP;
- Part 4.5 The PUP's Regional objectives and policies;
- Part 4.6 The Future Urban Zone;
- Part 4.7 Section 32 of the Resource Management Act 1991 (the Act);
- Part 4.8 Summary

4.9 **Changes sought to the PUP**

The Group seeks the following changes to the PUP:

- (a) North of Albany Village in the vicinity of Dairy Flat Highway and Stevensons Crescent, shift the RUB west by approximately 500 metres so that it is bounded by Dairy Flat Highway to the south, the high voltage transmission lines and the western boundary of 350 Dairy Flat Highway (at approximately 80 – 90m above sea level (**asl**)) to the west, and the gully to the north. The new proposed boundary is shown on the RUB Plan in **Figure 1** below;
- (b) (Preferably) Change the zoning of the land inside the new RUB to the Mixed Housing Suburban Zone and Single House Residential Zone, as shown on **Figure 1** below, with an overlay area requiring:
  - (i) a minimum lot size of 1000m<sup>2</sup> on the upper elevations (above 70m asl); and

- (ii) no building roofline to exceed a plane of 90m asl;
- (iii) a Framework Plan process (to identify roading, open space/reserves, development areas, and utilities areas) prior to any subdivision or development.

OR (as a second preference)

- (c) Change the zoning of the land inside the new RUB to the Future Urban Zone.

The reasons for the Group's requested changes are set out in parts 4.2 – 4.5 below. The reasons are supported by the following technical reports:

- Infrastructure Assessment Report, dated May 2013, and addendum dated February 2014, prepared by Terra Consultants, attached, marked **B**;
- Transport assessment report, dated 31 May 2013, prepared by Traffic Design Group, attached, marked **C**;
- Landscape and Visual Assessment, dated May 2013, prepared by LA4 Landscape Architects, attached, marked **D**; and
- Urban Design Assessment, dated May 2013, prepared by Urbanisplus, attached, marked **E**;
- Stormwater assessment, dated February 2014, prepared by Stormwater Solutions, attached, marked **F**.

- (d) Any appropriate consequential relief as requested in paragraphs 3.4 and 3.5 above.

The changes sought in this submission would enable zoning of the Submitters' Land with the potential for up to around **350 residential units** in close proximity to Albany Village.

#### 4.10 Description of the land

The Submitters' Land is located north of the Dairy Flat Highway and west of the existing Albany Tavern, northwest of and approximately 400m from the Albany Village. It ranges in elevation from around 95m asl at the western ridge to around 15m asl in the area around Stevensons Cres. The topography is generally rolling, with some steeper slopes and gullies, which drain the land to a stream on the northern periphery of the land. The steeper slopes and gullies are vegetated in a mix of natives and exotics. The majority of the land is in open pasture, although part of the land, to the immediate north of the Stevensons Cres cul-de-sac, is used for road metal storage.

The 33kV high voltage line runs across the western corner of the Submitters' Land.

Beyond the ridge to the west the land is rural, with a predominance of rural lifestyle properties that are mainly in bush. To the north is also land in bush, and the northeast, on the upper slopes of the rising topography, is the Albany Heights residential area. To the east of the formed part of Stevensons Cres is a new subdivision (for which roads and services have been recently constructed), and to the east of this subdivision is the Albany Tavern and the Albany Village. To the

southeast of the Submitters' Land is the residential area of The Avenue, and to the south, on the opposite side of Dairy Flat Road, is rural lifestyle and residential development.

There is no true farmland bordering the Submitters' Land or in the wider vicinity.

There are 8 dwellings on the Submitters' Land. Access to the dwellings is from Stevensons Cres and Dairy Flat Highway. There is a pedestrian footpath between Stevensons Cres and Albany Village.

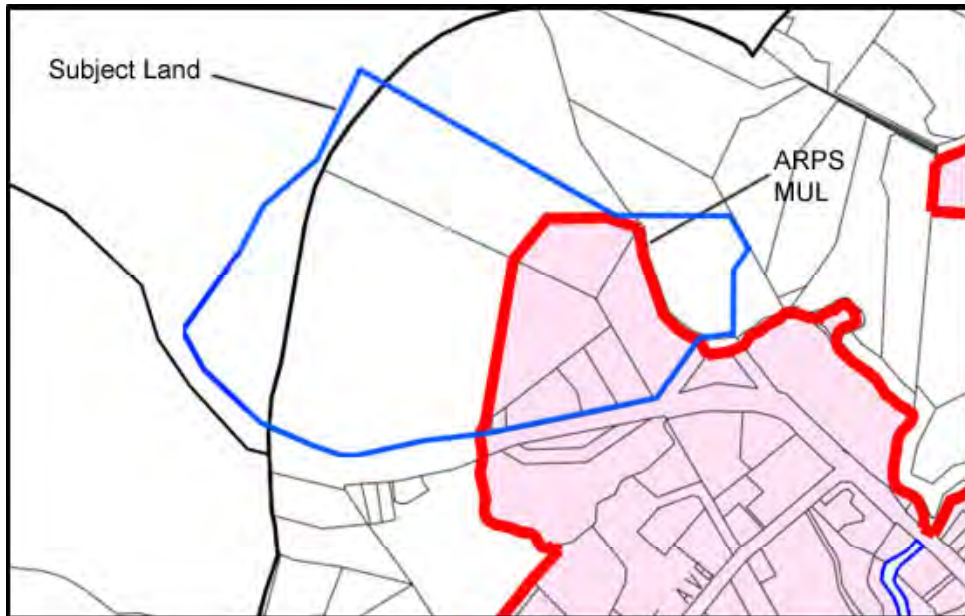
The changes sought to the location of the RUB, and the zoning sought inside the RUB, are shown on **Figure 1** below.



**Figure 1:** proposed Rural Urban Boundary and land zoning as sought in this feedback

The Auckland Regional Policy Statement's metropolitan urban limit (MUL) for the Albany area is shown on **Figure 2** below:

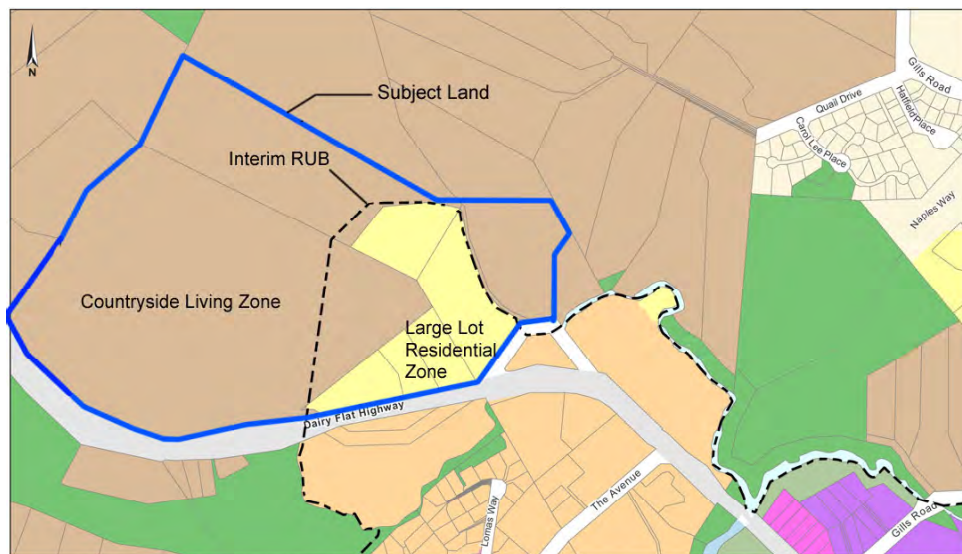
Inside the MUL the land is zoned (under the ARPS) partly Residential 1 and partly Rural 2, and outside the MUL the land is zoned Rural 2.



**Figure 2:** Metropolitan urban limit (from Auckland Regional Policy Statement)

The PUP's RUB traverses the land as shown on **Figure 3** below. Figure 3 also shows the PUP's zoning of the land. Inside the RUB the land is part zoned Large Lot Residential and part zoned Countryside Living, and outside the RUB the land is zoned Countryside Living.

The relocated RUB and the zonings proposed will enable between 300 and 350 dwellings on the land (this is discussed in more detail in the Infrastructure Assessment Report, attached, marked **B**).



**Figure 3:** Rural Urban Boundary and land zoning in the draft Unitary Plan

#### 4.11 Growth, and the Auckland Plan's directions and targets to accommodation growth

Statistics New Zealand expects<sup>1</sup> that Auckland's population will grow by 1 million people and reach a population of 2.5 million by 2041. This additional 1 million people will require 400,000 new homes.

The Council's 2012 report<sup>2</sup> *Housing Action Plan Stage 1* identifies an existing shortfall of around 20,000 – 30,000 new dwellings and a need for 13,000 new homes to be built each year for the next 30 years. The Council's 2013 report<sup>3</sup> *Housing Affordability: Residential Land Available in Auckland* confirms this shortfall, and also confirms that residential building consents issued by the Council are around 5,000 per year – less than half of the 13,000 new homes required to accommodate growth.

The Auckland Spatial Plan recognises and promotes, in Section D, Auckland's high-level Development Strategy. The Development Strategy<sup>4</sup>:

- recognises that strengthening Auckland as an international city relies on improved, balanced socio-economic development across Auckland, so that all residents share in its prosperity;
- promotes a better quality of life for all Aucklanders by encouraging access to more housing and jobs, as well as opportunities for recreation, cultural, and leisure activities, with an emphasis on the importance of building strong, inclusive communities around local neighbourhoods and centres;
- ensures that natural, marine and built environments are responsibly managed, and acknowledges that Auckland's environment is a defining feature which contributes enormously to the City's well-being; and
- recognises that to achieve sustainable development, Auckland's continued high population growth needs to be matched to a range of accessible, quality housing and employment choices, with an emphasis on growth in existing and compact urban areas which are served by efficient, safe public transport.

The Development Strategy provides the direction for where and how Aucklanders will live with an overall goal of achieving a more compact Auckland and ensuring growth is well planned for. The desired outcome of compact urban areas will mean greater intensification of both existing and new urban areas in order to sustain quality of life expectations and meet the demands of a rapidly growing population. Integral to this is the need to make the most of land that has already been developed or targeted for development and expansion into appropriate greenfields area where necessary to supplement the availability of land and housing supply<sup>5</sup>.

Strategic Direction 10 of the Auckland Plan has a target of supplying 400,000 new dwellings in the period 2012 – 2042. The first priority in achieving this target is to “*Realise quality compact urban environments*”.

Key directives to achieve Strategic Direction 10 are:

***Directive 10.3: Focus urban intensification in areas that have:***

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<sup>1</sup> Reference to NZ Stats publication

<sup>2</sup> Auckland Council, 2012

<sup>3</sup> Auckland Council 2013

<sup>4</sup> Auckland Plan, Section D, para 88

<sup>5</sup> Auckland Plan, Section D, para 124



- *permeable street and block networks that easily connect residents to amenities, or can be adapted to do so*
- *infrastructure in place or which can be provided in a timely and efficient manner*
- *close proximity and good walking access to community facilities, open space, high-frequency public transport, centres or business areas.*

**Directive 10.4: Locate and develop greenfield areas as sustainable liveable neighbourhoods in a way that:**

- *demonstrates the most efficient use of land*
- *protects and enhances biodiversity, air quality, water quality, and heritage values*
- *provides community facilities, open space, infrastructure (including transport, communications, power and water utilities) in a timely and efficient manner*
- *provides opportunities for walking and cycling, and public transport, and a well-connected street network*
- *provides a broad range of housing choice to cater for the diversity of housing needs in Auckland*
- *provides or supports local employment opportunities*
- *avoids risks from natural hazards*
- *demonstrates high-quality design with high environmental performance.*

Extending the opportunity for residential development on the Submitters' Land is consistent with these directives, for the following reasons:

- (a) the land is located such that it can assist intensification in close proximity to the Albany Village centre, which is listed in the Auckland Plan as a Local Centre, and in close proximity also to Albany Centre which is an Emergent Metropolitan Centre (and is also categorised as a centre that is most attractive to the market<sup>6</sup>);
- (b) the land can be developed with a permeable street network that can easily connect residents to the amenities of the land and the immediate environs, and with Albany Village and the wider Albany area;
- (c) the land can be serviced efficiently with infrastructure that can connect to existing bulk services without creating capacity problems for existing and other future users of those services;
- (d) the land is within easy walking distance of community facilities (within Albany Village, Albany Centre and Massey University), open spaces (also within Albany Village), high-frequency public transport (serving the Albany Centre and Massey University), and is a very short cycle or vehicle commuter trip to the large employment centre around Bush Road / Rosedale Road / Upper Harbour Highway (the "North Harbour Industrial Estate");
- (e) the land can be developed as a sustainable liveable neighbourhood, including provision for open spaces and reserves, and a walkway network through the native bush and gully areas;
- (f) the development can be efficient in that it is already readily accessible by roads (Stevensons Cres and Dairy Flat Highway) and can connect to existing infrastructure;

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<sup>6</sup> Chapter 10, Table 10.1 of the Auckland Plan

- (g) the land can be developed in a manner that protects the gully areas, steeper slopes and native vegetation areas;
- (h) the development can add to the range of housing choice in the Albany area in an efficient manner; and
- (i) the development can occur in a manner that avoids risks from natural hazards.

These matters are addressed in more detail in part 4.4 below and in the technical reports that support this submission.

#### 4.12 The Proposed Unitary Plan

The RUB extension and rezoning sought in this submission is in accordance with the Regional Policy Statement provisions of the PUP (this is detailed in Part 4.5 below):

- (a) The RUB extension and residential zoning proposed is aligned to the Development Strategy in Section D of the Auckland Plan, as demonstrated in Part 4.3 of this submission, above.
- (b) The zones sought in this submission have been investigated by Urbanismplus (urban design) (Attachment **E**) and LA4 (landscape) (Attachment **D**). The conclusions from these assessments are that the land is suitable for the Mixed Housing and the Single House residential zones. These are consistent with the strategic directions of the Auckland Plan in that they provide densities that are appropriate for the location of the land adjacent to the local centre of Albany Village, but also recognise the close proximity of the land to the emergent Metropolitan Centre of Albany.
- (c) The densities enabled by the Mixed Housing Suburban and the Single House zones are consistent with the development that has emerged in the nearby Albany Heights area and in the vicinity of The Avenue.
- (d) The land is not within or close to any outstanding natural features or landscapes.
- (e) The land is not coastal, does not contain any significant waterbodies, and is not susceptible to flooding.
- (f) The land contains Significant Ecological Areas which are shown on the PUP's planning overlays. These areas contain the gullies and steeper topography, and can be avoided and suitably protected when development occurs in accordance with the proposed zonings. The stormwater management methods, to support industry "best practice", are addressed in the report by Stormwater Solutions (Attachment **F**).
- (g) There are no known cultural heritage values associated with the land, but the Group intends to investigate this further; any archaeological or cultural items can be addressed by typical development conditions and protocols with Iwi and the New Zealand Historic Places Trust.
- (h) The land is not affected by any statutes or planning instruments other than the Resource Management Act 1991, the operative North Shore District Plan,

the Auckland Plan and the PUP, and is not affected by any management plans.

- (i) The land shows no obvious signs of geotechnical instability. The Group has not yet commissioned a full geotechnical assessment of the land but will do so in due course.
- (j) The land is not productive for farming or cropping. The land would not be classified as elite or prime. There are no existing quarries or mines. The topography of the land is such that there is little potential for impact of development on aquifers and their recharge areas, although this will be confirmed by the geotechnical assessment.
- (k) The addition of residential “critical mass” to Albany will support and potentially enhance the cost-effectiveness of the existing provision of public transport in the area;
- (l) The zoning can enable development that will integrate with the existing network utilities, as described in the infrastructural assessment (Attachment **B**). The infrastructure assessment indicates that the development can be undertaken within the capacity limits of the existing systems and without necessitating any significant downstream upgrades.
- (m) the development can safely integrate with existing roading network, as discussed in the transport assessment (Attachment **C**).
- (n) the development will not adversely affect existing social infrastructure. If necessary, new public open space areas can be located within the development area.
- (o) The zoning will provide a compatible land use with the adjoining areas to the east and southeast, which is the Mixed Housing Suburban zone in the PUP, and also the areas to the west and north (Countryside Living). The land is separated from land to the south by Dairy Flat Highway. There is no potential for any adverse reverse sensitivity effects on any land uses on adjoining or nearby sites.
- (p) The zoning has continuity with the Mixed Housing Suburban zone to the immediate east and southeast. It’s planning can be integrated (in terms of roading and infrastructure) with existing urban development.
- (q) The relocated RUB proposed in this submission provides a defensible boundary between the urban and rural areas. The boundary relies on:
  - (i) the natural ridgeline and high voltage transmission line, which is an effective rural-urban boundary on the western edge of the land;
  - (ii) the gully and stream, which is an effective boundary on the northern edge of the land; and
  - (iii) Dairy Flat Highway and the large public open space reserve area south of Dairy Flat Highway west of The Avenue.

These boundaries are more physically defined and “defensible” than the somewhat arbitrary RUB location in this area.

#### 4.13 Regional issues, objectives and policies

The PUP is one of the primary instruments for implementing the Auckland Plan. The PUP's fundamental provisions for accommodating growth and putting in place the directions of the Auckland Plan are in Part 2 (Regional Policy Statement). The relevant objectives and policies of Part 2.2.1 (Providing for growth in a quality compact urban form) include: (underlining added)

**Objectives:**

1. ***A quality compact urban form with a clear defensible limit (Rural Urban Boundary - RUB) to the urban expansion of the metropolitan area, satellite towns, rural and coastal towns and serviced villages.***
2. ***Urban growth is primarily focussed within the metropolitan area 2010.***
3. ***Land within and adjacent to centres, frequent public transport routes and facilities is the primary focus for residential intensification with a lesser degree of intensification in surrounding neighbourhoods.***
4. ***The focus for urban growth outside of the metropolitan area 2010, is greenfield land within the RUB that is contiguous with the urban area and the satellite towns of Pukekohe and Warkworth***

**Policies**

1. ***Concentrate urban activities within, the metropolitan area 2010, the RUB, the satellite towns, rural and coastal towns and serviced villages.***
2. ***Enable higher residential densities and the efficient use of land in neighbourhoods:***
  - a. ***within and around centres and within moderate walking distances from the city, metropolitan, town and local centres***
  - b. ***in areas close to the frequent public transport routes and facilities***
  - c. ***in close proximity to existing or proposed large open spaces, community facilities, education and healthcare facilities***
  - d. ***adequately serviced by existing physical infrastructure or where infrastructure can be efficiently upgraded.***
3. ***Provide for and encourage residential intensification within centres while ensuring that:***
  - a. ***there is a broad mix of activities within centres***
  - b. ***residential activities do not compromise the ability for mixed use developments, or commercial activities to locate in centres***
  - c. ***development uses land efficiently.***

The relocation of the RUB and the zoning of the land as Mixed Housing Suburban and Single House Zone fulfils these objectives and policies, as follows:

- (a) the land is contiguous with the urban area at Albany; indeed the land immediately to the east has recently been subdivided for residential purposes;
- (b) the development of the land will increase the density of residential development in a new neighbourhood which is within an easy walking distance of the Local Centre of Albany Village and the Metropolitan Centre of Albany;
- (c) the land is close to the frequent public transport network;

- (d) the land is close to various parks and open spaces, and community facilities and services;
- (e) development can be serviced with infrastructure, with suitable extensions to the existing systems;
- (f) the rezoning will provide for residential intensification around the existing Albany centre, and will not compromise the ability for commercial activities to locate in Albany Village or the Albany Centre.

The relevant objectives and policies of Part 2.2.3 include:

**Objectives:**

1. **Sufficient development capacity and land supply to accommodate projected population and business growth.**
2. **Up to 70 per cent of total new dwellings by 2040 occurs within the metropolitan area 2010.**
3. **Up to 40 per cent of total new dwellings by 2040 occurs outside of the metropolitan area 2010.**
4. **The development of land zoned future urban within the RUB occurs in an orderly, timely and planned manner.**

**Policies:**

1. **Maintain sufficient unconstrained residential and business land within the RUB to accommodate an average of seven years land supply at any one time.**
2. **Enable the continued use of land zoned future urban within the RUB for rural activities until urban zonings are applied through a structure plan and plan change process, provided that rural subdivision, use and development does not compromise the future urban use of the land or lead to land fragmentation.**
3. **Avoid urban development within:**
  - a. **areas with significant environmental, heritage, natural character or landscape values, including areas identified in Appendix 3.1-3.2, Appendix 5.1, Appendix 6.2, Appendix 9.1 and land governed by the Waitākere Ranges Heritage Area Act**
  - b. **scheduled sites and places of significance to Mana Whenua**
  - c. **areas of significant mineral resources**
  - d. **elite land**
  - e. **close proximity to existing or planned significant infrastructure, particularly where residential activities would cause reverse sensitive effects**
  - f. **greenfield land or future urban land affected by coastal inundation and projected sea level rise**
  - g. **areas prone to natural hazards. Where avoidance cannot be achieved in areas prone to natural hazards, urban development must be done in such a way that, individually or cumulatively, protects people, property and the environment from significant risks of natural hazards.**
4. **Stage the structure planning and rezoning of future urban zoned land and the provision of infrastructure within the RUB, in accordance with the following principles:**
  - a. **land should be rezoned following the approval of a structure plan prepared by either the council, the private sector, or public private sector partnership in accordance with Appendix 1.1**
  - b. **rezoning and infrastructure provision should be done in a logical sequence, and out of sequence infrastructure provision should be specifically avoided**

- c. *new urban growth within the RUB should be immediately adjacent to existing urban land unless the separation is necessary to:
 
    - i. *avoid, remedy or mitigate significant conflict between activities*
    - ii. *ensure the efficient provision of infrastructure, including transport*
    - iii. *take account of the topography or other physical constraints*
    - iv. *avoid the areas outlined in Policy 3 above**
  - d. *there is sufficient development capacity and land supply for both business and housing in each sector i.e. north, central, west and south*
  - e. *the quantity of land being released at any one time will have regard to the scale and economies of servicing and developing the land*
  - f. *the urban form and range of housing choices desired for the area are met*
  - g. *the ability to supply housing that is more affordable to households on low to moderate incomes.*
5. *Require comprehensive planned development of greenfield land zoned for business and residential uses, through a structure plan process to ensure development is aligned with the provision of significant infrastructure, stormwater management and achieves a well planned quality community.*
  6. *Require provision or upgrading of significant infrastructure to be coordinated with the structure and sequencing of growth and development, prior to the approval of an activity and/or development.*
  7. *Enable growth in new urban zones while protecting existing significant infrastructure from reverse sensitivity effects.*

The relocation of the RUB and the zoning of the land as Mixed Housing Suburban and Single House Zone fulfils these objectives and policies, as follows:

- (a) the land can contribute to ensuring that there is a sufficient supply of land that can absorb residential growth within the urban area;
- (b) development of the land can occur in an orderly, timely and planned manner (bearing in mind that subdivision of the 17ha of “developable” parts of the land could occur in one stage or several smaller stages, but this will not impact significantly on the Council’s wider strategies for implementation of infrastructural upgrades);
- (c) Development avoids areas of significant environmental, heritage, natural character or landscape values, or of elite land;
- (d) Development can be planned and co-ordinated around infrastructural provision.

The relocated RUB and the proposed residential zonings inside it are consistent with and achieve the relevant higher order, regional objectives and policies of the PUP.

#### 4.14 **Future Urban Zone**

This submission seeks, as a preference, “live” residential zonings within the relocated RUB, and not the Future Urban Zone as an intermediate zoning prior to “live” zonings, because:

- (a) the extended RUB and development area enabled within the new “live” zones are sufficiently small in area that the planning and layout of roads, lots, open

space and reserve areas, walkways and infrastructure can be addressed under the Framework Plan and/or subdivision provisions of the PUP;

- (b) the Future Urban Zone would require a lengthy plan change process. The time and costs of this are not justified, given the information that has been provided with this submission (and which can be augmented further) which is sufficient for adoption of the live zonings as part of the PUP process;
- (c) Most of the requirements of a Structure Plan under Appendix 1 of the Addendum to the PUP (re the RUB) (including investigations and information relating to urban growth, natural environment, infrastructure, transport, and urban design) are dealt with and considered in this submission and/or the associated reports. Some further investigations will be undertaken (for example in relation to geotechnical and archaeological issues), but sufficient information is already available such that a formal plan change with associated structure planning process to rezone from Future Urban to a "live" zoning is not necessary or efficient.

However, in the event that the preferred live zonings are not upheld, the Group seeks, as an alternative to the preferred "live" zonings, that the Future Urban Zoning be applied to the land within the extended RUB, particularly given the land's potential and suitability for a Special Housing Area under the *Housing Accords and Special Housing Act 2013*.

#### 4.15 Section 32 of the Act

The PUP's regional objectives relate to accommodating Auckland's rapidly expanding population. These objectives provide for efficient, high quality residential intensification and greenfields expansions in appropriate locations. These objectives are necessary for achieving the purpose of the Act in this regard; accommodating growth appropriately is Auckland's most significant current – and foreseeable – resource management challenge.

This submission promotes, as a method to assist achievement of the regional objectives, the extension of the RUB in the vicinity of Albany Village, and the residential zoning of the land inside the RUB. The submission is supported by technical reports addressing key issues (infrastructure, transport, landscape and urban design).

The alternatives available for this land are as follows:

- the status quo (being the RUB location and the Countryside Living and Large Lot zones as shown in the PUP); or
- the relocated RUB and the Mixed Housing and Single Lot zones as sought as the preferred alternative in this submission; or
- the relocated RUB and the Future Urban Zone as sought as the second alternative in this submission.

The investigations undertaken for this submission demonstrate that the preferred alternative as promoted in this submission is, in comparison with the status quo or with the Future Urban Zone (as discussed in Part 4.5 above), the most appropriate method for achieving the PUP objectives for accommodating Auckland's growth. The land within the extended RUB can be developed efficiently for residential purposes, under the Mixed Housing Suburban and Single Lot residential zones.

The primary benefits of the RUB extension and the residential zonings proposed are the increase in the critical mass of the population in close proximity to the existing local centre of Albany Village and the emergent Metropolitan Centre of Albany, and the proximity to the major employment area (the North Harbour Industrial Estate). Proximity to these areas brings efficiencies for residents from public transport, walkability, cyclability and minimisation of commuting times.

The costs of not implementing the RUB extension and residential zonings are the loss of the benefits expressed above, and the need for accommodation options to be located elsewhere – potentially in places that do not enjoy the same benefits.

Further work will be carried out in relation to geotechnical and archaeological matters, to ensure that there is no uncertainty about or deficiency of information and hence any risk of acting.

With the information provided already, it is clear that the RUB extension and residential zonings proposed are the most appropriate method to achieve the purpose of the Act.

#### 4.16 **Summary**

This submission to the draft Unitary Plan requests the relocation of the RUB and amendment of the zoning inside the RUB to Mixed Housing and Single House zone on land adjoining the urban area immediately northwest of Albany Village. The submission is promoted by a Group of landowners with contiguous land holdings.

The rezoning will enable up to around 350 residential units to be developed within approximately 800m of Albany Village. This will contribute to meeting the need for new residential accommodation in Auckland.

The RUB extension and the residential zonings will assist the Council in achieving:

- The high level Development Strategy of the Auckland Plan; and
- The regional objectives and policies of the PUP.

The RUB extension and zoning promoted in this submission are therefore the most appropriate method in achieving the purpose of the Resource Management Act 1991.

#### 5. **The Group seeks the following decision from Auckland Council:**

**ACCEPT** the Proposed Unitary Plan **SUBJECT TO** amending the PUP in the manner outlined in Parts 3 and 4.1 of this submission, above:

- 5.17 **ACCEPT** the specific provisions of Parts 1.2.1, 1.2.2 and 1.2.3 of the Proposed Regional Policy Statement.
- 5.18 **ACCEPT** Rule 5.1 (Activity Tables in Part 3 – subdivision), in particular Table 6 which applies a default rule (Discretionary Activity) for subdivision not listed in the other Activity Tables. The Discretionary status would therefore apply to subdivisions that may not meet the minimum lot size for that particular zone.



- 5.19 **REJECT** the location of the RUB and the zoning of the land in the Albany North area, in the vicinity of Stevensons Cres and Dairy Flat Highway, and **AMEND** the PUP as follows:
- 5.3.1 Shift the RUB west by approximately 500m to the location as detailed in Part 4.1 of this submission; and
- 5.3.2 EITHER (preferably):
- Rezone the Submitters' Land within the newly located RUB to the Mixed Housing Suburban and the Single House residential zones, and with an overlay requiring a Framework Plan process prior to subdivision or development;
- 5.3.3 OR (as a second preference):
- Rezone the Submitters' Land within the newly located RUB to Future Urban Zone.
- 5.20 The Group otherwise supports or opposes (as appropriate to the content of this submission) any other provisions of the PUP relevant to the relief requested in this submission.
- 5.21 If this submission is accepted, that decision might logically suggest that the RUB be further amended slightly to avoid an incongruous outcome. If that is the case, this submission also seeks further amendment of the RUB to avoid any such incongruous outcome. The purpose of this submission point is to provide jurisdiction for any such consequential amendment which may be considered appropriate.

The Group **DOES** wish to be heard in support of this submission.

If others make a similar submission, the Group **WILL** consider presenting a joint case with them at a hearing

Signature of  
for or on behalf of Submitter

Dated 19 February 2014

Email: [jeff@brownandcompany.co.nz](mailto:jeff@brownandcompany.co.nz)  
Telephone: 021 529 745 / 09 377 5499

**Notes to person making submission:** If you make your submission by electronic means, the email address from which you send the submission will be treated as an address for service. If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6 (4) of Schedule 1 of the Resource Management Act 1991.

**I could NOT gain an advantage in trade competition through this submission**

---

**A**

**Location Plan**



# **Infrastructure Assessment Addendum**

**350 Dairy Flat Hwy, Albany**

**February 2014**

**Report prepared by:  
Terra Consultants  
PO Box 12858  
Penrose  
AUCKLAND**

**terra**  
consultants

## INFRASTRUCTURE ASSESSMENT ADDENDUM

### Introduction

This addendum serves to update the infrastructure assessment report (IAR) dated May 2013. The information herein focuses on wastewater and water supply issues taking into consideration responses from Watercare Services Limited (WSL) on the same. Discussions with WSL indicated that connection to public systems is possible where upgrades are recommended.

### Wastewater

#### *Watercare Response*

*If we are going to include this area in the area of service, there needs to be some consideration of the total wastewater catchment and thought given to the pipes required for total catchment servicing, this means an assessment would need to be made of ultimate development within the catchment area. There is also a need for the Auckland Council to give some direction on future zoning in the upstream catchment, of we don't have any information at this time, if any.*

*If we are catering for just this site or the total upstream catchment the downstream issues will be different. If we allow just this site onto our we would be getting close to capacity on the 225mm section leading up to and over the Albany Bridge, however this may penalise land owners who are currently inside the area of service. If we are going to size for potential upstream catchment there will be an upsize required. The trunk sewer 27 on the other side of the bridge has capacity for total catchment, as we are taking load off it currently. Also, there are 2 pipes across the Albany bridge of which a plan is likely to abandon the old substandard 150mm pipe on the east side of the bridge.*

As noted in the IAR, it is expected that the property measuring approximately 17 ha can be developed into about 340 lots (based on a design criteria of 20 lots per hectare). Using this criteria and the WSL Water and Wastewater COP (which specifies 1,500 L/d/p and a 3 person dwelling) it was calculated that the development will generate **17.7 L/s**.

$$\begin{aligned} 1500 \times 3 \times 340 &= 1,530,000 \text{ L/d} \\ &= 17.7 \text{ L/s} \end{aligned}$$

The overall catchment within which the proposed development is located currently contains approximately 300 residential lots, 2.5 ha undergoing subdivision and 0.7ha of commercial areas.

The approximately 300 existing lots contribute 15.6 L/s

The 2.5 ha is developable to 50 Lots (20 lots per ha) which will contribute 2.6 L/s

The commercial areas contribute 0.5 L/s (based on 0.7 l/s/ha)

Thus the existing catchment currently contributes 18.7 L/s at manhole located on Lucas Esplanade Reserve noted on Auckland GIS as UNITID2073625. The pipeline connecting this

manhole and another manhole (UNITID2038241) on the downstream side of Albany Bridge is assessed for capacity using Colebrook-White model. The pipeline has been approximated to have an average slope of 0.6% thus the carrying capacity is 40.1 L/s.

Using the figures above for the existing scenario, the pipeline is considered to be at:

$$18.7/40.1 = 47\% \text{ capacity}$$

By incorporating the proposed development, the pipeline will operate at:

$$(18.7 + 17.7)/40.1 = 91\%$$

This does indicate a significant increase (44%) if the development is to proceed thus as WSL suggested, measures shall be put into place to address the issue. Further, WSL noted that the entire upper catchment would have to drain through this route, thus it is required for the upgrades to be effected to allow for this. The currently mostly undeveloped upper catchment covers approximately 400 ha. Using the criteria above (20 houses per hectare), the upper catchment has a potential to produce 8,000 lots. Thus expected wastewater production is:

$$1,500 \times 3 \times 8,000 = 36,000,000 \text{ L/d}$$
$$417 \text{ L/s}$$

In order to drain this area, it is recommended that a 600mm diameter pipe should be laid at least 1% grade (which according to Colebrook-White has a capacity of 688 L/s). It is noted when specific designs are carried out, higher carrying capacities are expected based on the steep slopes in the area (smaller pipes may also be considered as the grades are increased). WSL has confirmed that downstream networks have the capacity to drain the entire catchment.

## **Water Supply**

### *Watercare Response*

*This is more uncertain and still dependant on the Council future zoning plan in this area. Please note that for water supply, the product flows in the other direction, and there will be different concerns.*

*At this time, WSL are currently undertaking a zone management plan for Albany which I believe excludes this area. The planning model won't be completed until July 2014, by then, we can use the model to assess our ability the service this development and the impact of this development to existing customers. By the end of year, the zone management plan will be completed, which will identify infrastructure upgrade projects.*

For the purpose of this addendum, some assumptions have been made noting that there is currently no information about the zoning in this area as noted by Watercare above. Consumption is based on the demand for 340 lots (as previously noted). Using similar criteria as before, the design population is thus 1020 (3 persons per dwelling)

WSL code of practice recommends the following:

Daily consumption: 250 L/d/day

Peaking Factor: up to 5 (PF = 5 for population <2000)

Thus water supply demand for this site is:

$$Q = 250 \text{ L/p/d} \times 1020 \text{ p} = 255,000 \text{ Liters/day} (\sim 3.0 \text{ L/s})$$

Accounting for the PF,  $Q = 15 \text{ L/s}$

Fire fighting supply for a development of this nature is determined to be FW2 which requires fire fighting water supply to be 12.5 L/s within 135 m of the development and an additional 12.5 L/s from within 270m operating simultaneously with a recommended minimum residual pressure of 100 kPa.

Hydrant testing was carried out in the vicinity of the development and it was found that the network yields 56 L/s at a pressure of 418 kPa. These results indicate a possibility for the development to be serviced however based on the long distances from the hydrants to the proposed development the flows and pressures may be unreliable. Furthermore WSL noted the direction of flow as a possible concern. It is therefore recommended that if the proposed development is to proceed, several measures can be taken to address the problem. At this stage, the primary recommendation is to extend the network along Dairy Flat Hwy to a point terminating in an adequately designed reservoir to be located at the highest appropriate elevation within the development site. A properly sized pump shall be utilized to raise the water to the reservoir from which a distribution network shall be set up to supply the proposed development. As far as availability of product within the existing lines as well as the direction of flow within the network, preliminary designs shall be submitted to WSL after the zoning issues have been finalized.

#### **Attachments**

- *Pipe Capacity Calculations*
- *Upstream Catchment wastewater*
- *Fire Hydrant Testing Results*
- *Catchment Areas (as provided by WSL)*
- *GIS Wastewater and Water Supply Downstream Network*

### Pipe: (0.6 % grade)

#### Colebrook-White Formula

All charts in AS2200-2006, have been developed using the formulae below:

$$V = -2(2gDS)^{0.5} \log \left( \frac{k}{3.7D} + \frac{2.5\nu}{D(2gDS)^{0.5}} \right)$$

- k = Colebrook-White roughness coefficient, in metres
- V = velocity, in metres per second
- D = circular cross-section pipe, inside diameter, in metres
- S = slope, in metres per metre
- $\nu$  = kinematic viscosity of water, in square metres per second.

g = Gravity	= 9.81 m/s <sup>2</sup>
$\nu$ = kinematic viscosity of water	= 1.010E-06 m <sup>2</sup> /s

k = Colebrook-White roughness coeff	= 0.600 mm	= 6.000E-04 m
D = Inside diameter	= 225 mm	= 0.225 m
S = Slope, in metres per metre (Hydraulic Gradient)	= 0.600%	= 0.0060 m/m
V = Velocity	= 1.01 m/s	

Discharge:

Q = V x A	A = 0.040 m <sup>2</sup>	
	Q = 0.0401 m <sup>3</sup> /s	= 40.1 L/s

#### Note:

Depending on the required conditions, use the "Solver" routine to find the un-known

Tip: If you try to find only 1 unknown, the others will be found automatically

DO NOT use solver to find a cell with a formulae. It will write over the formulae.

Instead ONLY allow solver to change either k, D or S

eg., If we only know g  $\nu$  k D & Q and we need to find S & V

then all we need to do is find S (using Solver).



## Pipe (1% grade)

### Colebrook-White Formula

All charts in AS2200-2006, have been developed using the formulae below:

$$V = -2(2gDS)^{0.5} \log \left( \frac{k}{3.7D} + \frac{2.5\nu}{D(2gDS)^{0.5}} \right)$$

- k = Colebrook-White roughness coefficient, in metres
- V = velocity, in metres per second
- D = circular cross-section pipe, inside diameter, in metres
- S = slope, in metres per metre
- $\nu$  = kinematic viscosity of water, in square metres per second.

g = Gravity = 9.81 m/s<sup>2</sup>

$\nu$  = kinematic viscosity of water = 1.010E-06 m<sup>2</sup>/s

k = Colebrook-White roughness coeff = 0.600 mm = 6.000E-04 m

D = Inside diameter = 600 mm = 0.600 m

S = Slope, in metres per metre = 1.000% = 0.0100 m/m

= (Hydraulic Gradient)

V = Velocity = 2.43 m/s

Discharge:

Q = V x A

A = 0.283 m<sup>2</sup>

Q = 0.6884 m<sup>3</sup>/s

= 688.4 L/s

### Note:

Depending on the required conditions, use the "Solver" routine to find the un-known

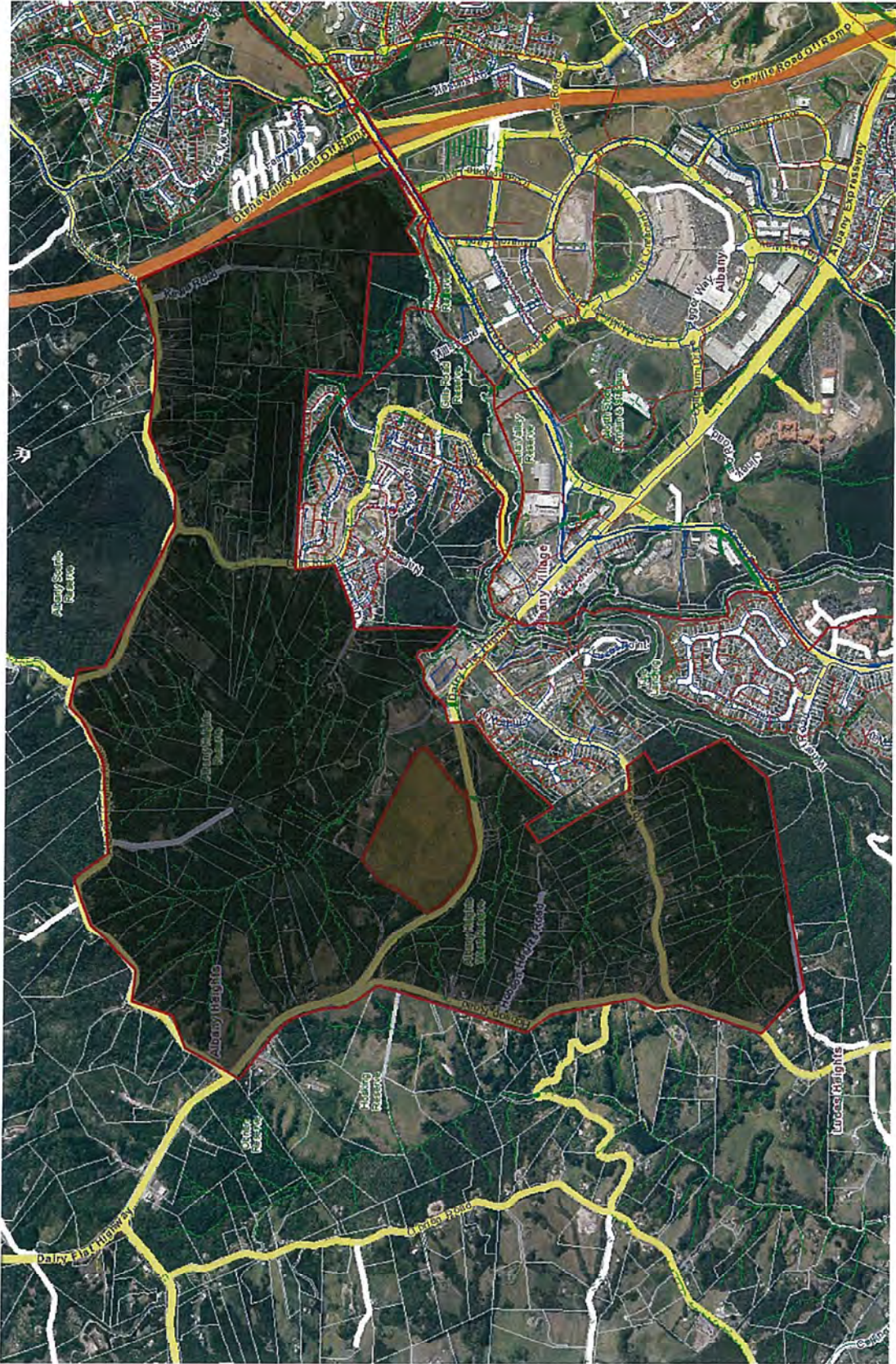
Tip: If you try to find only 1 unknown, the others will be found automatically

DO NOT use solver to find a cell with a formulae. It will write over the formulae.

Instead ONLY allow solver to change either k, D or S

eg., If we only know g  $\nu$  k D & Q and we need to find S & V

then all we need to do is find S (using Solver).



**FW2 Water Classification Test**

	Hydrant One	Hydrant Two	Total Flow Lps	Residual Pressure kPa
Static Pressure kPa			0	688
Test 1	48			
Lps	37.7		37.7	480
Test 2	38	16		
Lps	33.7	22.3	56.0	418
Site Address:	<b>350 Dairy Flat Highway, Albany</b>			
Supervisor:	Jason Goodwin	Date:	3rd February 2014	
Flow Meter:	Giddens	Time:	3.05pm	
Orifice Plate:	D5	Full Flow Result:	<b>56Lps at 418kPa</b>	



**HYDRANT TESTING SPECIALISTS**

E: info@novafloflowtec.co.nz  
 T: 09 444 8375 F: 09 444 8458  
 PO Box 241, Albany Village, Auckland 0755  
 www.novafloflowtec.co.nz

Key: Please refer to Hydrant Map for hydrant locations

Client: Terra Group  
 Contact: Boniface Kinnear



**NOVA FLOWTEC SERVICES LTD**  
HYDRANT TESTING SPECIALISTS

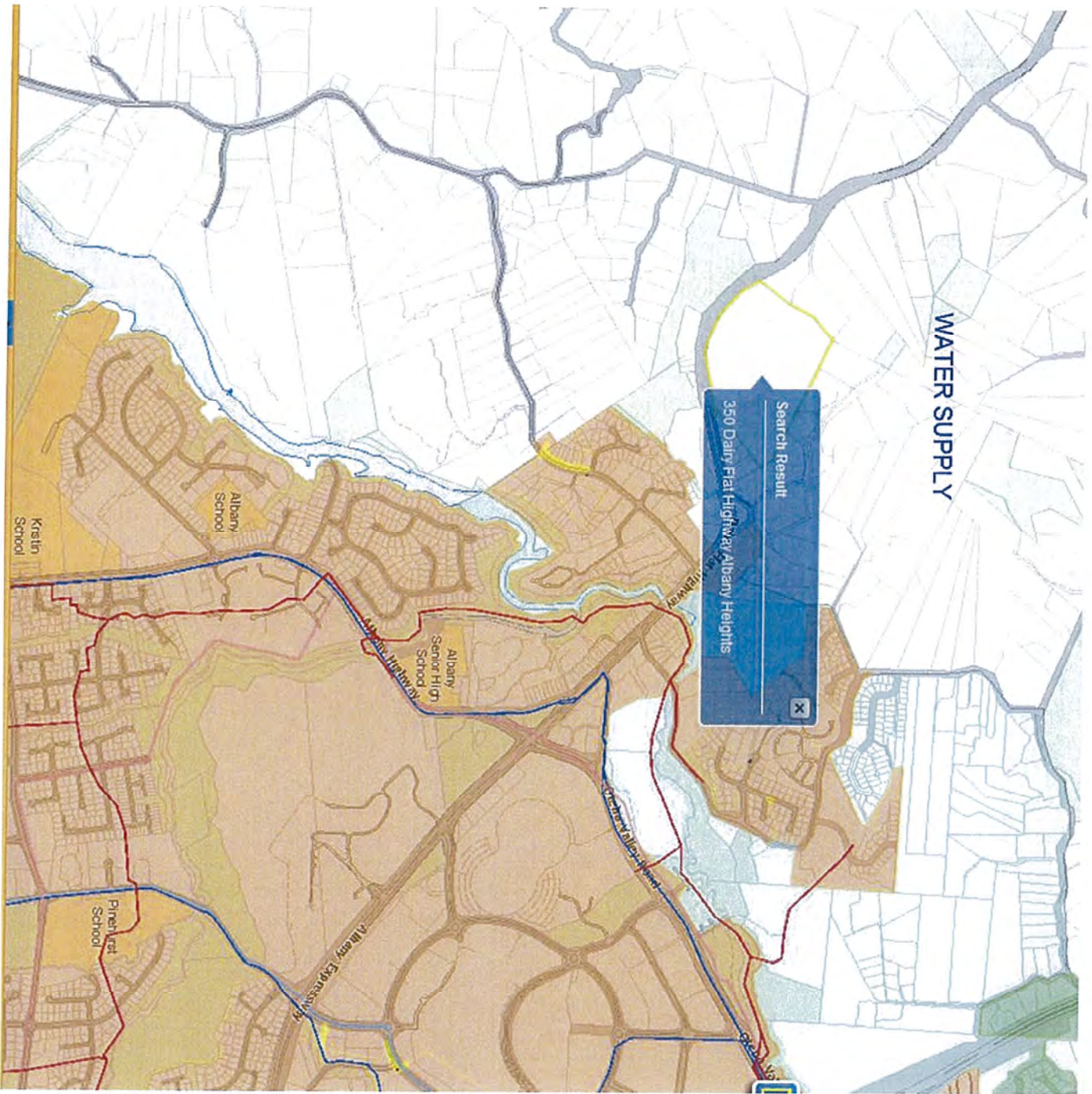
E: [info@novafLOWtec.co.nz](mailto:info@novafLOWtec.co.nz)  
T: 09 444 8375 F: 09 444 8458  
PO Box 241, Albany Village, Auckland 0755  
[www.novafLOWtec.co.nz](http://www.novafLOWtec.co.nz)

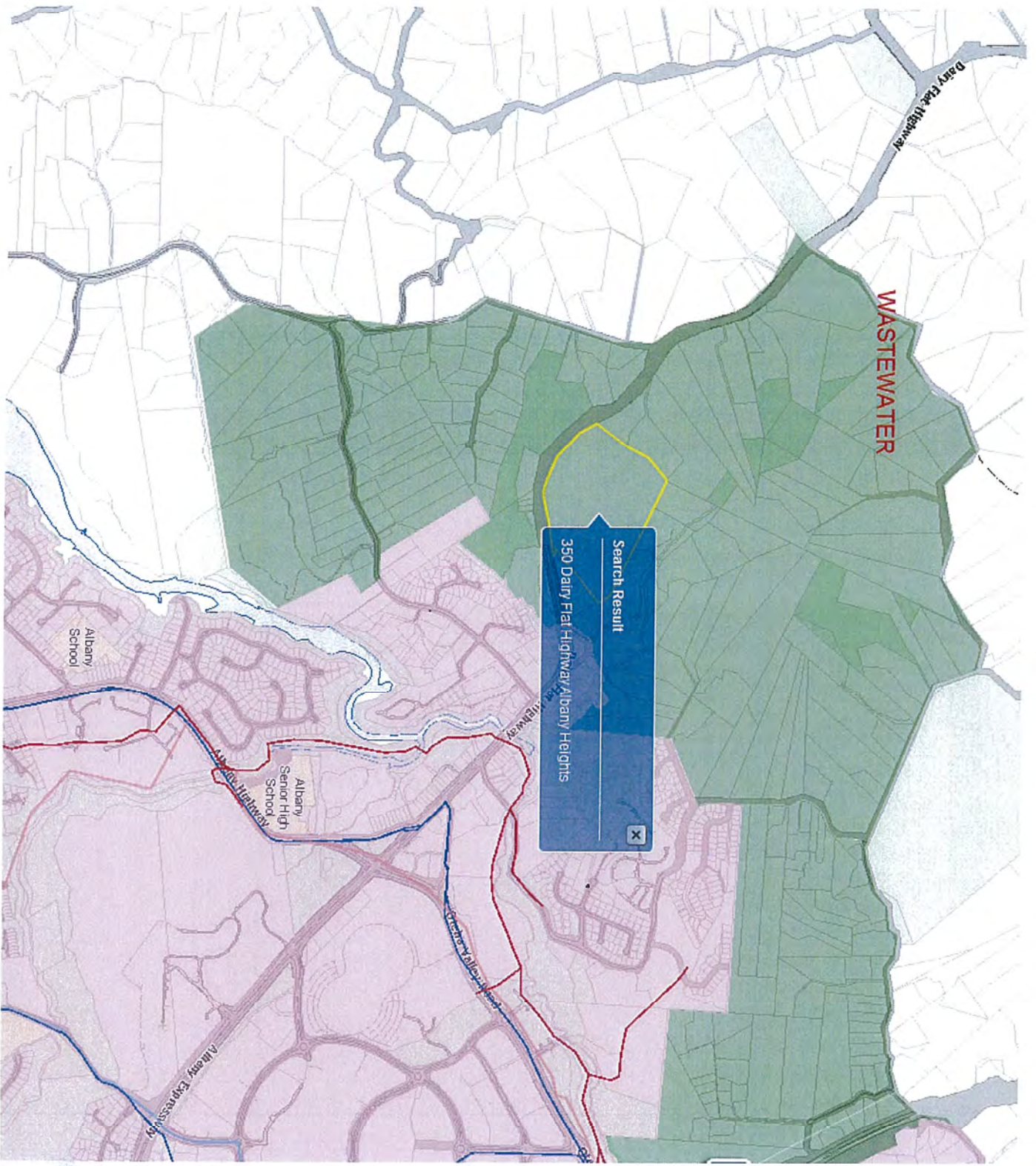
Fire Hydrant Map  
350 Dairy Flat Highway



# WATER SUPPLY

Search Result  
350 Dairy Flat Highway Albany Heights





WASTEWATER

Search Result  
350 Dairy Flat Highway Albany Heights

Albany School

Albany Senior High School

Albany Expressway

Albany Highway

Dairy Flat Highway

# **Infrastructure Assessment Report**

## **350 Dairy Flat Highway**

### **Albany, Auckland**

Prepared by

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Date: May 2013  
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*Appendix 1 - Site Plan*

*Appendix 2 - Development Areas*

*Appendix 3 - Wastewater Plan and Calculations*

*Appendix 4 - Stormwater Plans and Calculations*

*Appendix 5 - Water Supply Plan*



## **1.0 INTRODUCTION**

Terra Consultants have been engaged by Pichler Properties to carry out an infrastructure assessment on the extent of the developable area, the suitability of existing public services; wastewater, stormwater and water networks to accommodate a potential development at 350 Dairy Flat Highway, Albany. Several properties in the vicinity are included in the assessment (see figure 1) with the entire development covering approximately 26 hectares. The report is prepared to inform and help the client make a decision on how to proceed with the development.

## **2.0 ASSESSMENT CRITERIA**

This report addresses the following items:

Development Area:

- Probable development area

Wastewater:

- Expected flows to be generated from the development
- Assessment of the capacity of the downstream sewer line to cater for the additional flows

Stormwater

- Expected flows generated from the development
- Propose mitigation measures

Watermain

- Determine the appropriate water supply classification for the development
- Assess the ability of the existing public water network to meet the demands of the proposed development
- Requirement for fire fighting purposes

Utilities

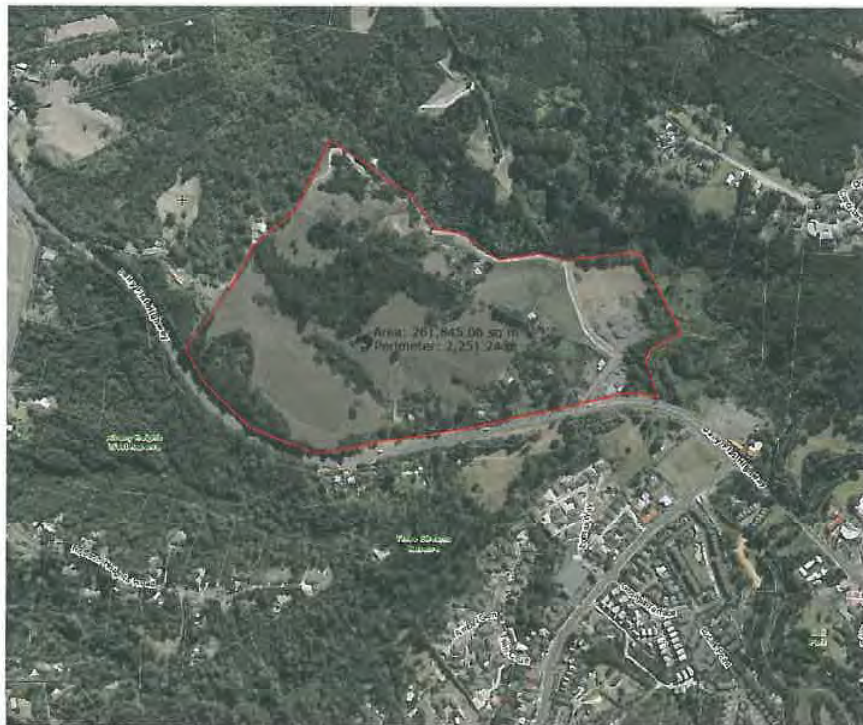
- Determine if the development can be adequately serviced for power, gas and telecom.

## **3.0 DEVELOPMENT DESCRIPTION**

### **Site Description**

The site is located on the northern side of Dairy Flat Highway in the Albany Heights area of Auckland. The extent of the proposed development area covers 350 Dairy Flat Highway and adjacent

properties. The site slopes in a west to east direction with major flowpath in oriented in a south east direction. There are several other streams within the site going in different directions. The site is bordered to the west, north and east by undeveloped pieces of land. On the northern side is a stream that has been identified as a stormwater drain area. In the central part of the site and on the south west corner are clusters of varying types of trees. On the eastern side of the site (at 16 Stevenson Crescent) is an ongoing development.



**Figure 1: Proposed site extent**

### **Development Areas**

Following a site walk over and an assessment of the contours, several areas were identified as possible development site. Two major areas measuring approximately 4.5ha (Area A) and 12.5 ha (Area B) respectively were noted as suitable for development (see appendix 2). Based on the a design criteria of 20 houses per hectare, it has been calculated that Area A can accommodate up to 90 houses while Area B can accommodate 250 houses for a total of 340 possible houses across the entire site. It is worth noting that the number of developable lots may increase or decrease depending on the finalized scheme plan but for the purposes of this assessment, 340 lots is used.

## **4.0 WASTEWATER ASSESSMENT**

The Watercare Services Limited Water and Wastewater Code of Practice for Land Development and Subdivision Section 5, for

residential flows suggests an average dry weather flow of **225 litres per day per person** and a dry weather diurnal peaking factor of 3.0. For design purposes a peak wet weather flow of **1,500 litres per day per person** is specified. The recommended number of people per dwelling is 3.0.

Based on the number of possible lots that can be developed on site, probable wastewater generation is thus:

$$1500 \times 3 \times 340 = 1,530,000 \text{ litres per day} \\ = 17.71 \text{ litres per second}$$

(contribution per lot = 4,500 l/d or 0.052 l/s)

The wastewater drainage in the area is serviced by a gravity system. The subject site sits at the top of the catchment area and a possible connection point has been identified in the form of a manhole, Auckland GIS UNITID:2071537. A pipe (Pipe A) leading out of the site may be connected to this manhole (see appendix 3). To accommodate the flow as calculated above, a 225mm pipe laid at 1% grade may be constructed. The pipe according to Colebrook-White model (see appendix 2) will have adequate capacity to service the site.

It was noted that downstream from the development is an extensive sewer network draining the area. Given the large size of the downstream pipes and the slopes (note that carrying capacity increases with size and slope of pipe) it is not anticipated that the proposed development will have any negative effects on the system.

## **5.0 STORMWATER ASSESSMENT**

### **5.1 Existing Situation**

The site is located to the north of Three Streams and Albany Heights West reserves and on the southern side of Albany Heights reserve. The reserves contain several stormwater discharge drains in the form of streams (appendix 4). There is currently a 2400mm culvert going underneath Dairy Flay Hwy draining the western side of the site into the Three Streams Reserve. The central and eastern part of the site flow naturally to an open watercourse on the eastern and north-eastern sides of the site.

### **5.2 Stormwater System for the Site**

Guidelines adopted assessment of the stormwater management system are provided within the Auckland Council Development and Connection Standards. Reference has been made to Stormwater Treatment Devices - Design Guideline Manual (ARC - TP10) when determining appropriate options as well as TP108.

Flows generated within the site for 10year storms will be collected from roofs and paved areas via cesspits, pipes and manholes then directed out of the site to appropriate open watercourses via energy dissipating devices around the site. A stormwater pipe network will be designed to achieve this. 100 year flows will be managed via roads to be constructed on the site and directed into the open watercourses accordingly.

For quality control, enviropods installed in cesspits are may be used for reduction of suspended solids. Surfaces are may be finished according to TP10. Other options such as upflow filters and a TP10 designed pond may be considered.

### **Assessment**

It has been calculated that in the predevelopment stage, for a 10 year storm, the site generates 2.4m<sup>3</sup>/s flow (see calculations in appendix 4). In the post development stage assuming maximum probable development, the site will generate 4.4m<sup>3</sup>/s. This represents an increase of 45% (see calculation below)

$$(4.4 - 2.4)/4.4 \times 100 = 45\%$$

For the 100 year storm, pre-development flow is 3.8m<sup>3</sup>/s and the post development flow is 7m<sup>3</sup>/s (assuming MPD) representing an increase of 46%. It is worth noting that these figures are conservative and that the actual increase in flows maybe be much less than shown.

With a properly designed stormwater network in place it is not anticipated that this development will cause any disruptions in the area. As noted above, several water quality and attenuation measures may be considered to ensure the proper management of runoff reaching the watercourses.

## **5.0 WATER SUPPLY ASSESSMENT**

### **5.1 Water supply classification**

Under the New Zealand Fire Service - Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008, the classification of FW2 is applicable for single family dwellings (Table 1).

### **5.2 Fire Fighting and Water Supply**

Based on Table 2 - Method for determining fire fighting water supply - A FW2 requires a minimum fire fighting water supply of 12.5 l/s within a 135m distance of the development with an additional 12.5 l/s from within 270m distance. The required flow must be achieved using a maximum of two hydrants operating simultaneously. A minimum of 100 kPa residual pressure is required and a

recommended maximum of 1050 kPa. Given the size of the site it is likely that several fire hydrants will be required within. It has been noted that there is a 150mm water line along Dairy Flat Hwy which may be extended into the site (appendix 5). Upon finalization of the scheme plan, a water supply network (for both fire fighting and potable supply) shall be designed in accordance with NZFS and Watercare standards to service the development.

## **6.0 UTILITY SERVICES**

It has been noted that there are several developments within the vicinity of the site thus it is assumed that the site will be serviced adequately by all existing utility services provided within the road reserve (Telecom and Power); these services will be extended into the site with approval from the various services providers. Confirmation from the various suppliers shall be sort at a later stage.

## **7.0 CONCLUSIONS**

The preliminary assessment carried out in this report show that the identified site can be developed into approximately 340 lots spread over two main areas. Using Watercare guidelines, it was found that the potentially developable areas will generate approximately 17.71 l/s. It was determined that this flow can be adequately serviced by the downstream infrastructure and it is not anticipated that the flow will not significantly affect the infrastructure given the slopes and the sizes of the pipes. Stormwater flows were calculated for pre- and post-development scenarios for 10 year and 100 year ARI storms. For the post development stage, maximum probable development was assumed and it was found that for a 10 year storm, there will be a 45% increase from the pre- to the post-development. It was noted that the site lies within a well drained area thus it is not anticipated that stormwater drainage will be problematic. For quality control purposes, filters and/or detention ponds may be considered. With respect to fire fighting and potable water supply, it has been found that there is a reticulation in the area. Connection will be subject to Watercare application. It has also been noted that there are utilities in the area and that connection will be subject to confirmation by respective suppliers.

## **Appendix 1 - Site Plan**



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### 350 Dairy Flat Hwy Plan



Scale @ A3 1:2500

Created: Thursday, 16 May 2013 5:56:17 p.m.

## **Appendix 2 - Development Areas**







## **Appendix 3 - Wastewater Plan and Calculations**

### Pipe: Pipe A (1% grade)

#### Colebrook-White Formula

All charts in AS2200-2006, have been developed using the formulae below:

$$V = -2(2gDS)^{0.5} \log \left( \frac{k}{3.7D} + \frac{2.5\nu}{D(2gDS)^{0.5}} \right)$$

- k = Colebrook-White roughness coefficient, in metres  
V = velocity, in metres per second  
D = circular cross-section pipe, inside diameter, in metres  
S = slope, in metres per metre  
ν = kinematic viscosity of water, in square metres per second.

g = Gravity = 9.81 m/s<sup>2</sup>  
ν = kinematic viscosity of water = 1.010E-06 m<sup>2</sup>/s

k = Colebrook-White roughness coeff = 0.600 mm = 6.000E-04 m  
D = Inside diameter = 225 mm = 0.225 m  
S = Slope, in metres per metre = 1.000% = 0.0100 m/m  
= (Hydraulic Gradient)  
V = Velocity = 1.31 m/s

Discharge:  
Q = V x A                      A = 0.040 m<sup>2</sup>  
    Q = 0.0520 m<sup>3</sup>/s                      = 52.0 L/s

#### Note:

Depending on the required conditions, use the "Solver" routine to find the un-known

Tip: If you try to find only 1 unknown, the others will be found automatically

DO NOT use solver to find a cell with a formulae. It will write over the formulae.

Instead ONLY allow solver to change either k, D or S

eg., If we only know g ν k D & Q and we need to find S & V

then all we need to do is find S (using Solver).



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## Wastewater Catchment



**Auckland Council**  
Te Rauwharangi o Ōhāriu

Scale @ A3 1:2500

Created: Friday, 17 May 2013, 4:28:54 p.m.

## **Appendix 4 - Stormwater Plans and Calculations**

**10 YEAR ARI**

TC	10 min		Normal
Rainfall Depth	140 (mm/24hr)	I (mm/hr)	94.5
MPD	0.65		

## Pre Development

C =	0.35
I =	94.5 mm/hr
A =	26 ha
Q =	2.391 m <sup>3</sup> /s
	2390.66 L/s

## Post Development

C =	0.65
I =	94.5
A =	26
Q =	4.440
	4439.80

**100 YEAR ARI**

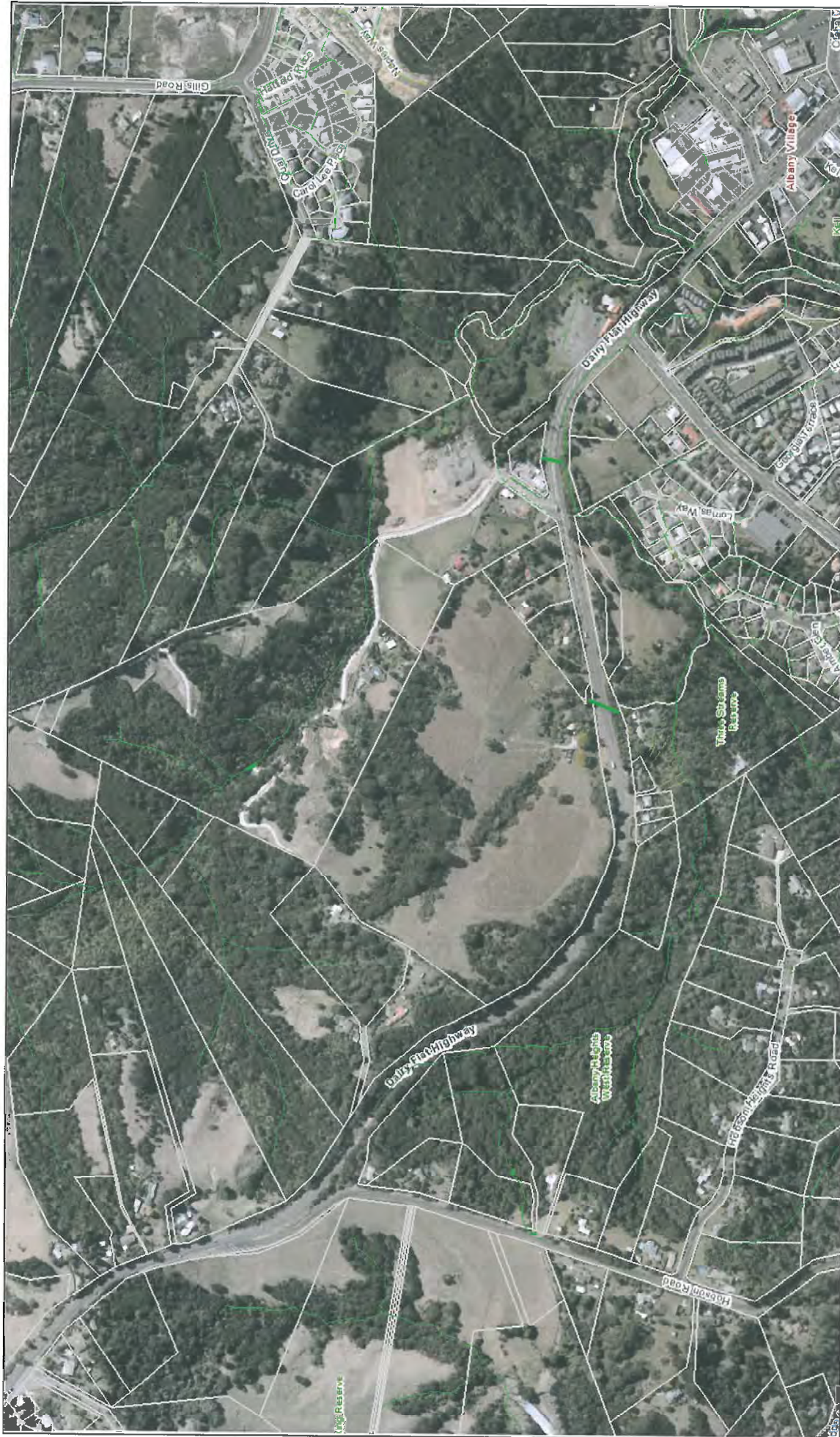
TC	10 min		Normal
Rainfall Depth	220 (mm/24hr)	I (mm/hr)	148.5
MPD	0.65		

## Pre Development

C =	0.35
I =	148.5 mm/hr
A =	26 ha
Q =	3.757 m <sup>3</sup> /s
	3756.75 L/s

## Post Development

C =	0.65
I =	148.5
A =	26
Q =	6.977
	6976.83



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Created: Monday, 20 May 2013, 6:31:15 p.m.

### Stormwater Drainage Network



Scale @ A3 1:5000



## **Appendix 5 – Water Supply Plans**



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Created: Monday, 20 May 2013, 6:45:48 p.m.

## Water Supply Network





Mr Jeff Brown  
Brown & Company Planning Group  
PO Box 91-839  
AMC  
**Auckland**

TDG Ref: 12112  
31 May 2013

**Copy via email:** \_\_\_\_\_ [jeff@brownandcompany.co.nz](mailto:jeff@brownandcompany.co.nz)

Dear Jeff

**Pichler Properties, Albany**  
**Extension of the Rural Urban Boundary**

Further to our recent correspondence, we have completed a transport assessment for the Pichler Properties, located at the bottom of the Albany Hill, Dairy Flat Road, for an application to increase the Rural Urban Boundary ("RUB") under the Proposed Unitary Plan, to include the full extent of the Pichler Properties site. Accordingly, we report as follows:

**1. Introduction**

TDG has been commissioned by Brown and Company Planning Group to assess the traffic impacts of the extension of the RUB.

The traffic planning effects of the proposed RUB extension focus on the following matters:

- Ability to provide suitable access;
- Ability to accommodate the expected additional trip generation; and
- The connectivity of the site.

These and other matters are addressed in the detail of this letter.

**2. Existing Environment**

**Figure 1** shows the location of the site within the surrounding area.

The site is located on the northern side of Dairy Flat Road, Albany and is currently accessed primarily via Stevensons Crescent, with some limited access also available via other locations along Dairy Flat Road. Dairy Flat Road intersects with Coatesville-Riverhead Highway approx. 2km northwest of the site; and The Avenue approx. 300 metres southeast of Stevensons Crescent.

Dairy Flat Road was a State Highway until it was revoked in October 2012, with its hierarchy now reverted to a Strategic Route. Strategic Routes usually carry large volumes of through traffic, with a high level of user service.

Stevensons Crescent is classified as a Local Road. Local roads generally provide access to local streets and individual properties and have limited through traffic function.



## 2.1 Existing layout

In the vicinity of the site, Dairy Flat Road is generally three lanes wide. There is a single south/eastbound lane, and a two lane passing lane running north/westbound, which continues as far as Coatesville-Riverhead Highway. Before the start of the passing lane is a right turning bay into Stevensons Crescent.

To the west / northwest of Stevensons Crescent, Dairy Flat Road's character changes from urban (to the southeast) to rural (to the northwest), including a change in the posted speed limits from 50 kph to 80 kph. The speed limit signs are currently posted approx. 10m to the west of Stevensons Crescent.

As can be seen on the aerial in Figure 1, Dairy Flat Road is generally straight for at least half of the length of the site as it climbs the hill to the west, before it turns northwest. At this point the carriageway is cut into the hill, with the existing topography making any access to/from the site here difficult.

## 2.2 Existing Traffic volumes

Traffic flow data recorded by NZTA in 2012 is available for a point on the network to the north of the site, just south of the Coatesville-Riverhead Highway, and at a location between Gills Road and The Avenue (just south of Stevensons Crescent). This shows a significant difference in traffic volumes on Dairy Flat Road, with some 19,010 vehicles per day ("vpd") between Gills Road and The Avenue and 11,400 vpd just south of the Coatesville-Riverhead Highway. As there are few intersections / properties between Coatesville-Riverhead Highway and the site, the latter location is likely to better reflect flows past the site. However, prior to any further and more in-depth analysis being undertaken regarding this land, it is recommended that traffic surveys be undertaken.

There is a significant medium density residential development accessed via The Avenue, with the predominant direction of travel to/from The Avenue being to/from the south/southeast. Traffic volume data obtained from the Auckland Transport's website shows that The Avenue carried some 5,300 vpd in 2007. No more recent data was available.

**Table 1** below summarises the current available traffic flow data for the area.

Count date	Count Location on Dairy Flat Road	Vpd (2-way)
2012	Between Gills Rd and The Avenue	19,010
2012	South of Coatesville-Riverhead Hwy	11,400
2007	The Avenue between Dairy Flat Road and Hobson Rd	5,300

**Table 1: Available Traffic flow data for the area (2-way vehicles per day)**

## 2.3 Sight distance

No sight distance measurements have been undertaken on site. However, observations made during site visits suggests that sight distance to the right from Stevensons Crescent is currently reduced due to the existing location of a powerpole. However, relocation of the powerpole and some landscaping should enable full sight distance to be achieved here.

The District Plan requires for sites with access to an arterial frontage such as this that sight distance is provided in **Table 2** as follows:



85 <sup>th</sup> %ile speed (kph)	Sight Distance Required (m)
50	90
60	115
70	140
80	175
90	210

**Table 2: District Plan Sight Distance Requirements**

The exact location of a secondary access to the development area is unknown at this stage, however, any such access should provide at least 210m of sight distance in both directions (assuming a 90kph approach speed). Given the proximity of curves in Dairy Flat Road to the east and west of the site, **Figure 2** shows the site frontage that would currently be suitable for a secondary access location. However, should the speed limit be restricted using engineering measures on the approaches to the site, this suitable frontage area could be extended.

## 2.4 Existing Safety Record

A search of the NZ Transport Agency's ("NZTA") crash database was undertaken for all reported crashes in the five-year period from 2008 to 2013 that have occurred on Dairy Flat Road along the frontage of the site, as well as at its intersection with Stevensons Crescent.

The search revealed that during the five-year period a total of eight crashes had occurred along the site frontage and at the Dairy Flat Road / Stevensons Crescent intersection (one serious, two minor and five non-injury crashes).

Of these, six (one serious, one minor and four non-injury) were loss of control crashes. Five out of six of these were for vehicles travelling westbound, and all vehicles were travelling through on Dairy Flat Road. None were attempting to make a turning manoeuvre. Four out of these six crashes occurred on the left hand bend between Stevensons Crescent and The Avenue, whilst of the other two, one occurred on the right hand bend at the top of the straight heading north on Albany Hill, and the other occurred on the straight section.

One of the remaining crashes occurred when a driver attempted to undertake a u-turn on the straight section of Albany Hill, resulting in minor injuries, and the other occurred when a driver hit the rear end of a queue of vehicles, resulting in no injuries.

Of note, the search revealed no crashes involving vehicles entering or exiting the existing driveways, or manoeuvring at the Stevensons Crescent / Dairy Flat Road intersection.

The search area also considered the intersection of The Avenue with Dairy Flat Road. This revealed that during the five-year study period a total of 17 crashes had occurred (one serious, four minor and 12 non-injury crashes). Of these, 13 crashes were caused by a vehicle travelling westbound on Dairy Flat Road hitting a vehicle attempting to turn right out of The Avenue. This signifies a recurring pattern that may require addressing by Auckland Transport. However, it is unlikely that such a problem would occur at Stevensons Road, as motorists would predominantly turn left out and right in, which present less conflicting movements.

However, it is clear that sightlines at Stevensons Crescent and any possible secondary access driveway should be excellent.



### 3. Proposed Zoning Change

It is proposed to extend the RUB to include the entirety of the Pichler Properties site. It is anticipated that the existing countryside living zoning would be replaced with zoning to allow medium density housing.

The site is currently some 36 ha. Without specific analysis considering topography and the condition of the ground, the exact percentage of the site that could be developed is as yet uncertain, however it is estimated that some 17 ha are suitable for residential development. Based upon information from Terra Group, it is understood that approximately 340 residential properties could be constructed on this land.

### 4. Trip Generation / Distribution

#### 4.1 Trip generation

The traffic generating potential of the residential lots during the peak hours has been calculated using information contained in the New South Wales Roads and Traffic Authority (RTA) "Guide to Traffic Generating Developments" for residential activities.

The RTA provides rates for standalone dwelling houses of 0.85 trips per dwelling during the peak hour, and nine trips per dwelling daily. For 340 houses, this equates to 289 peak hour trips; and 3,060 daily trips.

#### 4.2 Trip Distribution

Typical peak ingress / egress distributions have been assumed with a 20% / 80% inbound / outbound directional split during the AM peak, reversed during the PM peak.

This has been summarised in **Table 3** below.

Peak Period	Peak Hour Trips (vph)	
	Inbound	Outbound
AM peak	58	231
PM peak	231	58

**Table 3: Expected inbound/outbound trip distribution during both peak hours**

Based on the existing locations of nearby attractions such as schools, work places and shopping it is expected that 90% of trips will be to / from the south. As a result, limited right hand turns are expected out of the site. This can be seen in **Table 4** below which provides an approximation of the volume of turning movements which could be expected in and out of the site.



Peak Period	Movement	Peak Hour Trips
AM peak	Left In	6
	Left Out	208
	Right In	52
	Right Out	23
PM peak	Left In	23
	Left Out	52
	Right In	208
	Right Out	6

**Table 4: Expected turning movements**

## 5. Access

Access from Stevensons Crescent is well provided for in terms of right turns in, with the provision of an existing right hand turning bay and solid median. Left turns into Stevensons Crescent have limited deceleration space, although motorists should have decelerated to the 50kph speed limit when passing the intersection. As previously mentioned, sight distance for vehicles leaving Stevensons Crescent is currently poor to the north, but it should be relatively easy to improve this to satisfy requirements by removing the power pole and providing landscaping.

For a second access to be provided, this would need to be located on the straight section of Dairy Flat Road, at least 210m from the bends in the road to ensure adequate sight distance is able to be provided, as shown in Figure 2. Further, the topography in the northern parts of the site, does not lend itself well to an access. Any vehicles turning right into the site would be required to wait within the existing passing lane, which would not be acceptable. Instead, it may be acceptable to introduce a right turn bay into the secondary access, at the expense of the passing lane between the two site accesses. This should not be a problem given that the passing lane continues for some 2km further to the north, thus the effect of providing this should be minimal as suitable passing opportunities are still available.

A preliminary estimate was made of the performance of the Stevensons Crescent intersection under weekday AM and PM traffic conditions, should this be the only access point to the site. This was a robust estimate that assumed peak hour flows of 10% of daily flows, and assumed a 90% / 10% tidal split to / from Albany Village. The results demonstrated that during the AM peak hour, a single intersection would not perform adequately, with long delays and queues for vehicles exiting the site. However, no problems would be evident during the PM peak hour.

Some further sensitivity testing established that a secondary access is likely to be required beyond approximately 275 household units. This also leads to the conclusion that, should trips be evenly distributed between two accesses, a theoretical yield of up to 550 residential units may be feasible.

However, due to the simplicity of the assessment, it is recommended that a full study should be carried out prior to resource consent, including traffic surveys to gain a better indication of overall traffic flow and tidal peak hour movements.

## 6. Connectivity

In general, connectivity from this location is good. There are pedestrian footpaths linking Stevensons Crescent with Albany Village, as well as a bus route which travels along Dairy Flat Road, stops some 200m south of Stevensons Crescent and connects with Massey University, the Northern Busway and to Takapuna.



In addition, the employment areas of the North Harbour Industrial Precinct, education facilities including Massey University and multiple schools (Primary through to Secondary), transport network facilities in terms of the Northern Express busway and State Highway 1 and shopping opportunities are all within 500m to 2km of the site.

From a transportation point of view it is considered that the site provides good connectivity to the local network and key destinations.

## 7. Conclusions

It is concluded that:

- A total of 289 peak hour trips could be expected as a result of the extension of the RUB to allow 340 residential properties to be constructed.
- The existing intersection of Stevensons Crescent / Dairy Flat Road would likely need some minor work to improve the sight distance, however the remainder of the intersection would provide well for additional trips
- The primary direction of trips to/from the development would be to/from the south, thereby reducing the number of right turn movements out of the site, and reducing the likelihood of similar effects as occur at nearby similar developments such as those accessible from The Avenue (including peak hour delays and right turn out crashes).
- A second access point would be possible should it be provided on the straight and should suitable sight distance be available. The introduction of an access here is likely to require changes to the northbound passing lane on Albany Hill to ensure suitable safety for vehicles waiting to turn right across the through traffic.
- A preliminary estimate of intersection performance was carried out, which established that a secondary access may be required for 340 properties, but that a single access may be suitable for up to 275 units. It is therefore theoretically possible that, if trips were evenly distributed between two accesses, up to 550 residential units could be supported. A full detailed traffic analysis would be required to confirm this.
- The site has good connectivity to employment, education, retail and transport facilities, with all being within 500m to 2km of the site, and suitable pedestrian measures and a bus route passing in front of the site.

Accordingly, we are able to support this proposal on traffic / transportation engineering grounds. Should you wish to discuss our assessment, please do not hesitate to contact us.

Yours sincerely

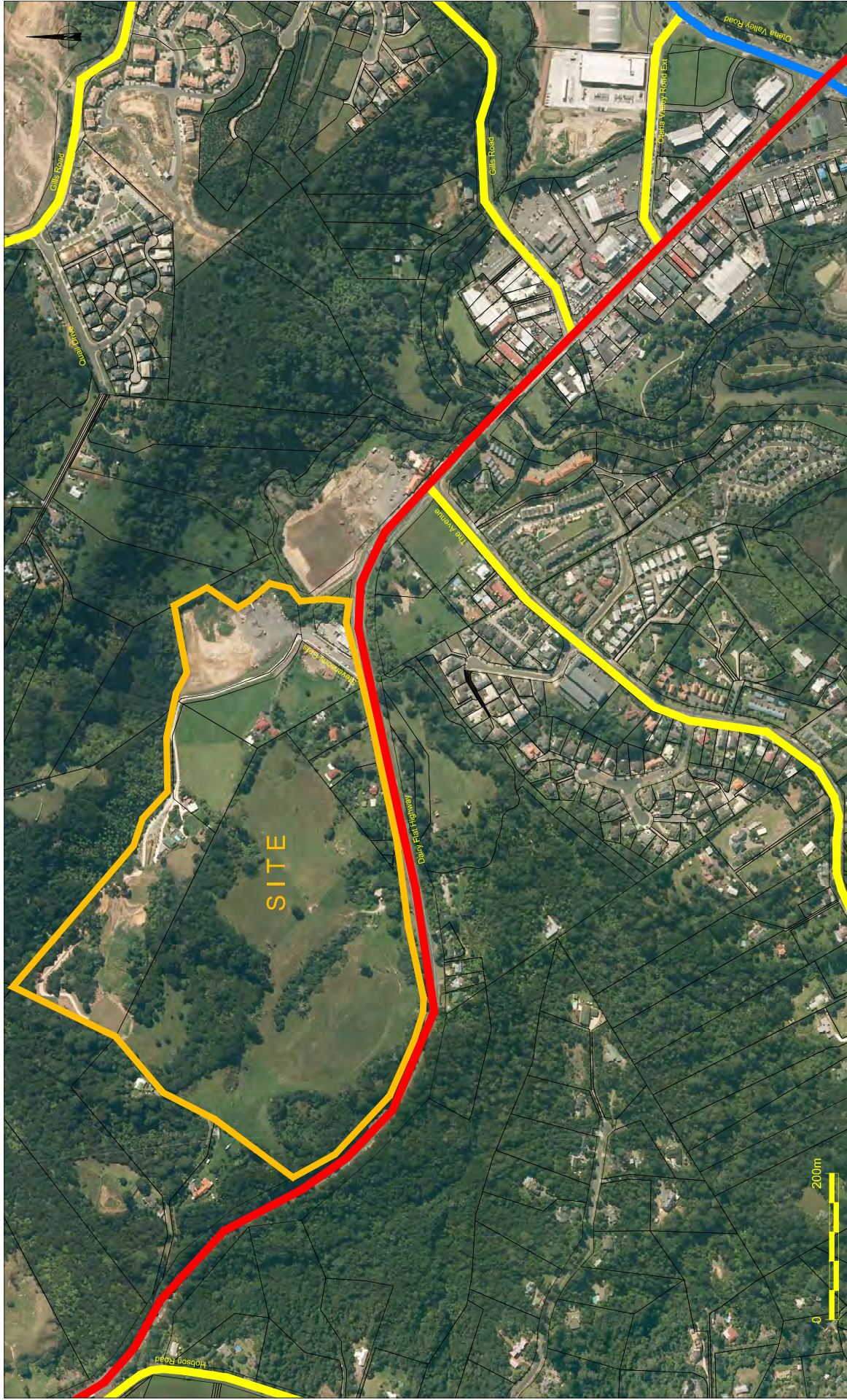
**Traffic Design Group Ltd**

Hollie Yukich  
**Senior Transportation Engineer**

Daryl Hughes  
**Associate**

Attach: Figures 1 and 2





Monday, 20 May 2013 0 20m

REVISION	DATE	DESCRIPTION

**Pichler Submission to Unitary Plan, Albany**  
**Existing Layout**

STRATEGIC ROUTE  
 REGIONAL ARTERIAL  
 DISTRICT ARTERIAL ROAD  
 COLLECTOR ROAD

DRAWN: CTM  
 DATE: 20/5/2013  
 SCALE: 1:5000@A3  
 DWG NO:12112A2A





0 10 20m

Friday, 31 May 2013

REVISION	DATE	DESCRIPTION

Pichler Submission to Unitary Plan, Albany  
Possible Secondary Access Location

DRAWN: SP  
DATE: 31/05/2013  
SCALE: 1:1,500@A3  
DWG NO:12112A2A





**LA4**  
LANDSCAPE  
ARCHITECTS

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WEB: [www.la4.co.nz](http://www.la4.co.nz)

## **PICHLER PROPERTIES, ALBANY**

**LANDSCAPE AND VISUAL ASSESSMENT**

**MAY 2013**

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### Document History and Status

Revision	Date	Reviewed by	Status
Draft	24/05/13		Draft
Final	29/05/13	R Pryor	Final
Final	31/05/13		Final A

Printed	31/05/2013
Last Saved	31/05/2013 11am
File Number/Name	13169 LVA01
Author	J Hogan
Client	Pichler Properties Ltd
Name of Document	PICHLER PROPERTIES, ALBANY - Landscape and Visual Assessment
Version	B

## 1.0 INTRODUCTION

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- 1.1 This preliminary landscape and visual assessment has been prepared by LA4 Landscape Architects for Pichler Properties as part of a submission to Auckland Council on the Draft Unitary Plan. Pichler Properties wish to extend the rural urban boundary (RUB) across the site and rezone the land for residential use.
- 1.2 The purpose of this report is to:
- provide an analysis of the existing landscape character and quality of the local and wider area
  - determine the suitability of the land for residential development in landscape and visual terms
  - provide recommendations as to how such development could be suitably integrated into the landscape setting.
- 1.3 Investigations of the site and surrounding area as part of this assessment were carried out during May 2013.

## 2.0 THE PROPOSAL

---

- 2.1 The details of the proposal are described in full by others as part of the submission for the proposal. In brief it includes:
- extending the RUB approximately 400 m up slope to encompass the subject area
  - rezoning of the land to a residential zone to allow for mixed density of housing throughout the two areas identified as suitable for development as part of the relevant infrastructure assessment<sup>1</sup>.

## 3.0 LANDSCAPE CONTEXT

---

- 3.1 This section describes the subject property and the landscape setting and considers the landscape values, character and quality of the landscape. Landscape values are a reflection of both the biophysical environment and human perception of that environment.

***The Site*** (Refer to Figures 1 - 3)

- 3.2 The subject site is comprised of 310, 316, 318 and 350 Dairy Flat Highway and 8 and 16 Stevensons Crescent and covers an area of approximately 36 ha. The site is located just to the north of Albany Village. The land associated with the site rises

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<sup>1</sup> TERRA Consultants. Infrastructure Assessment Report ,350 Dairy Flat Highway, Albany, Auckland.

approximately 75m from its southern boundary to the high point of 95m at the top of the site. To the south the area is bounded by Dairy Flat Highway. The site is defined along its remaining boundaries by established mixed vegetation. The landform ranges from undulating/rolling topography to the steep slopes of the two main gullies associated with the site through which run third order ephemeral tributaries of the Lucas Creek. The gully and minor ridge sequence divide the site up into a series of smaller sub-units. This is further reinforced by the established vegetation within the gullies, the fragmented clumps of which cover around one third of the site.

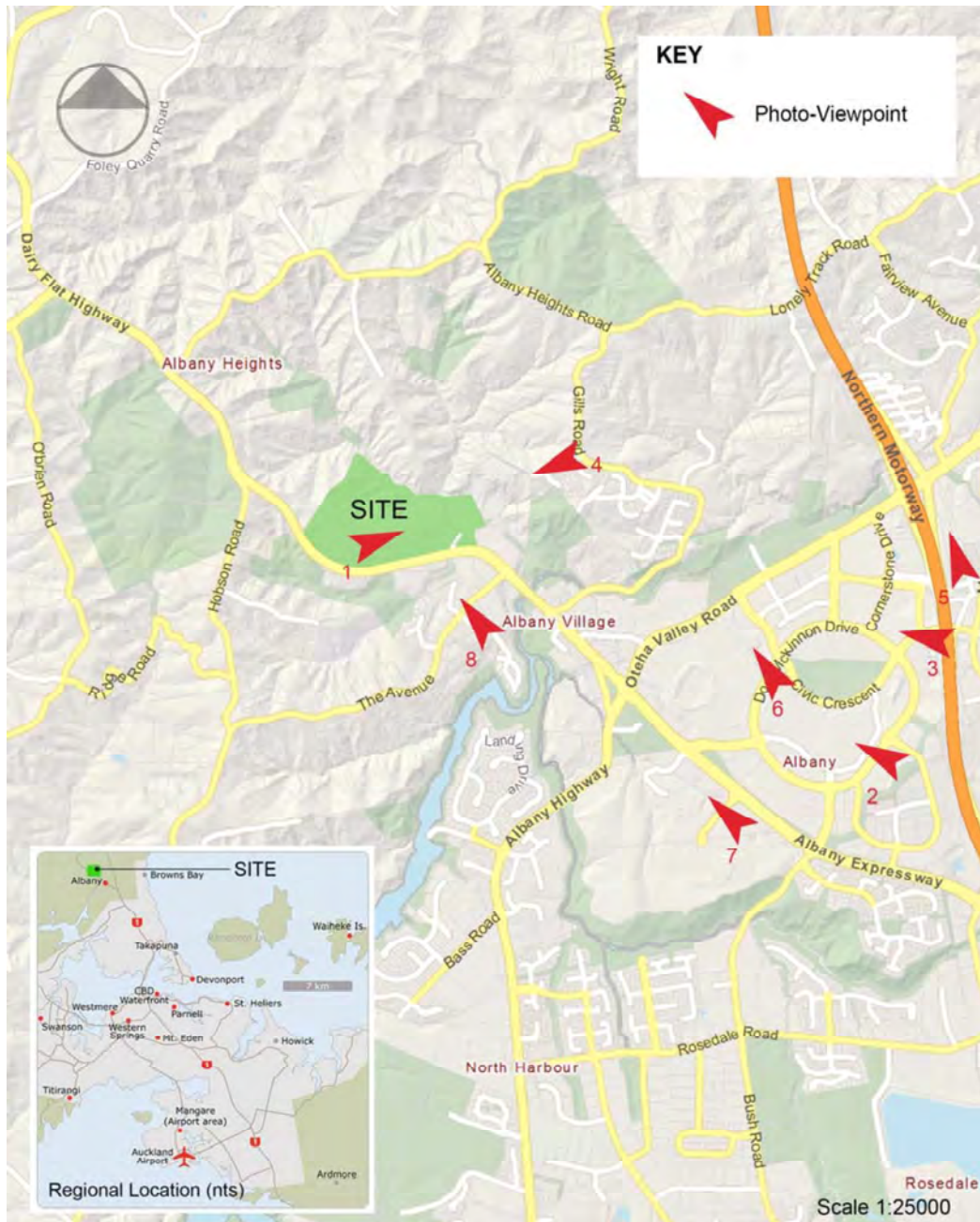


Figure 1. Location and Viewpoints

(Source –Auckland Council GIS)



Photograph 1. Mid Slope View from the Site to South East

- 3.3 The on-site vegetation comprises a mixture of native and exotic species with large over mature pines (*Pinus spp*), macrocarpa (*Cupressus macrocarpa*) and gums (*Eucalyptus spp*) forming the main components of the tree canopy. There are also a number of large oaks (*Quercus robur*), one of which is protected under the District Plan. Within the gullies and along the roadside are stands of regenerating indigenous scrub mixed with a high component of environmental weeds, with privet (*Ligustrum spp*), woolly nightshade (*Solanum auriculatum*), eleagnus (*Elaeagnus x reflexa*), bamboo (various), cotoneaster (*Cotoneaster spp*) and gorse (*Ulex europaea*), the most abundant weed species particularly along the open edges of stands. The quality of the areas of vegetation is relatively low in most areas due to the high weed component and undergrazing, which in many areas has prevented natural succession and species diversity.
- 3.4 The land has historically been farmed and is now used predominantly for horse grazing. Scattered throughout the lower slopes are 9 dwellings and numerous ancillary buildings. The lower eastern portion of the area off Stevensons Crescent is currently used as a storage and processing area for road aggregates and a storage yard for a scaffolding business. Power lines together with high voltage electricity transmission lines traverse the elevated southwest part of the site. A large pylon located just beyond the high point along the western boundary.
- 3.5 The subject area is distinguished locally as it is the only remaining sizeable area of elevated open pasture in the vicinity. It is however typical of remnant farmland in the wider area and has no other notable distinguishing characteristics in landscape terms.



Figure. 2 Aerial Photograph

(Source –Auckland Council GIS)

Zoning

3.6 The site is situated within the former North Shore City. Under the applicable Operative District Plan, the site is located within the Rural 2 Zone - *Landscape Protection*. Under the proposed Unitary Plan the site is zoned *Countryside Living*, and is subject to a 2 environmental overlays, with a Stormwater Management area through the lower lying eastern part of the site and 2 Significant Ecological Areas (SEA's) associated with the main central gully and a stand of road-side vegetation at



the south western portion of the site. There is also an urban tree protection overlay associated with than small portion of the eastern end of the site.

3.7 Currently the Metropolitan Urban Limit (MUL) runs through the lower part of the site (Refer to Figure 2). In the Unitary Plan the MUL is replaced by the Rural Urban Boundary (RUB). Although the specific location of the RUB has yet to be finalised, it currently follows the same alignment in this area as the existing MUL. The RUB is explained in the Auckland Plan as:

*“a rural urban boundary that will define the maximum extent of urban development to 2040 in the form of a permanent rural –urban interface” (para 134)*

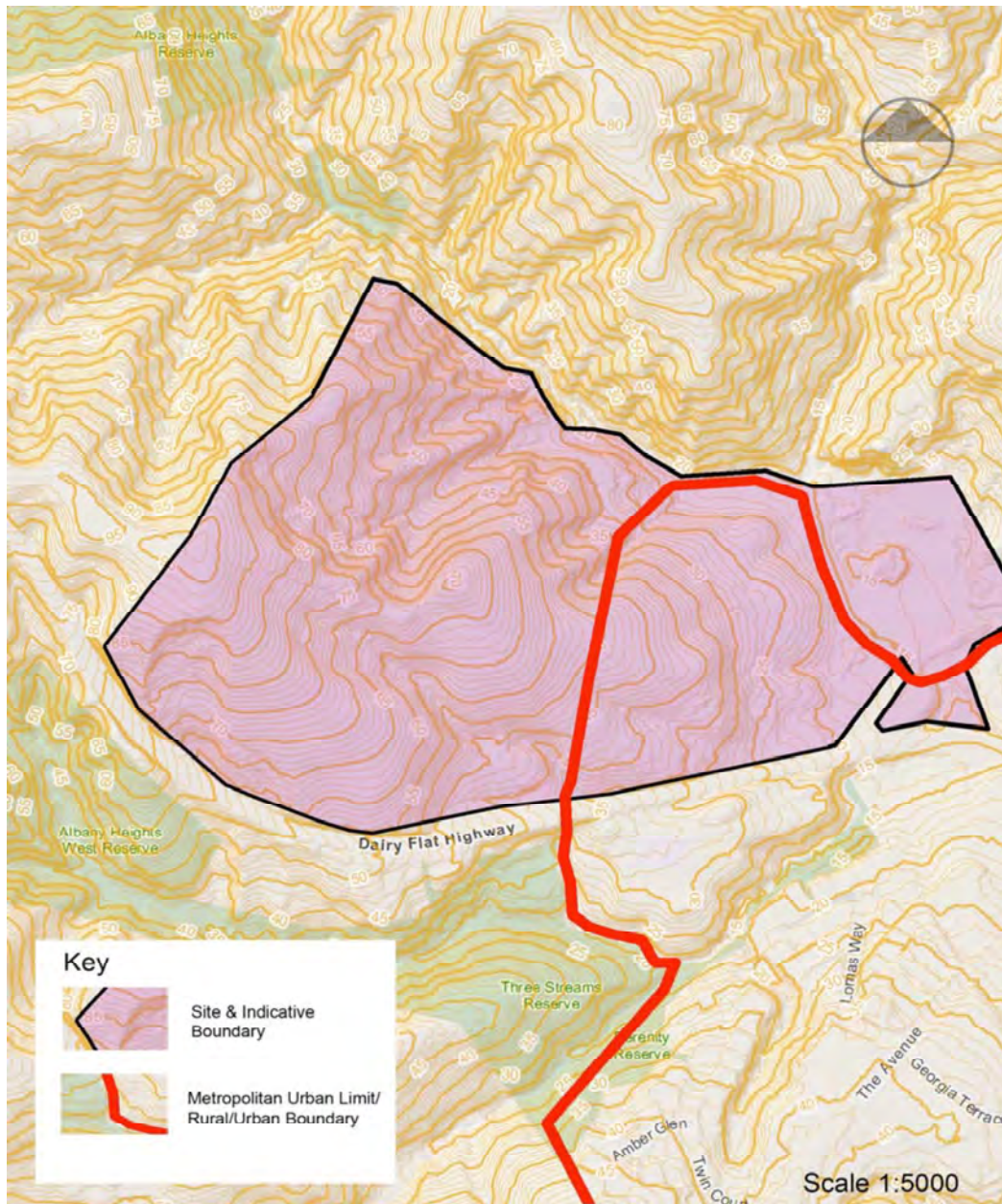


Figure 3. Contours

(Source –Auckland Council GIS)

### *Soils*

- 3.8 The New Zealand Landuse Inventory (NZLRI) Landuse Capability System (LUC)<sup>2</sup> provides a hierarchical classification identifying lands general versatility for productive use. The database indicates varying landuse capabilities associated with the subject area. The lower portion is classified 4e5. Class 4 is considered land with moderate limitations for arable use, but only slight limitations for pastoral or forestry use. The bulk of the remaining elevated areas have a LUC class code of 6e8, which is described as non-arable land with moderate limitations for use under perennial vegetation such as pasture or forest. The subclass modifier denoted by the 'e' in these classifications indicates a susceptibility to erosion as a limit to production.
- 3.9 To place this in perspective, the Auckland Regional Policy Statement defines prime agricultural land in the Auckland region as land within LUC Classes 1, 2 and 3. Land in classes 4 – 8 are considered non-versatile.

### **The Setting** (Refer to Figure 1)

- 3.10 The site is situated in Albany Heights on the southern slopes between of Albany Village and Albany Heights Road. This location is centrally located along the low range which extends from east of SH1 westward to Peramemoremo.
- 3.11 The wider landscape setting includes the Albany Basin which is strongly defined and contained by the surrounding landform, in particular the elevated topography associated with the Lucas Creek and Oteha escarpment to the north where the subject site lies. The wider area is has been undergoing extensive transformation over the past decade with mixed density housing, retail, commercial, industrial, urban transit, and recreational developments spreading across previously undeveloped land as part of the process of urbanisation. These elements together with the northern motorway, are all having a significant influence on the rapidly changing landscape character and sensitivity of the area.
- 3.12 The extensively vegetated slopes associated with Oteha and Lucas Creeks create a natural backdrop and provide contrast to the wide-open expanse of the Albany Basin and its associated large scale built development. The low bush-clad range provides a natural edge to the urban area, containment and transition into the rural areas beyond. These areas are however not free from development, with recent and current subdivision above Albany Village and the scattered development along Lonely Track Road also influencing the changing character of this elevated area. To the east and west of the subject site, residential settlement is well established along

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<sup>2</sup>Landcare Research NZ Ltd 2008. Lands Resource Informations Systems Spatial Data layer Data Dictionary Pg 7

these southern slopes, the visual continuity prevented only by the relative lack of development in the immediate vicinity (refer photographs 2 and 3).

- 3.13 The well vegetated low hill country creates a highly legible landform which descends into the Oteha / Lucas it retains a relatively high level of natural character by virtue of the, the remnant indigenous vegetation intermixed with large remnant exotic species reinforcing the topography.
- 3.14 Although the general character of this landform is not uncommon in this part of the region, the associated landscape values are elevated due to the contrast of the backdrop to the open expanse of the urban Albany Basin. This combined with the semi-continuous remnant and regenerating bush cover creates a relatively distinctive and recognizable feature within the landscape.

#### *Previous Landscape Assessments*

- 3.15 During 2003-2004 as part of the *Auckland Regional Policy Statement Proposed Plan Change 8*, a Regional Landscape Assessment was undertaken for the Auckland Regional Council. This updated the earlier assessment prepared a decade earlier. The new assessment adopted a public preference methodology and a focus on identifying Outstanding Natural Landscapes (ONL's) within the region. This involved determining representative examples of landscape types in the region, followed by a public preference survey of a photographic database of the representative landscape types. The results of the survey were then used in combination with fieldwork and desktop analysis to delineate *Outstanding Natural Landscapes* of the region. During 2008 a second landscape review was undertaken, which applied nationally accepted landscape assessment criteria (WESI criteria)<sup>3</sup> to the study area. Neither the subject area or the immediate surrounds is identified as an ONL. The nearest ONL is Area 53 - Lucas Creek which is situated several kilometers to the west of the subject area.

## **4.0 EVALUATION OF THE PROPOSAL**

- 4.1 Landscape effects take into consideration physical effects to the landscape. Landscape effects are primarily dependent on the landscape sensitivity of a site and its surrounds. Landscape sensitivity is influenced by landscape quality and vulnerability, or the extent to which landscape character and values are at risk to change. The landscape unit associated with this ridgeline and south facing slopes exhibits some sensitivity because of the elevated topography and extensive remnant and regenerating vegetative cover, which combine to provide scale and definition to the wider area and a counterpoint to the urban areas to the south. This sensitivity has been moderated considerably however by the incremental increase of residential development in the area in recent times.

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<sup>3</sup> Wakatipu Environmental Society Inc and others vs Queenstown Lakes District Council C-180/99(2000) NZRMA 59

4.2 The assessment of visual effects analyses the perceptual (visual) response that any of the identified changes to the landscape may evoke, including effects relating to landscape character and landscape values. Visual sensitivity is influenced by a number of factors including visibility of a proposal, the nature and extent of the viewing audience, the visual qualities of the proposal, and the ability to integrate any change within the landscape setting, where applicable. The nature and extent of visual effects are determined by a systematic analysis of the visual intrusion and qualitative change that a proposal may bring, specifically in relation to aesthetic considerations and visual character and amenity.

4.3 Recent residential development has become an established component of the landscape associated with the low hills extending from Fairview Heights in the east along the Oteha Escarpment to Albany and Lucas Heights in the west. In many instances this development has been well integrated into this prominent elevated landform particularly where:

- it is located down from the ridgelines
- considerable areas of existing vegetation have been retained
- the development has been feathered toward the upper slopes, with decreasing density with elevation.

Combined, these considerations have created a suitable visual transition along the peri-urban edge in many areas. Some successful local examples of this are demonstrated in photographs 3, 4 and 5.

4.4 However there are also local examples where such development has been ill considered and resulted in adverse landscape and visual effects. In such instances the adverse effects are mainly as a result of:

- lack of suitable transition, with development too intensive in elevated areas near the ridgelines
- removal of background vegetation along the ridgeline
- widespread removal of remnant vegetation over the hillside
- houses being constructed on the ridgeline and extending into the skyline.

A local example of this is demonstrated in photograph 6 where the removal of background vegetation and the establishment of large dwellings on the ridge has resulted in unfavourable outcome with respect to the landscape character and quality and visual amenity.

4.5 A large portion of the subject area, from the mid to upper slopes is visible from much of the surrounding area, as is demonstrated by the photographs 2 and 7. The extensive

visual catchment from which a significant proportion of the site can be seen constitutes a large potential audience. Although the associated landscape has relatively high landscape values it also demonstrate an ability to assimilate some residential development. Consequently I believe that residential development could occur on this site without significant visual intrusion if undertaken in a sensitive manner. As demonstrated by the photographs from the various viewpoints, housing in this area will not appear incongruous. Even from nearby areas views toward the site already have a residential component (refer to photographs 4 and 8). Residential development on the subject site would not be inconsistent with established development to east and west, and if implemented in a sensitive manner would form a logical linkage between existing clusters of residential development in adjacent elevated areas, without adverse effects on the landscape character or quality of the wider area.

- 4.6 As indicated by the landuse capability of the site discussed in paragraph 3.8, the site is not of high versatility or productivity for primary production. Its use for residential development therefore would not be at the expense of prime rural production.

## **5.0 RECOMMENDATIONS (Refer to Appendix A)**

- 5.1 The following measures are recommended to ensure that potential residential development on the site is successfully integrated into the landscape setting. A key consideration is establishing a suitable transition by decreasing the density of residential development in the more elevated and visible parts of the site. This should include:

- Allowing higher density residential development (300 sq m lots) in Development Zone B
- In Development Zone A, allow 500 sq m lots up to approximately the 70m contour, with larger 1000 sq m lots beyond this extending up to a development free zone which would exclude building with 7.5 of the high point of the site.

- 5.2 Other measures include:

- Street tree planting with trees at minimum spacing of 15m centres where practicable
- Ensuring the retention of most of the vegetated areas associated with the existing gully in the upper parts of the site (Where existing large exotic species such as pines are potential hazards, they should be removed)
- Weed removal and augmentation planting of these areas with suitable native successional species to break up built development and assist in its visual assimilation with the site and surrounds.

Jason Hogan

Director

**LA4 LANDSCAPE ARCHITECTS**

# urbanism +

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31 May 2013

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Jeff Brown

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Brown & Company Planning Group

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PO Box 91 839

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TAKAPUNA

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Dear Jeff

## **URBAN DESIGN REPORT: RESIDENTIAL REZONING REQUEST FOR ALBANY NORTH LANDOWNERS' GROUP, ALBANY**

Thank you for requesting that Urbanismplus Ltd considers the merit of a request to re-zone land controlled by Albany North Landowners' Group ("**ANLG**") for residential activity at its 36ha block adjacent to the Albany Highway, Albany. I **support** the re-zoning request and agree that the Unitary Plan process being undertaken by the Council is an appropriate forum through which this request could be considered.

### SUMMARY OF RECOMMENDATIONS

1. Albany is an atypical settlement inasmuch as a major sub regional centre, and a smaller local centre (Albany Village), have been enabled despite having restricted local catchments within convenient walkable distance. It is unusual to promote major settlements that are not relatively 'central' to a wider catchment, and this requires a degree of pragmatism be relied on in addition to generic or general development planning principles.
2. The development decisions that have been made north of Albany Village can be seen to have followed two east-west branches; The Avenue in the west and Gills Road in the east. Both of these have been developed to a range of densities and Gills Road give access to subdivisions including development types that are in my view experimental. Specifically, developments approved in Lomas Way, Twin Court, Amber Glen (from The Avenue), Carol Lee Place, and Hadfield Place (from Gills Road) are in my view plainly inferior to the ANLG site in urban design terms.
3. In this context, the ANLG site enjoys at least an equivalent degree of development merit, and will be more conveniently located, to both Albany Village and the Albany centre, than much of the development that has occurred in both The Avenue and Gills Road. There are no urban design reasons that could support the view that the ANLG site should not be developed, but land still vacant and accessed from Gills Road (but zoned for urban purposes) should be.
4. I could not agree that the site forms part of any feature that would render it inappropriate for development, and in that respect I note that part of the site does sit within the existing Metropolitan Urban Limit. The remainder sits within the Auckland Plan's Rural Urban Boundary,

a method used to identify land that will be assessed for development suitability at some future time.

5. The site occupies the base of the hill extending upwards from Albany and forming the wider green backdrop that encloses the Albany basin. The site, assuming that appropriate landscape solutions were incorporated into any subdivision design, will not undermine the wider pattern of basin urbanisation. Furthermore, the site will not lead to an ad hoc or uncontrollable sprawl away from Albany. The site is constrained and clearly defined. Its development will be of the buffered “pocket” type that has defined development north of Albany Village to date.
6. In my view the site lends itself to a combination of compact lot (average 300m<sup>2</sup> per site) in its lowest extent, and standard lot (average 500m<sup>2</sup> per site) in its higher extent, with development densities distributed to minimise the need to extensive landform modification (i.e. to require the lightest possible touch). An area of steep bush in the site’s upper centre should be left largely in tact, although it may be possible to provide a very restrained and carefully designed development outcome of sparsely distributed units nestled into bush. I am confident that a suitable street and access solution can be designed accepting that the locations that will allow for sufficiently graded roads will be limited.

#### FULL ASSESSMENT OF MERIT

I will provide an assessment using the following headings:

- Urban design principles;
- Albany’s urban design context;
- Site development merit relative to The Avenue and Gills Road;
- Site development considerations; and
- Conclusions

I confirm that I have visited the site in the preparation of this assessment, including The Avenue and Gills Road.

#### URBAN DESIGN PRINCIPLES

Urban design literature is varied and has benefited from a wide range of international research. New Zealand-based references such as the Ministry for the Environment’s People+Places+Spaces (2002) and Urban Design Protocol (2005, currently being reviewed), remain very helpful. I have over several years developed my own urban design framework for use in professional analysis, drawn from a wide range of urban design authorities that of note include the recently adopted Auckland Plan.

The Auckland Plan emphasises quality, compact urban environments; the need for good design; and the importance of enduring neighbourhoods. To these ends the Auckland Plan identifies four “good design” principles of identity, diversity, integration and efficiency. The Rural Urban Boundary is also a tool to help ensure that an appropriate land supply is maintained to help lubricate the land development market and mediate supply and demand for land.

In summary the urban design principles most relevant to the consideration of urban development on the ANLG site and on which my assessment of the issues is primarily drawn from, are:

- (a) Minimise resource, energy and environmental service inputs needed to enable wellbeing (this includes promoting public health).

- (b) Be based on the most compact, mixed pattern of uses and networks possible.
- (c) Minimise the need for transport (by any mode) between activities.
- (d) Maximise accessibility, diversity, and choice for individuals and communities.
- (e) Emphasise resilient, adaptable, and long-term outcomes that can be economically used and re-used.
- (f) Enhance local identity and character.
- (g) Configure community investments to maximise "use" returns relative to capital and maintenance costs.

In addition to the above framework, I have also found it necessary to include the Operative Auckland District Plan (North Shore Section) and the draft Unitary Plan provisions.

#### ALBANY'S URBAN DESIGN CONTEXT

The enablement of the Albany sub regional centre has been recent (**Figure 1**), although it had been promoted for major urban development for many years prior to its adoption into the planning framework. Albany Village (**Figure 2**) is a more historical development and reflects the original use of the Lucas Creek for trade. Today the Albany Village offers a unique experience in North Shore's urban centres for its extensive riparian reserve network and access to a non-coastal waterway (**Figure 3**).

**Figure 1:** Looking north from the District Court over Albany sub regional centre to the green backdrop and escarpment.



**Figure 2:** Looking north along Dairy Flat Highway through the Albany Village.





**Figure 3:** Lucas Creek and public reserve space.



Development of the Albany sub regional centre and the Albany Village have emerged from separate but integrated planning frameworks. A number of development constraints have had to be factored into account and as a result of these factors I would classify the Albany area as being atypical of Auckland's general pattern of urban development. Contrasting with vast tracts of south Auckland that are flat and more or less continuously urbanised, Albany's combination of state highway, steep land, prominent geological features and waterways, and dense bush has led to a more discrete "pod" pattern of discrete development areas - some of high density - scattered amongst the wider landscape.

I would also observe that the Albany development pattern can be seen to have focussed on the basin, with the green curtain of escarpment and undeveloped hills forming a significant focal point of local identity (**Figure 4**). Development has not always successfully maintained the continuous and natural-character dominant backdrop.

**Figure 4:** Green curtain, looking North-east from Oteha Valley Road.



North of Albany Village and across the creek's topographical low point the landform rises. Development can be seen to have concentrated over time along two axes. To the east is The Avenue (**Figure 5**). To the west is Gills Road (**Figure 6**). Each of these has been developed differently, based largely on the Albany Structure Plan zones established in the Operative Plan enabling much greater densities from Gills Road.

**Figure 5:** Looking West along The Avenue, with its more developed southern side on the left.



**Figure 6:** Looking East along Gills Road. Its commercial basin rises and winds into a number of residential developments.



On The Avenue, development on its southern side sloping down to the Lucas Creek and including Lucas Point is denser than typical suburban parts of Auckland and includes comparatively large medium density housing developments and densities occasionally exceeding  $1:150\text{m}^2$  (**Figure 7**). Much - but not all - of this enjoys connections across the Lucas Creek into the Albany Village. It is fair to note that The Avenue's own micro-development pattern is one that has promoted "filling in" beneath it on both sides by way of discrete subdivisions, most notably Lomas Way, Twin Court, and Amber Glen (**Figure 8**).

On Gills Road, which has a less linear and more varied alignment than The Avenue, a similar pattern has developed although at higher densities and of mixed quality. Development along Gills Road does not follow typical settlement patterns related to centres and transport convenience but can be seen to instead follow a more landscape and landform centric that nestles pods of development into suitably sloped and lower profile parts of the environment. This, while not without precedent, inevitably leads to a more isolated and disconnected pattern of urbanism. Development along Gills Road is at times experimental, including ongoing land use consent processes (**Figure 9**) and subdivisions in the vicinity of Silver Moon Road, Gold Street (**Figure 10**), Joy Street, Point Ridge Avenue (**Figure 11**), and Carol Lee Place.

Overall and despite its atypical characteristics, I support the urban development that has occurred in The Avenue and Gills Road (although I might have preferred different design outcomes to have

emerged on certain sites). My support is from the imperative of efficiency and the need to promote the most compact and successful possible outcomes possible in Albany Village and Albany sub regional centre. While a majority of this development is not flat or allow for direct and convenient walkability to either of those centres (in terms of a ten minute walk), in terms of the most preferable manifestation of the mixed and compact urban form concept, they reflect the landform realities of this environment.

**Figure 7:** Intensive housing development, 3-5 The Avenue.



**Figure 8:** Twin Court, from the intersection of Twin Court and Amber Glen.



**Figure 9:** Recently approved intensive housing development at 125 Gills Road.



**Figure 10:** Looking North from Gold Street into Joy Street.



**Figure 11:** Gated intensive residential community, Point Ridge Avenue.



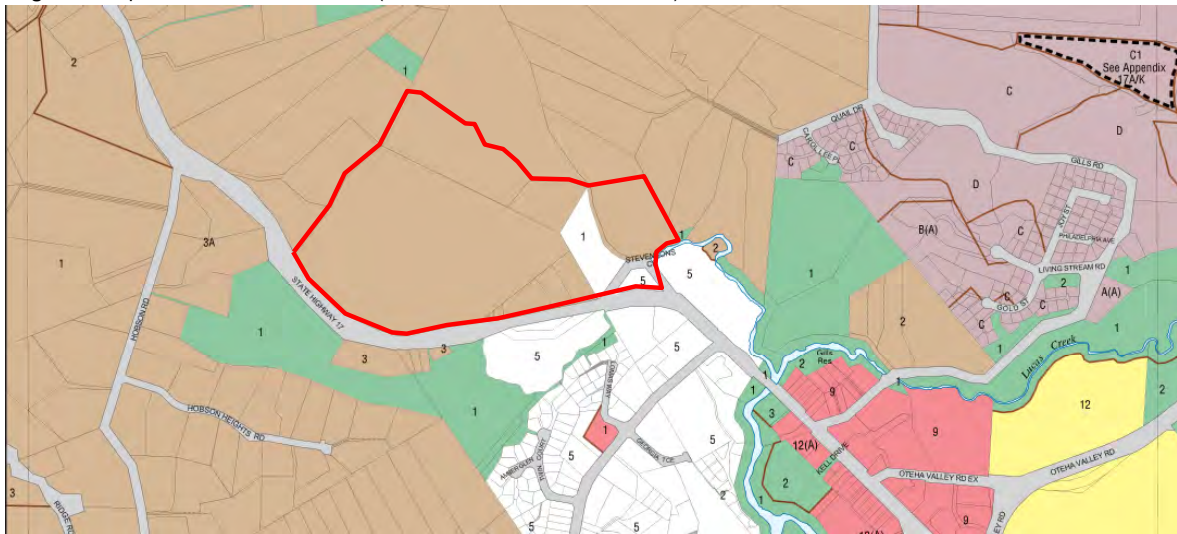
#### MERIT OF THE SITE RELATIVE TO ESTABLISHED ALTERNATIVES

The site is currently zoned in the operative District Plan (**Figure 12**) a combination of Residential 1 and 5 (at Stevensons Crescent), and Rural 2 (the majority). The Regional Policy Statement's Metropolitan Urban Limit ("**MUL**") extends onto the lower portion of the site but much of the site sits outside of this limit. The MUL is to be withdrawn and replaced by a Rural Urban Boundary, as signalled in the Auckland Plan.

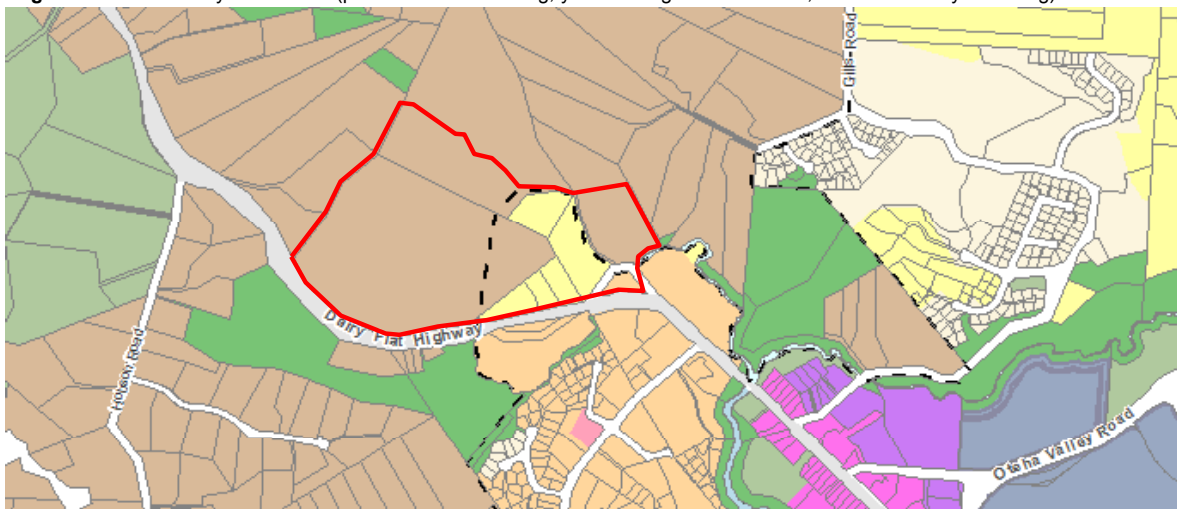
The draft Unitary Plan (**Figure 13**) proposes a similar framework of Mixed Housing zone (Stevensons Crescent), Large Lot Residential, and Countryside Living. The Unitary Plan also includes a denotation following the former MUL indicating the "interim" Rural Urban Boundary.

In my view while the site does contribute to the "green curtain" that rises north of and encloses the Albany basin, it rises to approximately half of the height of the total ridge height. In my view development within this part of the landform (low to mid point), subject to appropriately sensitive landscaping, screening, and dwelling design, would be consistent with the established urban centre / urban periphery duality that now defines this part of Auckland. I am confident that development of the site would not undermine the clear green northern edge to urban Auckland.

**Figure 12:** Operative District Plan zones (white = residential; brown = rural).



**Figure 13:** Draft Unitary Plan zones (peach = mixed housing; yellow = large lot residential; brown = countryside living).



In my view the merits of the ANLG site need to be understood in light of the above context. It is clear that any development of the site would not form a flat, directly adjoining extension of either Albany Village or the Albany sub regional centre. Instead, the site should be assessed in terms of whether it can offer a comparable or superior degree of connectivity and legibility to The Avenue and Gills Road development patterns.

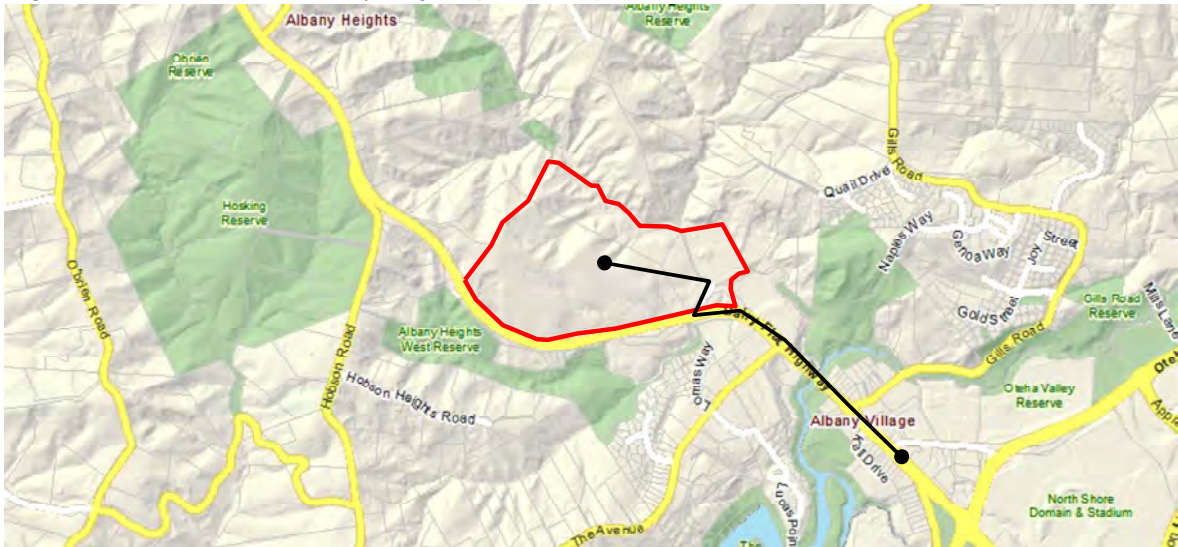
The following key considerations inform a high level view of the site's urban development merit:

- Distance to Albany Centre;
- Degree of directness and connectivity to Albany Centre;
- Topography and vegetation characteristics.

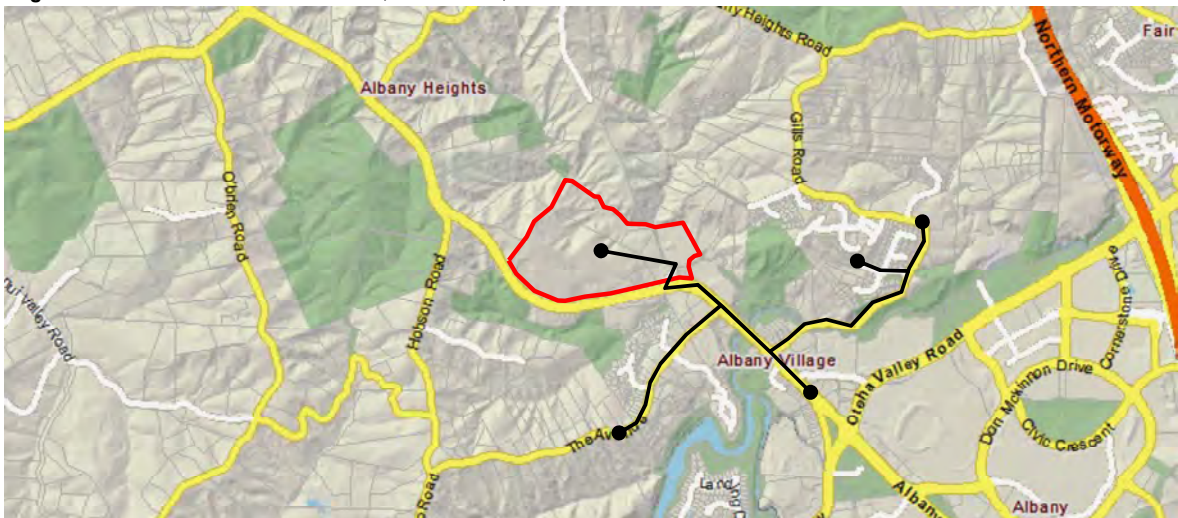
As can be seen in **Figure 14**, the site (from its approximate midpoint) to the Albany Village's main street (in its approximate mid point) is some 1300m. This must be interpreted as being indicative, as without an

internal road link within the site it is not possible to confirm the actual route to Stevensons Crescent or Dairy Flat Highway. I have indicated an equivalent 1300m distance along both The Avenue and Gills Road in **Figure 15**.

**Figure 14:** ANLG site midpoint to Albany Village midpoint (1300m).



**Figure 15:** 1300m distances to ANLG site; The Avenue; and Gills Road.



On the basis of this comparison, it is clear that the ANLG site is comparable in distance from Albany Village to developments along The Avenue and Gills Road. Most of the ANLG site would provide access to Albany Village that is closer than much of the houses located along The Avenue or Gills Road subdivisions (of which a considerable amount of land remains zoned for development further east along Gills Road on its south side). Of particular note is the development along Quails Drive including Carol Lee Place and Hatfield Place. I am confident that any development within the ANLG site would be closer to Albany Village than this extent of Gills Road development, even taking into account planned network improvements to better connect Gills Road into Oteha Valley Road.

In terms of directness and legibility of connection, the ANLG site would have a very direct and legible connection with Albany Village (that would be mostly flat from Dairy Flat Highway). This is superior and will be more convenient to pedestrians than the walks to developments accessed from The Avenue and in particular Gills Road. Gills Road in particular is characterised by frequent ups and downs, bends and double backs, and some areas of narrow pedestrian space.

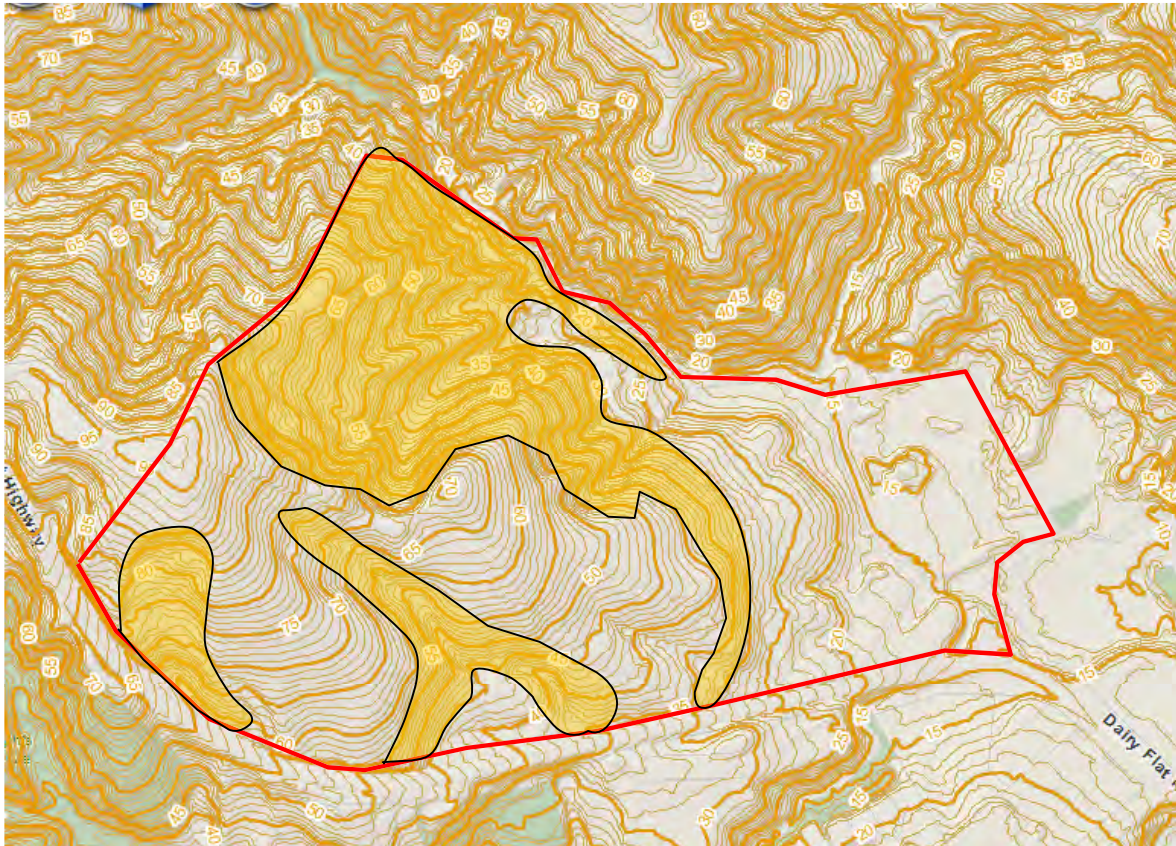
In respect of topography and vegetation (**Figures 16 and 17**), I note that the ANLG site has extensive areas that have been historically (and I presume lawfully) cleared. These are the flatter parts of the site that would be the most obvious candidates for additional “pods” of development. The site also contains areas of densely bushed steeper land that would be more problematic to develop. However, the retention of flatter developed land and bushed steeper land on the site can be seen to be immediately compatible and consistent with the patterns that have been preferred by the Council in its Albany Structure Plan zones anchored around Gills Road. I would also note that the treed aspect of Dairy Flat Highway is a defining characteristic of the departure away from the urbanised valley and into the rural hinterland. It would be desirable to retain this edge.

**Figure 16:** ANLG site illustrating cleared and bushed areas.



I have considered the extent to which the ANGL site is affected by vegetation and landform constraints. I do not agree that the site is any more impacted by these limitations than most of the land zoned for urban development based around Gills Road.

Figure 17: ANLG site illustrating areas of challenging topography.



The vegetation and landform characteristics of the site contribute importantly to its character and these features should be prioritised in any development scenario. But they are not of sufficient urban design significance that they would justify not promoting the efficient development of this site.

Overall therefore, I am satisfied that at a high level, the ANLG site is at least as equally meritorious for urban development as the Albany Structure Plan zones (Gills Road) and The Avenue development axes. I could not agree that either Gills Road or The Avenue (or the subdivisions off them) on the whole enjoyed any inherent superiority in urban design terms than the ANLG site. I am of the view that the ANLG site, all things being equal, is superior than the sites accessed from Twin Court (north of The Avenue) and Quail Drive (from Gills Road).

#### SITE DEVELOPMENT CONSIDERATIONS

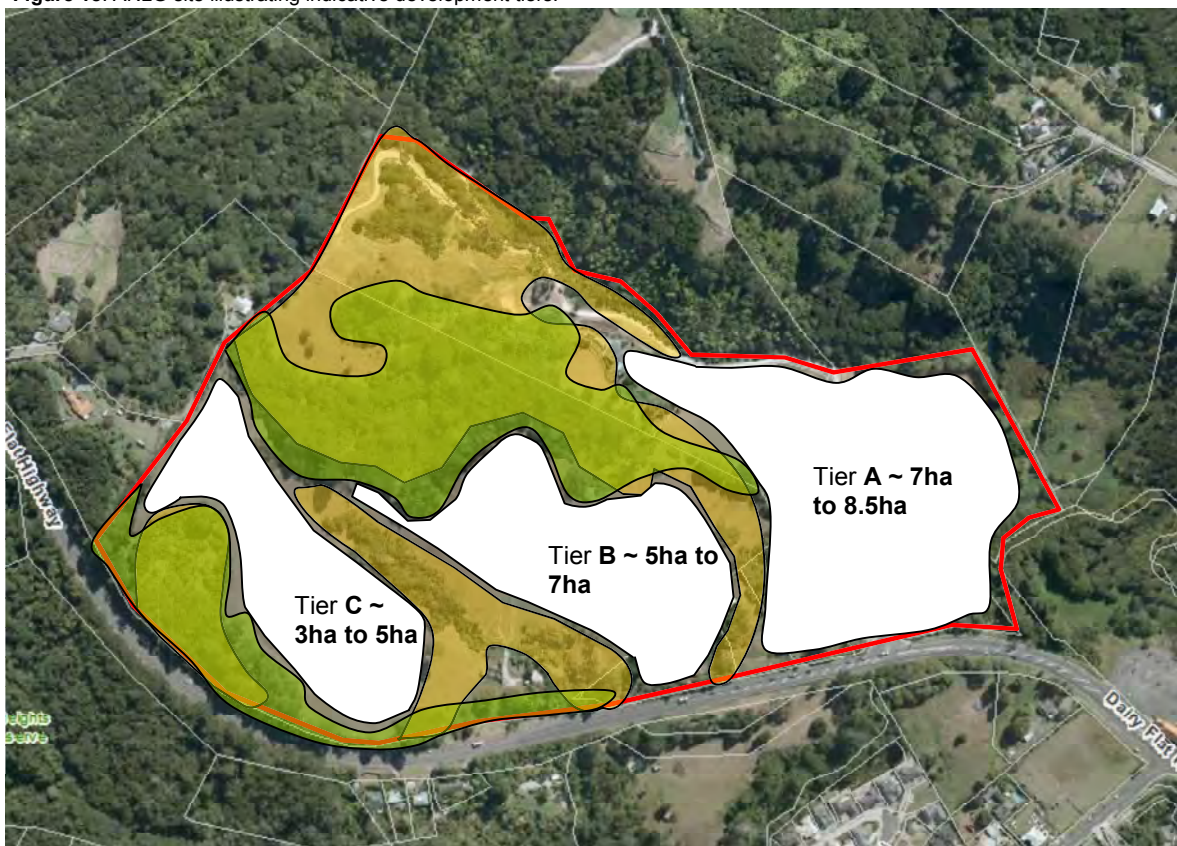
The site is slightly larger than 36ha. In my view the provision of roads and the retention of vegetated or excessively steep sections of the site will require at least 35% and possibly a maximum of 45% of the site to be set aside. I do not consider that the site would lend itself to any recreational open space reserves, or that one would be required given the proximity between the site and other (significant, in the case of Lucas Creek and Kell Park) reserves. This would indicate, to be appropriately conservative, that a maximum of 20ha may be available for development on the site. Of that 20ha, I recommend that the need for access ways and other inefficiencies on the land, which while developable will still be sloped, would likely require up to another 25% to 30% of theoretically developable land to be excluded.



I would emphasise however that there are no critical imperatives that can be relied on to identify definitive develop / no-develop areas of the site. This would require a more accurate survey and proposal plan to be developed in conjunction with an earthworks cut and fill design - well beyond the scope of this analysis. For that reason, the areas identified in this report need to be seen as indicative.

But in my view it is appropriate to see the site as being composed of three 'tiers' or platforms for residential development (**Figure 18**). As noted above, the precise location and extent of these tiers would need to be the subject of a more detailed design process. They could each become larger or smaller, and depending on detailed design could directly abut one another in places rather than be physically separated as is implied in Figure 18. To be conservative in my calculations I have limited these (hence they add up to less than 20ha of the site).

**Figure 18:** ANLG site illustrating indicative development tiers.



In terms of the type of housing that would be appropriate, I support using the indicative zones identified in the draft Unitary Plan. Of note, the Mixed Housing zone (300m<sup>2</sup> sections) and Single House zone (500m<sup>2</sup> sections) are provided for. Currently the draft Unitary Plan sets these areas as minimums, which I do not support on the basis of best practice subdivision design literature that instead promotes a varied approach to lot sizes.

In my view it would be desirable to promote smaller sections on the lower and flatter part of the site in **Tier A** averaging 300m<sup>2</sup> per site (and acknowledging the intensive housing context of this part of Albany). It would be desirable to promote mid-sized lots between 300m - 500m in the central flat part of the site in **Tier B**. It would be desirable to promote sections at least 500m<sup>2</sup> in the upper **Tier C**.

This suggests that a reliable unit yield for the site would be at least:  
Tier A:  $7\text{ha} \times 0.7 / 300\text{m}^2 = 163$  units to  $8.5\text{ha} \times 0.7 / 300\text{m}^2 = 198$  units  
Tier B:  $5\text{ha} \times 0.7 / 400\text{m}^2 = 88$  units to  $7\text{ha} \times 0.7 / 400\text{m}^2 = 123$  units  
Tier C:  $3\text{ha} \times 0.7 / 600\text{m}^2 = 35$  units to  $5\text{ha} \times 0.7 / 600\text{m}^2 = 58$  units

**TOTAL = 286 - 379 units.**

I note that it may also be possible to develop some housing in areas of the site other than the three tiers I have indicatively identified.

I note that in all of the tiers, and notwithstanding my preference for a gradation of average density down the site from lowest (high part) to highest (low part) I would recommend a mix of site sizes and densities rather than them being fixed single-size areas.

I also note that this calculation is indicative and is subject to the actual limitations and constraints (engineering, traffic, geotechnical, landscape, ecology etc.) that would need to be worked through in a detailed design process.

However I am confident that the above calculations represent a reasonable estimation of how the site could be developed in a manner that was consistent with urban design principles (including crime prevention through environmental design techniques in the layout of any subdivision).

In terms of the design and development of any subdivision, I note the following would be relevant and I would expect them to be reflected in the design:

- Vegetation should be retained along the Dairy Flat Highway frontage as much as is possible;
- The central topographical and vegetated feature should be retained;
- In the upper parts of the site, a landscaping plan should be prepared so that houses will be flanked by trees and be seen as part of a darker green planted slope rather than a lighter green cleared one;
- Vehicle access will come from Stevensons Crescent but could also come from another point from Dairy Flat Highway. It would be preferable to have two accesses but irrespective it will be very desirable that the three tiers be connected internally;
- The provision of a small open space at the Stevensons Crescent entrance or in Tier A should be further considered, and could be integrated with any development where sites smaller than 300m<sup>2</sup> were entertained;
- It would be preferable that earthworks and engineering was minimised, including through requiring that split level houses be provided on some sites, with earthworks internalised into the building platform (rather than staircase sites progressing down the slope).

## CONCLUSIONS

I have assessed the context of the ANLG site and also its own development merit. In my view it is at least as appropriate for development as land that has already been zoned for such by the Council. It would be more efficient to include the ANLG site into the live zone provisions of the Unitary Plan now rather than leave it in the Rural Urban Boundary for a later investigation.

I am confident that the site could be developed in a way that was consistent with local built character and precedent, as well as best practice urban design principles. I support the initiative to re-zone this site and would be prepared to provide further professional assistance in that regard.

I trust that this analysis is helpful, however please do not hesitate to contact me should I be able to further discuss any aspect related to the preceding comments.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Ian Munro', written in a cursive style.

**IAN MUNRO**

**Senior Associate**

*B.Plan(Hons); M.Plan(Hons); M.Arch [Urban Design] (Hons); M.EnvLS (Hons); M.EngSt [Transport] (Hons); MNZPI, WSE*

*DDI: (09) 302 2488*

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Stormwater Solutions Consulting Ltd  
PO Box 25 598, St Heliers, Auckland  
Ph 974 2170 Fax 929 3050 web www.stormwatersolutions.co.nz

## MEMO

**To:** Albany North Land Owners Group  
**From:** Bronwyn Rhynd  
**CC:** Boniface Kinnear, Terra Consulting Group Ltd;  
Jeff Browne, Browne & Company Planning Group  
**Date:** 19<sup>th</sup> February 2014  
**Re:** Stormwater management strategy – Albany North

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The memo outlines the outcomes of a desk top study that has been undertaken to support a submission to the Proposed Auckland Unitary Plan to re-zone the land to enable medium density residential development at 350 Dairy Flat Highway, Albany.

The stormwater strategy has been developed in accordance with the following information:

- Auckland Council District Plan Operative North Shore Section 2002
- Proposed Auckland Unitary Plan
- North Shore City Council Infrastructure Design Standards
- Terra Consulting Ltd Infrastructure assessment, December 2013
- Auckland Council GIS viewer
- Wayside Stormwater Catchment Management Plan

### 1 Existing situation and proposed development

The proposed site includes 350 Dairy Flat Highway and several other properties, which extends northwards from the road reserve towards the stream with the western extent following the top of the ridge line, forming a natural stormwater catchment, with the eastern boundary at the Stevenson Crescent sites. The site extents are shown in Terra Consulting Ltd infrastructure report<sup>1</sup>, as shown below:

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<sup>1</sup> Figure 1 as per Terra's infrastructure report



**Figure 1: Proposed site extent**

The site is currently utilised as grazing with limited internal access, therefore impervious surfaces are negligible. There is direct access from Dairy Flat Highway, as well as Stevenson Crescent.

The ground surface has a moderate to steep grade across the site. There is a portion in the north-west which is very steep and is to be set aside for purposes other than residential development, as well as significant ecological areas. The areas to be considered for development are illustrated within Figure 2 as Area A and Area B<sup>2</sup>.

The site is located within the stormwater catchment covered by the current network discharge consent (NDC) 31819 for the North Shore

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<sup>2</sup> Appendix 2; Development Areas, as per Terra's Infrastructure report

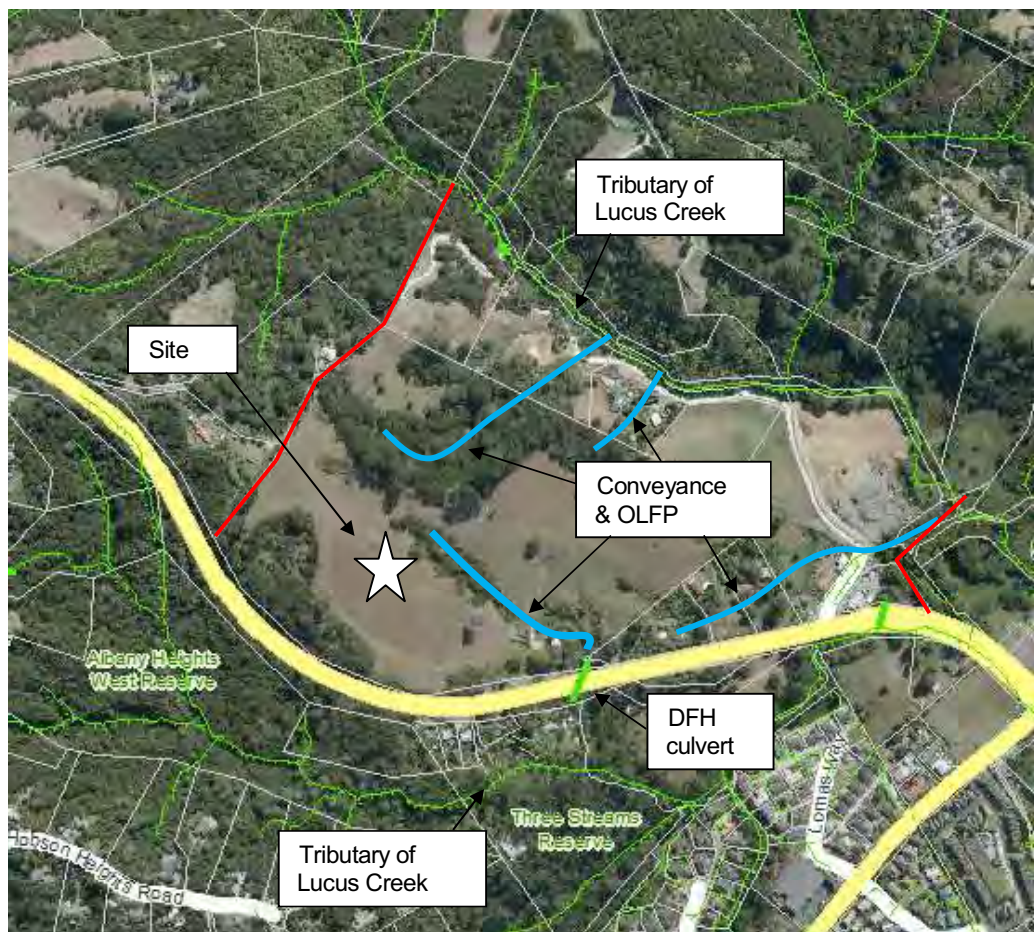


Figure 2: Development Areas

Area A naturally discharges through a culvert under Dairy Flat Highway (DFH) with no spillway or overland flow path therefore a storage area is likely to form directly adjacent to DFH during large rainfall events. The culvert is very large, 2400mm diameter<sup>3</sup>, therefore likely to convey runoff during the large rainfall events without overtopping the roadway. The receiving environment is the neighbouring properties which contain streams. These are tributaries to the Lucas Creek.

The remainder of the site, which includes Area B, will discharge to the north and the another tributary of the Lucas Creek. It is to be noted that there is no formalised drainage within the site therefore all site runoff discharges via sheet flow format rather than concentrated discharge points, apart from the discharge through the culvert under DFH.

The site together with streams and conveyance systems is shown indicatively in Figure 3.



**Figure 3: Site location and streams**

Under the rezoned status, it is proposed to develop this site for residential purposes in several stages however for the purposes of this assessment it is considered for the ability to manage the stormwater as per the Wayside Catchment Management Plan and associated NDC. At this stage it is a rezoning proposal, therefore, there is no Master Plan or Scheme Plan for the site at present.

<sup>3</sup> Reference to Auckland Council GIS viewer asset information

## 2 Stormwater strategy

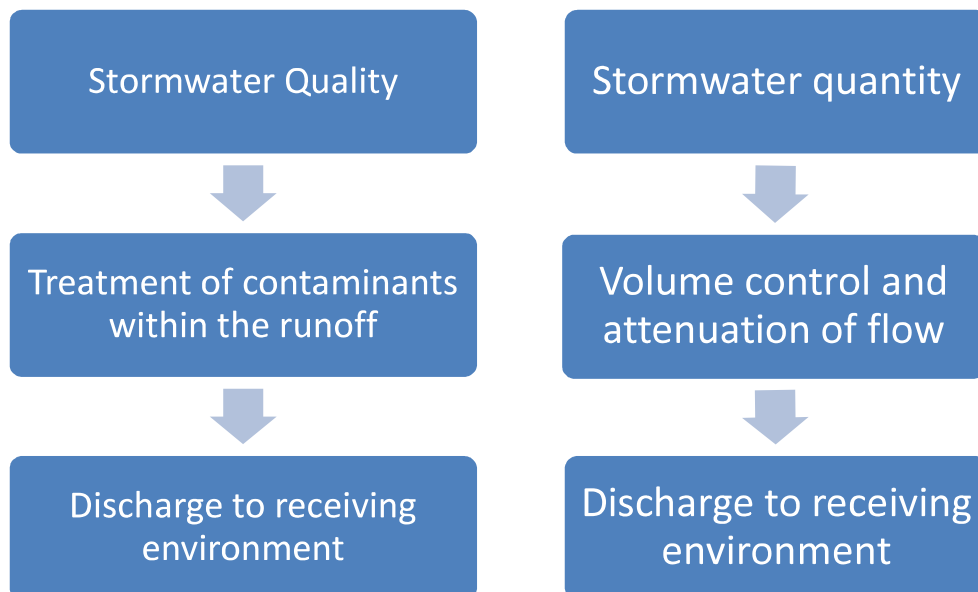
A high level stormwater strategy has been developed for the site which will provide a direction for the future residential development to follow. This strategy will meet the following objectives:

- Stormwater conveyance for 10yr ARI rainfall event
- Overland flow paths for 100yr ARI rainfall event to be accommodated
- Stormwater harvesting for non potable water supply
- Attenuation of flow to minimise effects to the receiving environment
- Treatment of runoff prior to discharge

A portion of the site is outside of the current Rural Urban Boundary under the Proposed Unitary Plan, however it is proposed that this boundary is to be extended to provide for the residential development within the whole site. The rules for development, with respect to stormwater, in this area have the objective of minimising the effects of urban development on the receiving environment. From an assessment of the Proposed Unitary Plan the following considerations are to be integrated within the stormwater management strategy:

- ✓ Stormwater Management Area Flow 1

The stormwater management proposed for the site can be considered generally in 3 main areas, that being the quality of the runoff, the quantity of runoff and the stormwater network. An illustration of the stormwater management proposed for quality and quantity is presented in the following diagram, Figure 3.



**Figure 4: Stormwater management flow diagrams**

The stormwater network is described in general form for both the primary and secondary systems for the fully developed site in Section 2.3.



## **2.1 Quality**

### **2.1.1 Within individual Lots**

The stormwater runoff quality within the Lots can be controlled by applying at source solutions, such as choice of cladding to be low to non contaminant producing products. This approach is practical and achievable to implement.

Paving within the lot can be minimised and also runoff directed towards the road ways which will have an integrated treatment approach that will achieve the removal of contaminants.

### **2.1.2 Roads and Public spaces**

The runoff from Road areas can be treated either at source or within a centralised treatment system. At source options can include the following;

- ✓ Swales
- ✓ Raingardens
- ✓ Proprietary units.

A centralised system that is appropriate for this site, given the residential nature, is either of the following:

- ✓ Wet pond
- ✓ Wetland

The site has a moderate to steep surface gradient that extends across the site toward a shallow surface gradient on the eastern extremity, near Stevenson Crescent. The utilisation of the lower area to develop a wetland for treatment purposes has some benefits. This would need to be considered with the contaminant loads actually produced within the residential development. It is unlikely that the level of contaminants, as evaluated under the Proposed Unitary Plan, would require further treatment after the implementation of Water Sensitive Urban Design or LID<sup>4</sup> principles of the at-source treatment options. However care should be given to the design of LID systems as the site is steep which is not conducive to large raingarden surface areas or long lengths of swales. Therefore the LID approach will be limited in application in the upper portions of the site.

A combination of at-source and centralised system could be applied to this site, such as the utilisation of the area in the Eastern portion of the site for a centralised wetland for polishing purposes together with at source applications.

Confirmation as to the level of treatment can be undertaken in consultation with Auckland Council during the next stages of development for the site.

## **2.2 Quantity**

For this assessment the quantity component also includes peak flow control.

### **2.2.1 Within individual Lots**

The volume control can be applied by installation of rain harvesting tanks to collect roof runoff which will include a component of volume for attenuation as well as re-use for non potable purposes. However, the objective of this, as a volume control, needs to be assessed against the ability to load the site with additional weight during attenuation periods in the steep areas. Geotechnical input is required for the locations and size of these devices.

It is to be noted that the rain water collected from roof runoff is not for potable uses. If this use changes to potable, then treatment should be established in accordance with Auckland Council and New Zealand Drinking Water Standards.

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<sup>4</sup> LID, Low impact design, as identified in the Proposed Unitary Plan

The peak flow control can also be implemented within the catchment wide approach to volume control. This is often a practical application as there is likely to be a stormwater network servicing the development that can discharge through a volume control device to the receiving environment.

### **2.2.2 Roads and Public spaces**

The runoff from roads and public spaces will be discharged to areas for volume control. This can be incorporated into the function of the treatment device, should this be appropriate. At source treatment devices will require additional flow control devices as the function of the treatment device will not be able to include sufficient volume for flow control.

The volume and peak flow control devices are likely to be located in the shallow sloped area in the eastern portion of the site due to the nature of the surface gradients on the other portions of the site. A wetland or wet pond can accommodate both the treatment and storage functions required for flow control. The foot print of such a single device is large, however with a dual function this maybe considered the best practical option from an operation and maintenance perspective and long term asset ownership.

### **2.2.3 Attenuation option in eastern portion**

A single attenuation device which incorporates treatment, if required, can be located in the eastern portion of the site. This will provide the required attenuation capability for the fully developed site for a residential development in Areas A and B, to meet the constraints and rules of the Proposed Unitary Plan and the NDC together with the overarching Wayside Catchment Management Plan.

The options for a centralised stormwater management device are limited to a wetland or wet pond. The footprint of either will be large, in the order of 4725m<sup>2</sup>, due to the catchment area it is supporting.

## **2.3 Stormwater network**

The fully developed site will be serviced by a primary stormwater network which will be designed to convey runoff from a 10yr ARI rainfall event. The secondary network is considered as overland flow and will be designed as an overland flow path system to cater for runoff from a 100yr ARI rainfall event.

The primary stormwater network will convey runoff to the receiving environment via the treatment and volume control devices. The network could consist of the following elements:

- ✓ Swales
- ✓ Pipelines
- ✓ Cesspits for collection
- ✓ Energy dissipation devices at outlets

It is to be noted that if a single catchment treatment and attenuation device is implemented, as per Section 2.2.3, for the fully developed site then there will be no discharge through the existing culvert under the DFH by the primary network.

The network will discharge to the receiving environment at locations that will be determined by the layout of the overall stormwater management system. However these are likely to be as follows:

- Storage area in eastern portion of the site

The fully developed site will be designed to incorporate OLFP's within the road reserves and green spaces so as not to cause nuisance to the built environment. Freeboard of 500mm (minimum) above the top water levels within the OLFP during 100yr rainfall event will be provided to habitable floor levels.

### **3 Summary**

The stormwater strategy proposed for the residential development at 350 Dairy Flat Highway, includes options for the management of runoff with respect to quality, quantity, flow control and networks for both primary and secondary flow paths for the site.

The options for treatment to achieve a quality of discharge which will protect the receiving environment from detrimental effects and can incorporate volume and flow controls. Raingardens and other at-source treatment options will need careful consideration due to the steep nature of the site, however these options will meet the Proposed Auckland Unitary Plan objectives with respect to quality control and implementation of water sustainable urban design. However the dual purpose of volume control with treatment can be utilised should a wetland or similar be applied as the best practical option for the site.

The volume control can be incorporated within the eastern portion of the site. The eastern portion has a shallow ground surface slope that could incorporate a green space and wetland which will be utilised for rainfall events up to 10yr ARI, which will have a dual function of stormwater management and recreational activities.

A primary network will support the fully developed site in conjunction with the OLFP's for secondary flow conveyance. Primary networks can include the use of swales and other low impact management devices to incorporate a water sustainable approach to the development of the site.

## Further submission in support of, or in opposition to, submission on the Proposed Auckland Unitary Plan



Section 123 Local Government (Auckland Transitional Provisions) Act 2010;  
 Clause 8 of Schedule 1, Resource Management Act 1991  
 FORM 3 Resource Management (Forms, Fees, and Procedure for Auckland Combined Plan)  
 Regulations 2013

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<b>1. Further submitter details</b>
<p><b>Full name of person making further submission:</b>                  Albany North Landowners' Group (R &amp; I Chan, B AllPress, Wang Family, G M Welsford Family Trust) - 4282</p>
<p><b>Contact name if different from above:</b>                  Jeffrey Brown</p>
<p><b>Organisation or company (if relevant):</b>                  Brown and Company Planning Group</p>
<p><b>Address for service of person making further submission:</b>                  c/- Brown and Company Planning Group, PO Box 91839, Victoria Street West, Auckland 1142</p>
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<p>Date: <b>22 July 2014</b></p>

Note: Please use second page to state the scope of your further submission

## FURTHER SUBMISSION

Submitter name, address and submission number	Support or Oppose	The reasons for my general support or opposition are:	Particular points of the submission supported or opposed	The reasons for my support or opposition in relation to particular points are:	I seek that the whole or part of the original submission be allowed or disallowed and reasons:
Darrell Rapata 27 Quail Drive Albany Heights Auckland 0632 <b>3485</b>	Support	Support in principle subject to analysis of appropriate and logical RUB boundaries; sufficient and appropriate infrastructure and appropriate density of development in the context of the surrounding environment.	3485-1, 3485-2, 3485-3 and 3485-4.	As per general support.	Allowed subject to analysis of appropriate and logical RUB boundaries; sufficient and appropriate infrastructure and appropriate density of development in the context of the surrounding environment.

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GM Welsford Family Trust C/- Max Dunn Andrew Stewart Ltd PO Box 911310 Victoria St West Auckland 1142 <b>5985</b>	Support	Support in principle subject to analysis of appropriate and logical RUB boundaries; sufficient and appropriate infrastructure and appropriate density of development in the context of the surrounding environment.	5985-1.	As per general support.	Allowed subject to analysis of appropriate and logical RUB boundaries; sufficient and appropriate infrastructure and appropriate density of development in the context of the surrounding environment.

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Lei Luo and Jianwen Bian 17 Lavery Place Sunnynook Auckland 0632 <b>3430</b>	Support	Support in principle subject to analysis of appropriate and logical RUB boundaries; sufficient and appropriate infrastructure and appropriate density of development in the context of the surrounding environment.	3430-1.	As per general support.	Allowed subject to analysis of appropriate and logical RUB boundaries; sufficient and appropriate infrastructure and appropriate density of development in the context of the surrounding environment.

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Note: Please use second page to state the scope of your further submission

## FURTHER SUBMISSION

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Michael Eiberg 25 Quail Drive Albany Heights Auckland 0632 <b>3736</b>	Support	Support in principle subject to analysis of appropriate and logical RUB boundaries; sufficient and appropriate infrastructure and appropriate density of development in the context of the surrounding environment.	3736-1, 3736-2, 3736-3 and 3736-4.	As per general support.	Allowed subject to analysis of appropriate and logical RUB boundaries; sufficient and appropriate infrastructure and appropriate density of development in the context of the surrounding environment.

## Further submission in support of, or in opposition to, submission on the Proposed Auckland Unitary Plan



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<p><b>Organisation or company (if relevant):</b>                  Brown and Company Planning Group</p>
<p><b>Address for service of person making further submission:</b>                  c/- Brown and Company Planning Group, PO Box 91839, Victoria Street West, Auckland 1142</p>
<p><b>Phone:</b> 09 377 5499</p>
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<p>Norsho Bulc Limited  C/- Hazel-Hewitt &amp; Associated Ltd  6 Glenvar Close  Torbay  Auckland 0630  <b>908</b></p>	<p>Support</p>	<p>Support in principle subject to analysis of appropriate and logical RUB boundaries; sufficient and appropriate infrastructure and appropriate density of development in the context of the surrounding environment.</p>	<p>908-2.</p>	<p>As per general support.</p>	<p>Allowed subject to analysis of appropriate and logical RUB boundaries; sufficient and appropriate infrastructure and appropriate density of development in the context of the surrounding environment.</p>

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Rapata Family Trust and Eiberg Family Trust Partnership  C/- Burnette O'Connor O'Connor Planning Consultants PO Box 591 Warkworth 0941  <b>4283</b>	Support	Support in principle subject to analysis of appropriate and logical RUB boundaries; sufficient and appropriate infrastructure and appropriate density of development in the context of the surrounding environment.	4283-2.	As per general support.	Allowed subject to analysis of appropriate and logical RUB boundaries; sufficient and appropriate infrastructure and appropriate density of development in the context of the surrounding environment.

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Tina Rapata 27 Quail Drive Albany Heights Auckland 0632 <b>3636</b>	Support	Support in principle subject to analysis of appropriate and logical RUB boundaries; sufficient and appropriate infrastructure and appropriate density of development in the context of the surrounding environment.	3636-1.	As per general support.	Allowed subject to analysis of appropriate and logical RUB boundaries; sufficient and appropriate infrastructure and appropriate density of development in the context of the surrounding environment.

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Zigu Hu 21A Park Road Glenfield Auckland 0629 <b>3437</b>	Support	Support in principle subject to analysis of appropriate and logical RUB boundaries; sufficient and appropriate infrastructure and appropriate density of development in the context of the surrounding environment.	3437-1.	As per general support.	Allowed subject to analysis of appropriate and logical RUB boundaries; sufficient and appropriate infrastructure and appropriate density of development in the context of the surrounding environment.

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Waytemore Forests Ltd, Waytemore Farms Ltd, Adfordston Farms Limited & Kauri Hiwi Ltd  c/- Martin Williams Shakespeare Chambers PO Box 106215 Auckland City 1143  <b>879</b>	Support	Support requirement for an analysis of appropriate and logical SEA boundaries.	In particular submission point 879-152.	Support amending the location of SEAs to accurately reflect existing vegetation patterns.	Allowed.

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Environmental Defence Society PO Box 91736 Victoria Street West Auckland 1142 <b>4735</b>	Oppose	Oppose in general as the changes sought (particularly to provisions relating to urban growth, vegetation management and SEAs, biodiversity and infrastructure): <ul style="list-style-type: none"> <li>• Will not promote the sustainable management of natural and physical resources.</li> <li>• Will be inconsistent with the resource management principles of Part 2 of the Resource Management Act 1991.</li> <li>• Will variously be inappropriate, unnecessary, and/or contrary to sound resource management practice.</li> <li>• Will not warrant confirmation in terms of s32 RMA.</li> </ul>	In particular, submission points 4735-80, 132, 133-145, 461-464, 222, 350, 424 and 425. .	As per general opposition.	Disallowed except if changes sought: <ul style="list-style-type: none"> <li>• Will promote the sustainable management of natural and physical resources.</li> <li>• Will be consistent with the resource management principles of Part 2 of the Resource Management Act 1991.</li> <li>• Are appropriate, necessary, and for a resource management purpose.</li> <li>• Warrant confirmation in terms of s32 RMA.</li> </ul>

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<p><b>Email:</b> <a href="mailto:office@brownandcompany.co.nz">office@brownandcompany.co.nz</a></p>
<p><b>I live in the following Local Board area (if known):</b> Upper Harbour</p>

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<p><b>I am: (select one)</b></p>
<p><input type="checkbox"/> A person representing a relevant aspect of the public interest; or</p> <p><input checked="" type="checkbox"/> A person who has an interest in the Proposed Auckland Unitary Plan that is greater than the interest the general public has; or</p> <p><input type="checkbox"/> Auckland Council</p>
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<p>Signature of further submitter (or person authorised to sign on behalf of further submitter)  <b>Jeffrey Brown</b> <span style="float: right;">Date: <b>22 July 2014</b></span></p>

Note: Please use second page to state the scope of your further submission



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<p>Royal Forest and Bird Protection Society of New Zealand</p> <p>Attn: Erica Toleman PO Box 631 Wellington 6140</p> <p><b>4848</b></p>	<p>Oppose</p>	<p>Oppose in general as the changes sought (particularly to provisions relating to urban growth, vegetation management and SEAs, biodiversity and infrastructure):</p> <ul style="list-style-type: none"> <li>• Will not promote the sustainable management of natural and physical resources.</li> <li>• Will be inconsistent with the resource management principles of Part 2 of the Resource Management Act 1991.</li> <li>• Will variously be inappropriate, unnecessary, and/or contrary to sound resource management practice.</li> <li>• Will not warrant confirmation in terms of s32 RMA.</li> </ul>	<p>Submission opposed generally.</p>	<p>As per general opposition.</p>	<p>Disallowed except if changes sought:</p> <ul style="list-style-type: none"> <li>• Will promote the sustainable management of natural and physical resources.</li> <li>• Will be consistent with the resource management principles of Part 2 of the Resource Management Act 1991.</li> <li>• Are appropriate, necessary, and for a resource management purpose.</li> <li>• Warrant confirmation in terms of s32 RMA.</li> </ul>

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Ministry of Business Innovation and Employment Attn: Chris Bunny/Paul Honeybone PO Box 1473 Wellington 6011 <b>6319</b>	Support	Support in principle as the changes sought: <ul style="list-style-type: none"> <li>• Will promote the sustainable management of natural and physical resources.</li> <li>• Will be consistent with the resource management principles of Part 2 of the Resource Management Act 1991.</li> <li>• Will variously be appropriate and/or not contrary to sound resource management practice.</li> <li>• Will warrant confirmation in terms of s32 RMA.</li> </ul>	In particular submission points 6319-1-2, 4, 7, 8, 9, and 11	Sufficient residential development should be enabled to meet Auckland's long term growth projections and proactively enable efficient growth in areas of high market demand. In particular, greenfield expansion in existing neighbourhoods should be enabled. Rules, overlays and controls should be removed where they stifle innovation and good design in medium density development.	Allowed provided the relief sought: <ul style="list-style-type: none"> <li>• Will promote the sustainable management of natural and physical resources.</li> <li>• Will be consistent with the resource management principles of Part 2 of the Resource Management Act 1991.</li> <li>• Will variously be appropriate and/or not contrary to sound resource management practice.</li> <li>• Will warrant confirmation in terms of s32 RMA.</li> </ul>

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Minister for the Environment c/- Lesley Baddon Ministry for the Environment PO Box 106483 Auckland  <b>318</b>	Support	Support in principle as the relief sought: <ul style="list-style-type: none"> <li>• Will promote the sustainable management of natural and physical resources.</li> <li>• Will be consistent with the resource management principles of Part 2 of the Resource Management Act 1991.</li> <li>• Will variously be appropriate and/or not contrary to sound resource management practice.</li> <li>• Will warrant confirmation in terms of s32 RMA.</li> </ul>	In particular, submission points 318-1, 2, 3, 4, 7, 8 & 10.	Zoning, overlays, development controls and other rules should provide sufficient residential development capacity and land supply to meet Auckland's 30 year growth projections and the development objectives of the PAUP and the Auckland Plan.  Prescriptive provisions of the PUAP should be removed or loosened where they are not well-supported or justified by evidence and analysis, particularly for those activities which also employ a flexible design-based approach to decision making (eg discretionary or restricted discretionary medium and high density development).  The integrity of PAUP can be improved by reconciling its policies and methods with its RPS level objectives to increase development capacity to provide housing supply and choice across a wide range of new and existing locations.  Inclusionary zoning requirements	Support in principle provided the relief sought: <ul style="list-style-type: none"> <li>• Will promote the sustainable management of natural and physical resources.</li> <li>• Will be consistent with the resource management principles of Part 2 of the Resource Management Act 1991.</li> <li>• Will variously be appropriate and/or not contrary to sound resource management practice.</li> <li>• Will warrant confirmation in terms of s32 RMA.</li> </ul>

	<p>should be replaced with simpler provisions that enable and encourage higher densities of residential development where demanded, while providing flexibility to provide a variety of dwelling sizes and typologies.</p> <p>Regional and district level provisions relating to infrastructure could be better aligned.</p> <p>Transport provisions could better support movement and access.</p> <p>Reasonableness in relation to compliance costs and regulation for minor works, routine operations and maintenance works (for infrastructure) should be borne in mind.</p>				
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<p><b>Contact name if different from above:</b>                  Jeffrey Brown</p>
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<p>Ngāi Whatua Orakei Whai Mata Limited</p> <p>c/- Barker &amp; Associates PO Box 1986 Shortland Street Auckland 1140</p> <p><b>3085</b></p>	Support	Support requirement for an analysis of appropriate and logical SEA boundaries.	In particular submission point 3085-73.	Support review of all SEAs in Auckland to ensure the identification is correct.	Allowed.



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<p>Property Council New Zealand  Attn: Connal Townsend PO Box 1033 Auckland 1140  <b>6212</b></p>	<p>Support</p>	<p>Support in principle as the changes sought:</p> <ul style="list-style-type: none"> <li>• Will promote the sustainable management of natural and physical resources.</li> <li>• Will be consistent with the resource management principles of Part 2 of the Resource Management Act 1991.</li> <li>• Will variously be appropriate and/or not contrary to sound resource management practice.</li> <li>• Will warrant confirmation in terms of s32 RMA.</li> </ul>	<p>In particular submission points 62-12-1-4, 16-18, 24-26, 60, 66-84, 105-107, 109, 110, 116-120.</p>	<p>The provisions should be reviewed to ensure they enable urban growth and increased residential capacity without unnecessary constraints.</p> <p>The use of incentives for Significant Ecological Areas should be retained, including transferable development rights to landowners affected by Significant Ecological Areas in urban areas as well as rural areas.</p>	<p>Allowed provided the relief sought:</p> <ul style="list-style-type: none"> <li>• Will promote the sustainable management of natural and physical resources.</li> <li>• Will be consistent with the resource management principles of Part 2 of the Resource Management Act 1991.</li> <li>• Will variously be appropriate and/or not contrary to sound resource management practice.</li> <li>• Will warrant confirmation in terms of s32 RMA.</li> </ul>

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<p>Generation Zero                      Attn: Luke Christensen                      19-26 Nicholls Lane                      Auckland Central                      Auckland 1010</p> <p><b>5478</b></p>	<p>Oppose</p>	<p>Oppose in general as choosing the order of priority of land development:</p> <ul style="list-style-type: none"> <li>• Will not promote the sustainable management of natural and physical resources.</li> <li>• Will be inconsistent with the resource management principles of Part 2 of the Resource Management Act 1991.</li> <li>• Will variously be inappropriate, unnecessary, and/or contrary to sound resource management practice.</li> <li>• Will not warrant confirmation in terms of s32 RMA.</li> </ul>	<p>In particular, submission points 5478-11, 12, 21, 22 and 61.</p>	<p>As per general opposition.</p>	<p>Disallowed as changes sought:</p> <ul style="list-style-type: none"> <li>• Will not promote the sustainable management of natural and physical resources.</li> <li>• Are not consistent with the resource management principles of Part 2 of the Resource Management Act 1991.</li> <li>• Are not appropriate, necessary, and for a resource management purpose.</li> <li>• Do not warrant confirmation in terms of s32 RMA.</li> </ul>

**APPENDIX 5 – LEGAL SUBMISSIONS AND LETTER WITHDRAWING RELIEF FOR FUTURE URBAN ZONE**

**BEFORE THE AUCKLAND UNITARY PLAN INDEPENDENT HEARINGS  
PANEL**

**IN THE MATTER** of the Resource Management Act 1991 and the Local  
Government (Auckland Transitional Provisions)  
Amendment Act 2010

**AND**

**IN THE MATTER** of Topic 081:Rezoing

**AND**

**IN THE MATTER** of Submissions by Albany North Landowners' Group  
(Submission 4282, Further Submission 3365) to the  
Proposed Auckland Unitary Plan

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**SUPPLEMENTARY LEGAL SUBMISSIONS ON BEHALF OF THE ALBANY  
NORTH LANDOWNERS' GROUP  
29 April 2016**

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**ANDERSON LLOYD**  
LAWYERS  
QUEENSTOWN

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## INTRODUCTION

- 1 The submitters are seeking a live zoning that will enable up to 400 new dwellings. The only outstanding infrastructure matter is the intersection between The Avenue and Dairy Flat Highway ("**the intersection**"). There is no doubt that the intersection will be upgraded at some time in the future, therefore, the only issue in relation to the intersection is timing. At the end of the day, the upgrade is physically possible, it will resolve current performance issues and will be able to absorb future growth (See evidence on Don Mackenzie). The upgrade is clearly within Auckland Transport's sights (refer presentation by Alastair Lovell on 26 April)
- 2 The intersection is effectively downstream of the submitters' land. There is no debate that with upgrading along the lines summarised in the proposed Precinct (traffic lights and extension and widening of specified lanes) the intersection's performance will be improved compared to the status quo, even with the addition up to 400 dwellings enabled on the submitters' land.
- 3 These supplementary submissions therefore address the following two points, that effectively relate to the timing of the upgrade, and the relevance of that on the Panel's decision on live zoning:
  - (a) If there is to be at live zoning and a Precinct, what trigger or control on development should be imposed relating to the intersection?
  - (b) What is the relevance of the status of funding for the upgrade?

### Trigger

- 4 The submitters maintain that the trigger of 105 dwellings is appropriate. It is proposed that if the intersection has not been upgraded, construction of any more than 105 dwellings will be non complying.
- 5 **Appendix 1** is supplementary information from Traffic Design Group ("**TDG**") that supports continued use of 105 as a trigger. TDG's modelling was conservative, and used the conservative stand alone dwelling trip generation rate (ie the highest rate). In reality however, the lower elevation land close to the road that will logically be developed first, is encouraged to be terraced

units with the proposed additional building height allowance proposed in policy 1. Terraced units produce a lower trip generation rate. These factors provide an additional conservative measure.

- 6 The intersection performance will continue to change over time. More cars does mean more queuing and delay at certain times of the day, and consequently some driving behaviours will change. Not everything can be modelled or predicted with certainty, however what is certain is that this intersection will be upgraded in the medium term.
- 7 There is not sufficient evidence that the scale of effects on intersection performance are such that this rezoning should be refused. To the contrary, the evidence is that the intersection will continue to function, and that eventually the impetus of more development coming on stream will mean that the intersection upgrade will be prioritised and improved for the benefit of all.
- 8 The sooner landowners such as ANLG can start developing, the sooner they can assist with prioritisation of upgrading the intersection and, if necessary, with funding (see below).
- 9 The modelling was conservative, and still supports the conclusion that enabling an additional 105 dwellings to the existing traffic environment will be acceptable. At the end of the day, as TDG state modelling is "an abstraction of reality". It is one piece of information to take into account. The results of modelling are not absolute. The modelling certainly does not support the conclusion that effects will be so adverse that live zoning should be refused.
- 10 If this is not accepted by the Panel, then it submitted the alternative is for all development on the site to be restricted discretionary until such time as the intersection is upgraded along with appropriately drafted provisions around that framework, with the specific matters of discretion including:
  - (a) safe and effective functioning of the intersection between The Avenue and Dairy Flat Highway, and the Stevensons Crescent/Dairy Flat Highway
  - (b) the safe movement of pedestrians and cyclists along Dairy Flat Highway between Stevensons Crescent and The Avenue



- 11 A draft Precinct illustrating how this restricted discretionary framework could work is attached as **Appendix 2**.
- 12 In summary, there are mechanisms to address the timing issue in relation to the upgrade. In my submission the expert evidence supports imposition of a trigger of 105, after which development is non-complying if the intersection is upgraded. In the alternative, it is proposed all development be restricted discretionary if the intersection is not upgraded, with specific matters of discretion.

### Funding

- 13 If a level of confidence is required in respect of funding for the intersection upgrade, it is submitted you have the information to give you confidence it will be forthcoming:
- (a) NZTA undertook to fund half the costs of the upgrade, at the time the Dairy Flat Highway's status as a State Highway was revoked and it was transferred from NZTA to AC. Mr Lovell referred to that in his presentation on 26 April, and reference to the State Highway revocation agreement can be found in the issues updates to the Upper Harbour Local Board.<sup>1</sup>
  - (b) Mr Lovell presented evidence that AT is seeking funding from the Residential Growth Fund to make up the shortfall.
  - (c) In the event funding is not obtained from the Residential Growth Fund, it is open to the landowners to negotiate a Development Agreement with Council, to target those landowners' contributions to the upgrade specifically.
- 14 In respect of the Development Agreement option:
- (a) It is lawful;
  - (b) It is not redirecting development contributions that would have gone elsewhere, as without the live zoning, there will be no development contributions from this site, because there will be no development, and no additional housing.

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<sup>1</sup> July (Issues Update 13): [http://infocouncil.aucklandcouncil.govt.nz/Open/2015/07/UH\\_20150714\\_AGN\\_4375\\_AT.htm](http://infocouncil.aucklandcouncil.govt.nz/Open/2015/07/UH_20150714_AGN_4375_AT.htm)  
September (Issues Update 19): [http://infocouncil.aucklandcouncil.govt.nz/Open/2015/09/UH\\_20150908\\_AGN\\_4379\\_AT\\_WEB.HTM](http://infocouncil.aucklandcouncil.govt.nz/Open/2015/09/UH_20150908_AGN_4379_AT_WEB.HTM)

- (c) Schedule 3 of Auckland's 2015 Development Contribution Policy establishes the development contribution for transport in the "North"<sup>2</sup> as \$6,014 per unit of demand (excl GST) for the year ending 30 June 2016. This amount increases to \$6,253 and then \$6,514 in the following two years.
- (d) Assuming that each of the 400 dwellings was 1 unit of demand then the transport development contribution would be \$2,405,600 for the year ending this 30th June. It would increase by approximately \$200k for the year ending 30 June 2018. A Development Agreement would need to ensure that at least the equivalent of these transport relating contributions were paid.
- (e) There is provision in the Development Contributions Policy for Development Agreements with Auckland Council. The wording in the policy (at paras 91 – 94) is "*The council may enter into development agreements or other agreements in circumstances where there is a public need to allocate responsibility between developers and the council for the construction and funding of public works associated with a development in order to support outcomes in the Auckland Plan.*"
- (f) A Development Agreement enabling infrastructure upgrade associated with increased residential housing supply would support outcomes in the Auckland Plan.
- (g) There is nothing in the relevant provisions of the Local Government Act (section 207 onwards) that restricts Development Agreements to matters specified in the Long Term Plan. As long as the public work being targeted supports outcomes in the Auckland Plan, a Development Agreement is valid.

## Conclusion

- 15 Given this is effectively the only material infrastructural issue to be resolved, the imposition of the FUZ would be a disproportional response. Any subdivision in the FUZ would be **prohibited**. Rezoning as FUZ means this comparatively small area of land would be lost sight of. Rezoning as FUZ

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<sup>2</sup> Transport Funding areas 2015 map, Auckland Council website  
MAB-889273-4-315-V2

would make Auckland Transport's attempts to win funding for the intersection upgrade more difficult, than if the land received a live zoning with active developers.

- 16 On review of the Submission 4282, the Submitter wishes to formally withdraw the part of submission addressing the FUZ, and withdraws the alternative relief sought at paragraph 4.9 (c) of the submission. Separate correspondence to the Council and relevant submitters will immediately follow these submissions.
- 17 There is therefore no scope to impose the FUZ over the wider land area the subject of ANLG's submission. Scope is restricted to something between confirming the zoning as notified (Countryside Living and Large Lot) and the Mixed Housing Suburban zoning sought by the submitter. No other submitter sought that FUZ be imposed over this whole area. No further submissions on 4282 directly addressed it either.

Dated 29<sup>th</sup> April 2016



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Maree Baker-Galloway

Counsel for Albany North Landowners' Group

2 May 2016

Auckland Unitary Plan Independent Hearings Panel  
Private Bag 92300  
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AUCKLAND 1142

By email - [hearings@aupihp.govt.nz](mailto:hearings@aupihp.govt.nz)

**Proposed Auckland Unitary Plan - Albany North Landowners' Group (submission 4282, further submission 3365)**

1. We act for Albany North Landowners' Group (**the Submitter**).
2. On review of the Groups' Submission 4282, the Submitter wishes to formally withdraw the part of submission addressing the Future Urban Zone. The Group also withdraws the alternative relief sought at paragraph 4.9 (c) of the submission - **attached** with the changes marked as strikethrough text.

Yours faithfully  
**Anderson Lloyd**



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- (ii) no building roofline to exceed a plane of 90m asl;
- (iii) a Framework Plan process (to identify roading, open space/reserves, development areas, and utilities areas) prior to any subdivision or development.

OR (as a second preference)

~~(c) Change the zoning of the land inside the new RUB to the Future Urban Zone.~~

~~The reasons for the Group's requested changes are set out in parts 4.2-4.5 below. The reasons are supported by the following technical reports:~~

- ~~• Infrastructure Assessment Report, dated May 2013, and addendum dated February 2014, prepared by Terra Consultants, attached, marked B;~~
  - ~~• Transport assessment report, dated 31 May 2013, prepared by Traffic Design Group, attached, marked C;~~
  - ~~• Landscape and Visual Assessment, dated May 2013, prepared by LA4 Landscape Architects, attached, marked D; and~~
  - ~~• Urban Design Assessment, dated May 2013, prepared by Urbanisplus, attached, marked E;~~
  - ~~• Stormwater assessment, dated February 2014, prepared by Stormwater Solutions, attached, marked F.~~
- (d) Any appropriate consequential relief as requested in paragraphs 3.4 and 3.5 above.

The changes sought in this submission would enable zoning of the Submitters' Land with the potential for up to around **350 residential units** in close proximity to Albany Village.

#### 4.10 Description of the land

The Submitters' Land is located north of the Dairy Flat Highway and west of the existing Albany Tavern, northwest of and approximately 400m from the Albany Village. It ranges in elevation from around 95m asl at the western ridge to around 15m asl in the area around Stevensons Cres. The topography is generally rolling, with some steeper slopes and gullies, which drain the land to a stream on the northern periphery of the land. The steeper slopes and gullies are vegetated in a mix of natives and exotics. The majority of the land is in open pasture, although part of the land, to the immediate north of the Stevensons Cres cul-de-sac, is used for road metal storage.

The 33kV high voltage line runs across the western corner of the Submitters' Land.

Beyond the ridge to the west the land is rural, with a predominance of rural lifestyle properties that are mainly in bush. To the north is also land in bush, and the northeast, on the upper slopes of the rising topography, is the Albany Heights residential area. To the east of the formed part of Stevensons Cres is a new subdivision (for which roads and services have been recently constructed), and to the east of this subdivision is the Albany Tavern and the Albany Village. To the

## **APPENDIX 6 – PERSONS TO BE SERVED**

Auckland Council – by email [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)