

Before the Environment Court

In the matter of: Local Government (Auckland Transitional Provisions) Act 2010 (**LGATPA**) and the Resource Management Act 1991 (**RMA**) - Appeal against decision on proposed Auckland combined plan – s 156(1) of the LGATPA – Topics 043 & 044 Transport - parking ratio for all activities in Viaduct Harbour Precinct (including offices) except residential activities

And: **Viaduct Harbour Holdings Ltd**

Appellant

And: **Auckland Council**

Local Authority

Notice of appeal to Environment Court against decision on proposed Auckland combined plan

Dated: 16 September 2016



Form 6

**NOTICE OF APPEAL TO ENVIRONMENT COURT AGAINST
DECISION ON PROPOSED AUCKLAND COMBINED PLAN**

*Section 156(1), Local Government (Auckland Transitional Provisions)
Act 2010*

- 1 Viaduct Harbour Holdings Ltd (**VHHL**) appeals against a decision of Auckland Council (**Council**) on the Auckland combined plan (**proposed plan**).
- 2 VHHL has the right to appeal Council's decision:
 - 2.1 Under s 156(1) of the LGATPA because Council rejected a recommendation of the Hearings Panel in relation to a provision or matter addressed by VHHL in its submission on the proposed plan.
 - 2.2 Council decided on an alternative solution, which resulted in a provision (that was not requested) being included in the proposed plan or a matter (that was requested) being excluded from the proposed plan.
- 3 Further details of the reasons for this appeal are provided below.
- 4 VHHL is not a trade competitor for the purposes of s 308D of the RMA.
- 5 VHHL received notice of the decision on 19 August 2016.
- 6 The decision was made by Council.
- 7 The decision that VHHL is appealing is as follows:

7.1 Council's decision to include an alternative solution (that was not requested or recommended regarding Viaduct Harbour Precinct), namely, the 1:200 parking ratio relating to all activities in the Central Area (including offices) except residential activities.

8 The reasons for the appeal are as follows:

8.1 The decision will not promote the sustainable management of natural and physical resources.

8.2 The decision is not the most effective or efficient way of achieving either sustainable management or the objectives included in the proposed plan.

8.3 The decision will not enhance economic growth or employment opportunities.

8.4 The decision is not supported by any evidence of probative value, or has no rational basis.

8.5 By imposing a blanket parking ratio across the Central Area regarding all activities (including offices) except residential activities, the decision is an abuse or abdication of discretion.

8.6 In particular, but without limitation:

(a) Viaduct Harbour Precinct is the most successful precinct in the Central Area.

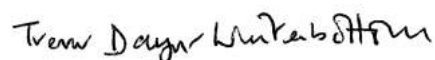
(b) The Precinct is almost fully developed in accordance with the provisions of the operative Central Area Plan 2003, only one site remains for development (115 Customs Street West), and any other opportunities for development are limited to change of use of existing premises.

- (c) Offices have been successfully developed in the Precinct in accordance with the operative 1:105 parking ratio.
- (d) There are no existing or predicted (future) adverse effects regarding traffic accidents, or road access to or egress from the Precinct that justify any departure from the 1:105 parking ratio for all activities in Viaduct Harbour Precinct (including offices) except residential activities. VHHL therefore requested in its submission that this parking ratio should be retained for the Precinct.
- (e) In contrast, Council has retained the operative 1:150 parking ratio for offices in the abutting Wynyard Precinct.
- (f) There is no evidential or rational basis for treating Viaduct Harbour Precinct and Wynyard Precinct differently – there are specific and unique land use, traffic and urban design reasons that apply to each precinct. Put simply, they are both exceptions to the Central Area norm, and justify discrete parking ratios being retained or applied. Blanket imposition of the Central Area 1:200 parking ratio for all activities (including offices) except residential activities is not appropriate for Viaduct Harbour Precinct.

9 VHHL seeks the following relief:

- 9.1 Delete the 1:200 parking ratio (included in Council's decision on the proposed plan) in so far as it relates to all activities in Viaduct Harbour Precinct (including offices) except residential activities.

- 9.2 Substitute either of the following parking ratios regarding all activities in Viaduct Harbour Precinct (including offices) except residential activities, namely:
- (a) 1:105 (preferred); or
 - (b) 1:125.
- 9.3 Such alternative, consequential or further relief as may be required either to give effect to this appeal, or to promote sustainable management.
- 9.4 Costs.
- 10 An electronic copy of this notice is being served today by email on the Auckland Council at 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.
- 11 The following documents are **attached** to this notice:
- 11.1 A copy of the relevant decision.
 - 11.2 A list of names and addresses of persons served with a copy of this notice.
 - 11.3 A copy of VHHL's submission.
- 12 Copies of the submission and decision may be obtained, on request, from VHHL.
- 13 VHHL agrees to participate in mediation or other alternative dispute resolution.



Trevor Daya-Winterbottom

Counsel for Viaduct Harbour Holdings Ltd

16 September 2016

Address for service: PO Box 75-945 Manurewa 2243

Telephone: 0275 182 196

Email: daya.winterbottom@xtra.co.nz

Contact person: Trevor Daya-Winterbottom

Advice to recipients of copy notice of appeal

How to become party to proceedings

- 1 You may be a party to the appeal if you made a submission or a further submission on the matter of this appeal.
- 2 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) and serve copies of your notice by email on the Auckland Council (to unitaryplan@aucklandcouncil.govt.nz) and the appellant.
- 3 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 Resource Management Act 1991.
- 4 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).

How to obtain copies of documents relating to appeal

- 5 Copies of VHHL's submission or the decision appealed may be obtained, on request, from VHHL.

Advice

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

COPY OF THE RELEVANT DECISION

AUCKLAND UNITARY PLAN
INDEPENDENT HEARINGS PANEL

Te Paepae Kaiwawao Motuhake o te Mahere Kotahitanga o Tāmaki Makaurau

**Report to Auckland Council
Hearing topics 043 and 044
Transport
July 2016**

Report to Auckland Council Hearing topics 043 and 044 Transport

Contents

1.	Hearing topic overview	3
1.1.	Topic description	3
1.2.	Summary of the Panel's recommended changes to the proposed Auckland Unitary Plan.....	4
1.2.1.	Parking.....	4
1.2.2.	Cycle parking and end-of-trip facilities	4
1.2.3.	Trip generation thresholds.....	4
1.2.4.	High Land Transport Noise Overlay.....	5
1.2.5.	KiwiRail Electrical Safety Separation Overlay.....	5
1.3.	Overview	5
1.4.	Scope.....	5
1.5.	Documents relied on	5
2.	Parking.....	6
2.1.	Statement of issue.....	6
2.2.	Panel recommendation and reasons	6
3.	Cycle parking and end-of-trip facilities	7
3.1.	Statement of issue.....	7
3.2.	Panel recommendation and reasons	7
4.	Trip generation threshold.....	7
4.1.	Statement of issue.....	7
4.2.	Panel recommendation and reasons	8
5.	High Land Transport Noise Overlay	8
5.1.	Statement of issue.....	8
5.2.	Panel recommendation and reasons	8
5.3.	Building setback from the rail corridor statement of issue.....	8
5.4.	Panel recommendation and reasons	9
6.	Consequential changes.....	9
6.1.	Changes to other parts of the plan	9

6.2. Changes to provisions in this topic	9
7. Reference documents	9
7.1. General topic documents.....	10
7.2. Specific evidence	10

1. Hearing topic overview

1.1. Topic description

Topic 043 and 044 addresses the district plan provisions of the proposed Auckland Unitary Plan relating to:

Topic	Proposed Auckland Unitary Plan reference	Independent hearing panel reference
Hearing topics 043 – 044 Transport	C1.2 Transport Auckland-wide objectives and policies H1.2 Transport	E27 Transport
	D7 Strategic Transport Corridor zone objectives and policies I14 Strategic Transport Corridor zone	H22 Strategic Transport Corridor Zone
	E1.5 High Land Transport Noise overlay objectives and policies J1.5 High Land Transport Noise overlay	Recommended for deletion
	G2.7.9 Integrated transport assessment	New Policy E27.3(2)

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

The following is a summary of the key changes, other than those already accepted by the parties at mediation, that are recommended by the Panel.

1.2.1. Parking

The approach to parking provided with an activity or development (i.e. accessory parking) is:

- i. there is no requirement for activities or development to provide parking in the Business – City Centre Zone, however a maximum limit has been set on the amount of parking that can be provided on a site in these areas, related to either the number of dwellings or the gross floor area.
- ii. there is no requirement or limit for activities or development, excluding office and retail, to provide parking in the following zones and locations:
 - a. Business – Metropolitan Centre Zone; Business – Town Centre Zone, Business – Local Centre Zone and Business – Mixed Use Zone (with the exception of identified non-urban town and local centres);
 - b. Centre Fringe Office Control;
 - c. Residential – Terraced Housing and Apartment Buildings Zone;
- iii. in most of these areas there are maximums for office activities and minimums for retail and commercial services;
- iv. in all other areas, a minimum level of parking is required to accompany any activity or development, and no maximum limit, except for a maximum limit on the amount of parking that can be provided for offices;
- v. the minimum car park requirements do not apply where the activity is located within a Historic Heritage Overlay or Special Character Overlay, where the activity is a change of use between or within retail and commercial services, and where the construction of or addition to a building does not exceed 100m² gross floor area.

The provisions seek to manage standalone parking (non-accessory) facilities and proposals are to be individually assessed. This includes park-and-ride and other facilities that support public transport.

1.2.2. Cycle parking and end-of-trip facilities

- i. To support cycling, new buildings and developments are required to provide a minimum level of cycle parking. Where the activity is office, education or a hospital, end-of-trip facilities are required for new buildings and developments.

1.2.3. Trip generation thresholds

- i. The trip-generation threshold for a transport assessment (as part of a resource consent) has in general been increased from 60 to 100 vehicles per hour.

1.2.4. High Land Transport Noise Overlay

- i. The High Land Transport Noise Overlay proposed in the proposed Auckland Unitary Plan is deleted.

1.2.5. KiwiRail Electrical Safety Separation Overlay

- i. The building setback from the rail corridor provisions has not been accepted.

1.3. Overview

The Panel's recommended approach to transport issues is to employ provisions in the Plan to improve the efficiency and effectiveness of the transport system, and to manage amenity, where evidence was provided to justify that approach. The Panel is also sensitive to the costs that some of these provisions give rise to and has aimed to calibrate them accordingly. The Panel's reasons for the main changes to the proposed Auckland Unitary Plan are set out below.

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.

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 7 Reference documents.

2. Parking

2.1. Statement of issue

- i. The extent to which the quantum of accessory parking should be determined by minimum or maximum amounts in the Plan.
- ii. The manner in which non-accessory parking is to be assessed.

2.2. Panel recommendation and reasons

The Panel heard evidence from the Council's expert economist Stuart Donovan on the potential high costs of over regulating the supply of accessory parking in the Plan relative to allowing market processes to determine the level and location of supply. Mr Donovan recommended reducing or removing minimum parking requirements as he concluded the benefits of doing so are likely to be significant and the costs minor. He considered parking maximums in the city centre could continue to provide a useful role in reducing transport congestion, albeit it as a 'second best' policy relative to more directly targeting congestion through time of use road pricing.

The Key Retailers Group submitted the need for the Plan to continue to require a minimum level of parking to address potential spill-over effects from retail developments under-supplying car parking, and particularly so outside the city centre and its fringes. The Key Retailers Group accepted these minimums could be reduced relative to those in the proposed Auckland Unitary Plan.

Evidence from Ms Mairi Joyce for the Council supported the use of parking maximums to moderate transport congestion and encourage a modal shift from private vehicles to public transport.

Auckland Transport presented its parking strategy that covers its plan and practices to manage roadside parking through a range of measures including defined parking periods, pricing and enforcement. The management of this parking resource is a key component to any relaxation of parking minimums.

The Panel was persuaded that maximums for accessory car parking in the city centre and its fringes, and for offices more widely continue to be useful to moderate transport congestion and has recommended maximums continue to apply in these areas. The Panel was also persuaded by the expert evidence of Mr Don McKenzie for Les Mills to provide a graduated maximum rate from the inner core of the city centre out to the fringe.

It is important to note that the Panel does not consider there is a sufficient case for parking maximums elsewhere and has recommended deletion of maximum rates for most activities outside the city centre with the exception of offices.

The Panel was also persuaded that minimums are likely to continue to be useful where there are risks of spill-over parking effects and for managing amenity effects. The Panel recommends minimums for retail and commercial services (but not for residential) in most Centres, and minimums for residential in most of the residential zones. The Panel has attempted to calibrate these minimums to balance the need for a minimum level of parking

supply to moderate spill-over and amenity effects against imposing unnecessary costs and inflexibility on development in these areas.

The provisions seek to manage standalone parking (non-accessory) facilities and proposals are to be individually assessed. This includes park-and-ride and other facilities that support public transport. The assessment ranges from restricted discretionary in most Centres, to discretionary or non-complying (for long-term accessory parking) in the City Centre and Centre Fringe Office Control area.

3. Cycle parking and end-of-trip facilities

3.1. Statement of issue

The extent to which the Plan should require the provision of cycle parking and end-of-trip facilities.

3.2. Panel recommendation and reasons

The proposed Auckland Unitary Plan proposed detailed requirements relative to defined activities for short-stay and long-stay cycle parking and end-of trip facilities (i.e. shower and changing facilities).

The Key Retailers Group and other submitters accepted the need for cycle parking but considered the proposed Auckland Unitary Plan requirements to be overly prescriptive and numerous. The Group requested deletion of the requirement for end-of-trip facilities as it considered the mix and location in a building of such facilities for the use of cyclists and others to be best left to developers, landlords and their tenants to determine. They were also concerned that it was not clear whether the requirements were to apply to existing as well as new buildings and developments.

The Council in its closing comments simplified and in some cases reduced the cycle parking requirements, removed the prescription as to how those parks are to be provided, simplified the requirements related to end-of-trip facilities, and clarified that in all cases these requirements would apply to new buildings and developments only.

The Panel considers the Council's modified requirements are reasonable and would be useful in promoting the uptake of cycling, and particularly in the context of the Council's recent and planned investment to upgrade and extend cycleways. The Panel therefore recommends adoption of the provisions as proposed by Council in its closing comments.

4. Trip generation threshold

4.1. Statement of issue

The level of the trip generation threshold to trigger the requirement for a resource consent.

4.2. Panel recommendation and reasons

The proposed Auckland Unitary Plan proposed a threshold of 60 vehicles per hour (any hour) as the general trigger for a resource consent for transport related matters, along with a table of activities and amounts that are derived from the 60 vehicle per hour threshold.

Traffic experts John Burgess, Brett Harries, Don McKenzie and John Parlane, in a joint statement of evidence for a number of submitters, recommended this threshold be set at 100 vehicles per hour and that the amounts in the table be increased accordingly. The Panel preferred their evidence relative to that supporting the Council's position and therefore recommends this threshold be set at 100 vehicles per hour and that the table of activities and amounts from the joint statement of experts be adopted.

5. High Land Transport Noise Overlay

5.1. Statement of issue

Whether to retain the High Land Transport Noise Overlay.

5.2. Panel recommendation and reasons

The proposed Auckland Unitary Plan proposed this overlay, to apply to the borders of high volume road and rail corridors, to protect the transport corridor from reverse sensitivity effects that can arise from new or altered activities that are sensitive to noise locating near these corridors. The overlay would also protect from unreasonable noise levels sensitive activities within the overlay (e.g. habitable rooms) by requiring such activities to comply with minimum noise insulation standards.

In his evidence Mr Leigh Auton pointed out that this overlay would affect a very large group of property owners (Council estimated at least 76,000) and that a cost benefit assessment had not been undertaken of the implications of the overlay, and in particular on the costs that it would impose on affected property owners. Mr Auton considered the overlay would have the effect of shifting all costs associated with it on to property owners, with no obligation on the transport corridor operator to mitigate noise effects or to share costs incurred by property owners to mitigate those effects on-site. He drew parallels with the arrangements in place between Auckland International Airport Limited and noise-affected property owners where the Airport shares in the costs of noise mitigation and considered that approach more balanced.

The Panel was concerned with proceeding with the extensive application of this overlay in the absence of a rigorous cost benefit assessment, including no assessment of who should appropriately bear the costs involved. In the absence of that assessment the Panel recommends this overlay be deleted.

5.3. Building setback from the rail corridor statement of issue

Whether to include the proposed building setback from the rail corridor.

5.4. Panel recommendation and reasons

These provisions were proposed by the Council with the support of Kiwirail late in the hearings process. It was designed to introduce a 2.25 metre buffer on either side of the rail corridor and within that buffer to control development such that safe distances are maintained around the electrified rail infrastructure.

Vaughan Smith, an expert planner for a number of parties raised the issue that this proposed setback rule would be a blunt and inefficient way to address the perceived problem. He provided evidence to show situations where the buffer outside the existing designation is not required to meet KiwiRail's safety concerns but nevertheless the setback rule would restrict the affected property owners' rights to develop their property. He recommended KiwiRail address this issue by reaching commercial arrangements with relevant property owners or by using its designation powers. Mr Vijay Lala, an expert planner for Ngati Whatua Orakei Whai Rawa Limited, raised similar issues with respect to the implications on their property at Quay Park.

The Panel was concerned that these provisions would apply in a blanket fashion along the rail corridor whether needed or not, that it is an issue that could be addressed through the application of KiwiRail's designation powers if needed, and that the costs of the Overlay would fall entirely on property owners with insufficient evidence that such an approach would lead to an efficient outcome. In this context the Panel recommends that the building setback from the rail corridor provisions not be included in the plan.

6. Consequential changes

6.1. Changes to other parts of the plan

There are no consequential changes to other parts of the Plan as a result of the Panel's recommendations on this topic.

6.2. 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.

7. 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) 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.)

7.1. General topic documents

Panel documents

[043-Submission Point Pathway Report – 19 March 2015](#) (20 April 2015)

[044-Submission Point Pathway Report – 13 August 2015](#) (13 August 2015)

[043 & 044-Parties and Issues Report -5 November 2015](#) (5 November 2015)

Mediation statements

[043 & 044- Mediation Joint Statement - Session 1, 2 and 3 \(22, 23 April and 6 May 2015\)](#) (25 May 2015)

[043&044 - Mediation Joint Statement - Session 4, 5, 6, 7 and 8 \(14, 15, 20, 21, and 22 May 2015\)](#) (3 June 2015)

[043 & 044- Mediation Joint Statement - Session 9 \(18 September 2015\)](#) (21 September 2015)

Auckland Council marked-up version

[043&044 - Hrg - ADDITIONAL CLOSING STATEMENT - 4 September 2015 – Revised Markedup version- H1 2 Rules – Corrected](#) (17 May 2016)

[043&044 - Hrg - ADDITIONAL CLOSING STATEMENT - 31 July – Revised Markedup version- C1 2 Objectives and Policies](#) (31 July 2015)

[043&044 - Hrg - Auckland Council - ADDITIONAL CLOSING STATEMENT - 31 July – Revised Markedup version- E1.5 and J1.5 High Land Transport Noise](#) (13 May 2016)

Auckland Council closing statements

[043&044 - Hrg – CLOSING STATEMENT](#) (22 July 2015)

[043&044 - Hrg - ADDITIONAL CLOSING STATEMENT - 28 August 2015 – Technical Memorandum - Parking Rates](#) (30 August 2015)

[043&044 - Hrg – ADDITIONAL CLOSING STATEMENT – 31 July](#) (31 July 2015)

[043&044 - Hrg - ADDITIONAL CLOSING STATEMENT - 28 August 2015 – Aerial Photos](#) (30 August 2015)

7.2. Specific evidence

Auckland Council

[043&044 – Hrg - \(Stuart Donovan\) – Economics](#) (2 June 2015)

[043&044 - Hrg - \(Mairi Joyce\) – Transport Planning - Parking](#) (2 June 2015)

Leigh A Auton

043&044 - Hrg - (Leigh Alexander Auton) – Planning (15 June 2015)

Les Mills Holdings Limited

043&044 - Hrg - (Don McKenzie) – Traffic Engineer (17 June 2015)

Ngati Whatua Orakei Whai Rawa Ltd

043&044 - Reconvened Hrg - (Vijay Lala) – Planning - Building setback rail (6 November 2015)

043&044 - Reconvened Hrg - (Vijay Lala) – Planning - Building setback rail – Attachment 1 Quay Park Aerial Map (6 November 2015)

043&044 - Reconvened Hrg - (Vijay Lala) – Planning - Building setback rail – Attachment 1 Quay Park Proposed Setback (6 November 2015)

The National Trading Company of New Zealand Limited and others

043&044 - Reconvened Hrg - (Vaughan Smith) – Planning - Building setback from rail corridor provisions - JOINT STATEMENT (6 November 2015)

E27. Transport

E27.1. Background

To support and manage the effects on the operation and development of an integrated transport network, this section:

- addresses the management of the location, number and design of parking, loading and access;
- provides for public transport facilities and walking and cycling facilities which may be located outside the road network (which is covered in Section E26 Infrastructure); and
- identifies the need to manage the effects of high trip generating activities.

The term ‘transport system’ encompasses both the physical infrastructure of the transport network and the wider environment or factors which can influence the operation of transport e.g. transport users and their behaviours. For the purpose of these transport provisions, the term ‘transport network’ is used in the context of managing effects or impacts on the operation of the ‘transport network’ as a physical resource. The transport network comprises the physical infrastructure or conduit along which transport modes move or travel along and this is made up of a series of links (where a sequence of continuous links form a route) and nodes which in totality form a network. The transport network also comprises a series of sub-networks or types which generally relate to a particular mode of travel or type of movement e.g. public transport network, freight network and walking and cycling networks. In regard to public transport networks, the network can also include the supporting services which utilise the physical network.

The current predominance of private vehicle travel and the accompanying requirements for parking is recognised in terms of both the positive and adverse effects associated with accommodating these parking requirements.

Parking is an essential component of Auckland’s transport network and the management of parking can have major implications for the convenience, economic viability, design and layout of an area and the function of the transport network. It is important that parking is managed and provided in a manner that supports urban amenity, efficient use of land and the functional requirements of activities. The requirements for parking can reflect the trip characteristics of a range of activities at different locations that occur at different times. It can also be managed to have a significant influence on reducing car use, particularly for commuter travel. This in turn reduces the growth in traffic, particularly during peak periods, and when supported by the provision of other transport modes achieves a more sustainable transport network. The management of parking supply includes a region-wide approach to regulating the amount of parking to support different activities (accessory parking). This regulation generally occurs by requiring parking (minimums) or limiting parking (maximums) or a combination of these approaches. Any controls on parking should reflect the needs of land use and the wider transport system.

The overall purpose of limiting parking through maximums is to manage potential parking oversupply and in turn reduce traffic congestion and provide opportunities to improve

amenity in areas earmarked for intensification. Maximum parking rates have been set at a level which appropriately provides for the management on-site parking demands.

Requiring on-site parking through minimums has generally been used to manage the effects of parking (e.g. spill-over effects) associated with development. Accommodating growth in areas where land is scarce and a highly valued resource requires reconsideration of the use, and benefits and costs of requiring parking. The planning framework to facilitate this growth includes managing parking minimums and recognising situations where removing the requirement to provide parking will have direct land use benefits in regard to reducing development costs, improving housing affordability, optimising investment in parking facilities and supporting the use of public transport.

The approach to parking provided with an activity or development is outlined below:

- there is no requirement for activities or development to provide parking in the following zones and locations:
 - the Business – City Centre Zone; and
 - Centre Fringe Office Control as shown on the planning maps for office activities

instead, a maximum limit has been set on the amount of parking that can be provided on a site in these areas;

- there is no requirement or limit for activities or development excluding office and retail to provide parking in the following zones and locations:
 - Business – Metropolitan Centre Zone; Business – Town Centre Zone, Business – Local Centre Zone and Business – Mixed Use Zone (with the exception of identified non-urban town and local centres);
 - Centre Fringe Office Control as shown on the planning maps;
 - Residential – Terrace Housing and Apartment Buildings Zone; and
 - Residential – Mixed Housing Urban Zone (for studio and one-bedroom dwellings)

this approach supports intensification and public transport and recognises that for most of these areas, access to the public transport network will provide an alternative means of travel to private vehicles;

- in all other areas, a minimum level of parking is required to accompany any activity or development. A maximum limit is set on the amount of parking that can be provided for offices.

Standalone parking (non-accessory) facilities are provided for and will be individually assessed. This includes park-and-ride and other facilities that support public transport. Parking (non-accessory) may be appropriate to facilitate rationalisation of centre based parking resources to support activities in the centre and improve urban design outcomes.

To support walking and cycling, new buildings and developments are required to provide cycle parking as well as end-of-trip facilities. Off-road pedestrian and cycling facilities are also provided for to complement facilities located in the road network.

This section also addresses loading, the design of parking and loading, access from activities and developments to the road, and access around road/rail level crossings. These provisions support the movement of people, goods and services across the region.

Activities or subdivision which generate higher amounts of traffic, and which seek to locate outside of the most intensive centres and residential zones, are required to demonstrate how the proposal would integrate with the transport network. This includes managing the transport impacts of the proposal on the effective, efficient and safe operation of the local transport network.

E27.2. Objectives

- (1) Land use and all modes of transport are integrated in a manner that enables:
 - (a) the benefits of an integrated transport network to be realised; and
 - (b) the adverse effects of traffic generation on the transport network to be managed.
- (2) An integrated transport network including public transport, walking, cycling, private vehicles and freight, is provided for.
- (3) Parking and loading supports urban growth and the quality compact urban form.
- (4) The provision of safe and efficient parking, loading and access is commensurate with the character, scale and intensity of the zone.
- (5) Pedestrian safety and amenity along public footpaths is prioritised.
- (6) Road/rail crossings operate safely with neighbouring land use and development.

E27.3. Policies

- (1) Require subdivision, use and development which:
 - (a) generate trips resulting in potentially more than minor adverse effects on the safe, efficient and effective operation of the transport network;
 - (b) are proposed outside of the following zones:
 - (i) the Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone;
 - (ii) Residential – Terrace Housing and Apartment Buildings Zone;
 - (iii) the Centre Fringe Office Control as shown on the planning maps; or
 - (c) do not already require an integrated transport assessment or have been approved based on an integrated transport assessment

to manage adverse effects on and integrate with the transport network by measures such as travel planning, providing alternatives to private vehicle

trips, staging development or undertaking improvements to the local transport network.

- (2) Require major proposals for discretionary consent to prepare an integrated transport assessment including provision for pedestrians, cyclists, public transport users, freight and motorists.

Parking

- (3) Manage the number, location and type of parking and loading spaces, including bicycle parking and associated end-of-trip facilities to support all of the following:
 - (a) the safe, efficient and effective operation of the transport network;
 - (b) the use of more sustainable transport options including public transport, cycling and walking;
 - (c) the functional and operational requirements of activities;
 - (d) the efficient use of land;
 - (e) the recognition of different activities having different trip characteristics; and
 - (f) the efficient use of on-street parking.
- (4) Limit the supply of on-site parking in the Business – City Centre Zone to support the planned growth and intensification and recognise the existing and future accessibility of this location to public transport, and support walking and cycling.
- (5) Limit the supply of on-site parking for office development in all locations to:
 - (a) minimise the growth of private vehicle trips by commuters travelling during peak periods; and
 - (b) support larger-scale office developments in the Business – City Centre Zone, Centre Fringe Office Control area, Business – Metropolitan Centre Zone, Business – Town Centre Zone and Business – Business Park Zone.
- (6) Provide for flexible on-site parking by not limiting or requiring parking for subdivision, use and development (excluding office and retail activities) in the Business – Metropolitan Centre Zone, Business – Town Centre Zone, Business – Local Centre Zone, Business – Mixed Use Zone (with the exception of non-urban town and local centres), Centre Fringe Office Control area, Residential – Terrace Housing and Apartment Buildings Zone and Residential – Mixed Housing Urban Zone (studio and one bedroom dwellings).
- (7) Require all other subdivision, use and development to provide a minimum level of on-site parking in recognition of the more limited alternatives to private vehicle travel unless it can be demonstrated that a lesser amount of on-site parking is needed for a particular site or proposal or the provision of on-site parking would

be inconsistent with the protection of Historic Heritage or Special Character overlays.

- (8) Provide for flexible approaches to parking, which use land and parking spaces more efficiently, and reduce incremental and individual parking provision.
- (9) Provide for non-accessory parking where:
 - (a) the proposal and the type of parking will reinforce the efficient use of land or planned growth and intensification provided for in this plan for the site or locality; and
 - (b) there is an undersupply or projected undersupply of parking to service the area having regard to all of the following:
 - (i) the efficient use of land to rationalise or consolidate parking resources in centres;
 - (ii) the availability of alternative transport modes, particularly access to the existing and planned public transport;
 - (iii) the type of parking proposed;
 - (iv) existing parking survey information; and
 - (v) the type of activities in the surrounding area and their trip characteristics.
- (10) Discourage the development of long-term non-accessory parking in the Business – City Centre Zone and the Centre Fringe Office Control as shown on the planning maps to:
 - (a) recognise and support the high level of accessibility these areas have to the public transport; and
 - (b) minimise the growth in private vehicle trips by commuters during peak periods.
- (11) Control the development of long-term non-accessory parking in the Business – Metropolitan Centre Zone, Business – Town Centre Zone, Business – Local Centre Zone and in the Business – Mixed Use Zone so that the parking does not undermine:
 - (a) the efficient use of land or growth and intensification provided for in this plan for the site or locality; and
 - (b) the use of public transport in these zones.
- (12) Provide for park-and-ride and public transport facilities which are located and designed to support the public transport network by:
 - (a) locating in proximity to public transport stations, stops and terminals;

- (b) growing public transport patronage to assist in relieving congested corridors by encouraging commuters to shift to public transport;
 - (c) making public transport easier and more convenient to use, thereby attracting new users;
 - (d) improving the operational efficiency of the public transport network;
 - (e) extending the catchment for public transport into areas of demand where it is not cost-effective to provide traditional services or feeders;
 - (f) reinforcing existing and future investments on the public transport network; and
 - (g) providing free, secure and covered parking for bicycles.
- (13) Support increased cycling and walking by:
- (a) requiring larger developments to provide bicycle parking;
 - (b) requiring end-of-trip facilities, such as showers and changing facilities, to be included in office, educational and hospital developments with high employee or student numbers; and
 - (c) providing for off-road pedestrian and bicycle facilities to complement facilities located within the road network.

Loading

- (14) Require access to loading facilities to support activities and minimise disruption on the adjacent transport network.
- (15) Provide for on-site or alternative loading arrangements, including on-street loading or shared loading areas, particularly in locations where it is desirable to limit access points for reasons of safety, amenity and road operation.

Design of parking and loading

- (16) Require parking and loading areas to be designed and located to:
 - (a) avoid or mitigate adverse effects on the amenity of the streetscape and adjacent sites;
 - (b) provide safe access and egress for vehicles, pedestrians and cyclists;
 - (c) avoid or mitigate potential conflicts between vehicles, pedestrians and cyclists; and
 - (d) in loading areas, provide for the separation of service and other vehicles where practicable having regard to the functional and operational requirements of activities.

- (17) Require parking and loading areas to be designed so that reverse manoeuvring of vehicles onto or off the road does not occur in situations which will compromise:
- (a) the effective, efficient and safe operation of roads, in particular arterial roads;
 - (b) pedestrian safety and amenity, particularly within the centre zones and Business – Mixed Use Zone; and
 - (c) safe and functional access taking into consideration the number of parking spaces served by the access, the length of the driveway and whether the access is subject to a vehicle access restriction.
- (18) Require park-and-ride, non-accessory parking and off-site parking facilities and their access points to:
- (a) be compatible with the planning and design outcomes identified in this plan for the relevant zone;
 - (b) take into account the implementation of any relevant future transport projects or changes to the transport network identified in any statutory document (including the Long Term Plan or Regional Land Transport Plan) where implementation is likely;
 - (c) be accessible, safe and secure for users with safe and attractive pedestrian connections within the facility and to adjacent public footpaths;
 - (d) provide an attractive interface between any buildings, structures or at-grade parking areas and adjacent streets and public open spaces. Depending on location and scale, this may include:
 - (i) maintaining an active frontage through sleeving and/or an interesting appearance through use of architectural treatments so that the facility contributes positively to the pedestrian amenity and to any retail, commercial or residential uses along the road it fronts;
 - (ii) appropriate screening, such as exterior panelling, for any parking building; and
 - (iii) planting and other landscaping.
 - (e) provide for any buildings to be adapted or readily dismantled for other uses if no longer required for parking. In particular, the floor-to-ceiling height of a parking building at street level should be capable of conversion to other activities provided for in the zone; and
 - (f) be managed and operated so that the facility avoids adverse effects on the efficient, effective and safe operation of the transport network including:
 - (i) the safety of pedestrians and cyclists;

- (ii) amenity for pedestrians;
- (iii) queuing on the road and conflict at access points to the facility; and
- (iv) the operation of public transport services and related infrastructure.

Access

- (19) Require vehicle crossings and associated access to be designed and located to provide for safe, effective and efficient movement to and from sites and minimise potential conflicts between vehicles, pedestrians, and cyclists on the adjacent road network.
- (20) Restrict or manage vehicle access to and from sites adjacent to intersections, adjacent motorway interchanges, and on arterial roads, so that:
 - (a) the location, number, and design of vehicle crossings and associated access provides for the efficient movement of people and goods on the road network; and
 - (b) any adverse effect on the effective, efficient and safe operation of the motorway interchange and adjacent arterial roads arising from vehicle access adjacent to a motorway interchange is avoided, remedied or mitigated.
- (21) Restrict vehicle access across the Vehicle Access Restriction – General Control as shown on the planning maps within the Business – City Centre Zone to:
 - (a) give high priority to pedestrian movement, safety and amenity along the main pedestrian streets in the Business – City Centre Zone; and
 - (b) provide for continuity of building frontage and associated activities at street level.
- (22) Provide for the continued use of existing vehicle access affected by the Key Retail Frontage Control as shown on the planning maps and Vehicle Access Restriction – General Control in the Business – City Centre Zone where the effects of the activity and use of the vehicle access are the same or similar in character, intensity and scale which existed on 30 September 2013.
- (23) Control alterations to or rationalisation of existing vehicle access affected by the Key Retail Frontage Control and Vehicle Access Restriction – General Control in the Business – City Centre Zone where there is a change in the character, intensity or scale of the activity and use of the existing vehicle access.
- (24) Discourage new vehicle access across the Key Retail Frontage Control in the Business – Metropolitan Centre Zone, Business – Town Centre Zone and Business – Mixed Use Zone to:
 - (a) give high priority to pedestrian movement, safety and amenity; and

(b) provide for continuity of building frontage and associated activities at street level.

(25) Limit new vehicle access across the General Commercial Frontage Control as shown on the planning maps in the Business – Metropolitan Centre Zone, Business – Town Centre Zone and Business – Mixed Use Zone to:

(a) support pedestrian safety and amenity; and

(b) provide for continuity of building frontage and associated activities at street level.

Sightlines to rail level crossings

(26) Limit the location of buildings and other visual obstructions within the sightline areas of road/rail level crossings.

(27) Discourage new road and pedestrian rail level crossings to ensure the safe, effective and efficient operation of the region’s rail network.

Access to rail level crossings

(28) Control vehicle access to sites adjacent to all road/rail level crossings to improve safety for road users on the approach to level crossings.

E27.4. Activity table

Table E27.4.1 specifies the activity status of land use activities in all zones pursuant to section 9(3) of the Resource Management Act 1991. A site may contain more than one of the listed activities.

These rules do not apply to precincts where there are corresponding transport and traffic provisions in the applicable precinct.

Note 1

All access to the State Highway network (including changes to existing access and subdivision or change in land use utilising an existing access) require the approval of the New Zealand Transport Agency under the Government Roding Powers Act 1989. This approval is separate and additional to any land use or subdivision consent approval required. Refer to the New Zealand Transport Agency's Auckland Office.

Table E27.4.1 Activity table

Activity		Activity status
(A1)	Parking, loading and access which is an accessory activity and complies with the standards for parking, loading and access	P
(A2)	Parking, loading and access which is an accessory activity but which does not comply with the standards for parking, loading and access	RD
(A3)	Any activity or subdivision which exceeds the trip generation standards set out in Standard E27.6.1	RD

E27 Transport

(A4)	Use of an existing vehicle crossing (established or consented before 30 September 2013) where a Vehicle Access Restriction applies under Standards E27.6.4.1(1), E27.6.4.1(2) or E27.6.4.1(3) to service existing activities (established or consented before 30 September 2013)	P
(A5)	Construction or use of a vehicle crossing where a Vehicle Access Restriction applies under Standards E27.6.4.1(2) or E27.6.4.1(3)	RD
(A6)	Use of an existing vehicle crossing where a Vehicle Access Restriction applies under Standard E27.6.4.1(1) to service the establishment of a new activity, a change of activity type, the expansion or intensification of an existing activity or where a building(s) is constructed, or additions to buildings that are not permitted activities in <ul style="list-style-type: none"> • Table H9.4.1 Activity table; • Table H10.4.1 Activity table; • Table H11.4.1 Activity table; • Table H12.4.1 Activity table; • Table H13.4.1 Activity table; • Table H14.4.1 Activity table; or • Table H15.4.1 Activity table. 	RD
(A7)	Construction of a new vehicle crossing where a Vehicle Access Restriction applies under Standard E27.6.4.1(1) and the establishment of the vehicle crossing is to: <p style="margin-left: 40px;">(a) relocate and/or amalgamate an existing vehicle crossing or crossings serving the site, that will reduce or otherwise not increase either the number of crossings or width of crossings serving a site; or</p> <p style="margin-left: 40px;">(b) there is no other means of accessing a site.</p>	RD
(A8)	Construction of a new vehicle crossing where a Vehicle Access Restriction applies under Standard E27.6.4.1(1) and it is not provided for in this activity table	NC
(A9)	Any building or structure located within an area subject to Level Crossings with Sightlines Control as identified on the planning maps	RD
(A10)	Off-road pedestrian and cycling facilities	P
(A11)	Park-and-ride	RD
(A12)	Public transport facilities	RD
(A13)	Short-term and long-term non-accessory parking in the following zones: <ul style="list-style-type: none"> • Business – Metropolitan Centre Zone; • Business – Town Centre Zone; • Business – Local Centre Zone; and • Business – Mixed Use Zone. 	RD
(A14)	Short-term non-accessory parking in the Business – City Centre Zone and Centre Fringe Office Control as shown on the planning maps adjoining the Business – City Centre Zone	D

E27 Transport

(A15)	Long-term non-accessory parking in these zones and locations: <ul style="list-style-type: none"> • Business – City Centre Zone; and • Centre Fringe Office Control as shown on the planning maps adjoining the Business – City Centre Zone. 	NC
(A16)	Off-site parking	D
(A17)	Construction of new road and pedestrian rail level crossings on the rail network	NC

E27.5. Notification

(1) Any application for resource consent for the following activities will be considered without public or limited notification or the need to obtain the written approval from affected parties unless the Council decides that special circumstances exist under section 95A(4) of the Resource Management Act 1991:

- (a) E27.4.1(A11) Park-and-ride (exceeding 200 parking spaces); or
- (b) E27.4.1(A12) Public transport facilities.

(2) Any application for resource consent for activity that infringes the following standards will be considered without public notification unless the Council decides that special circumstances exist under section 95A(4) of the Resource Management Act 1991:

- (a) Standard E27.6.4.1(2) Vehicle access restrictions; or
- (b) Standard E27.6.4.1(3) Vehicle access restrictions.

(3) Any application for resource consent for vehicle access not meeting Standard E27.6.4.1(2) and Standard E27.6.4.1(3) Vehicle access restrictions may be limited notified.

(4) Any application for resource consent for an activity listed in Table E27.4.1 Activity table and which is not listed in E27.6.5(1), E27.6.5(2) or E27.6.5(3) above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.

(5) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).

E27.6. Standards

All activities in Table E27.4.1 must comply with the following standards.

E27.6.1. Trip generation

- (1) Where a proposal (except where excluded in Standard E27.6.1(2)) exceeds one of the following thresholds:

E27 Transport

- (a) a new development in Table E27.6.1.1;
- (b) 100 v/hr (any hour) for activities not specified in Table E27.6.1.1 requiring a controlled or restricted discretionary land use activity consent in the applicable zone where there are no requirements for an assessment of transport or trip generation effects. This standard does not apply to development activities provided for as permitted in the applicable zone; or
- (c) a proposed subdivision of land which has capacity under this Plan to accommodate more than 100 dwellings

resource consent for a restricted discretionary activity is required.

Table E27.6.1.1 New development thresholds

Activity		New development	
(T1)	Residential	Dwellings	100 dwellings
(T2)		Integrated residential development	500 units
(T3)		Visitor accommodation	100 units
(T4)	Education facilities	Primary	167 students
(T5)		Secondary	333 students
(T6)		Tertiary	500 students
(T7)	Office		5,000 m ² GFA
(T8)	Retail	Drive through	333 m ² GFA
(T9)	Industrial activities	Warehousing and storage	20,000 m ² GFA
(T10)		Other industrial activities	10,000 m ² GFA

(2) Standard E27.6.1(1) does not apply where:

- (a) a proposal is located in the Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone, or Residential – Terrace Housing and Apartment Building Zone or Centre Fringe Office Control as shown on the planning maps;
- (b) development is being undertaken in accordance with a consent or provisions approved on the basis of an Integrated Transport Assessment where the land use and the associated trip generation and transport effects are the same or similar in character, intensity and scale to those identified in the previous assessment;
- (c) the activity is permitted in the H7 Open space zones; or

- (d) there are requirements to assess transport, traffic or trip-generation effects for the activity in the applicable zone rules or precinct rules for any controlled or restricted discretionary land use activities.

E27.6.2. Number of parking and loading spaces

- (1) The number of parking spaces:
- (a) must not exceed the maximum rates specified;
 - (b) must meet the minimum rates specified; or
 - (c) must meet the minimum rates and not exceed the maximum rates specified

which apply to the zone or location specified in Table E27.6.2.1, Table E27.6.2.2, Table E27.6.2.3 and Table E27.6.2.4.

- (2) Where a minimum rate applies and a site supports more than one activity, the parking requirement of each activity must be separately determined then combined to determine the overall minimum site rate. Provided that where the parking demands of the two activities allow for the sharing of parking resources, the total parking requirement for the site shall be based on the higher of the parking requirements of the two activities.
- (3) For the purposes of meeting the requirements of the vehicle parking rules, a parking space includes those provided for in a garage or car port or any paved area provided for the sole purpose of parking a motor vehicle.

Table E27.6.2.1 Maximum parking rates for the Business – City Centre Zone

Activity/site		Business – City Centre Zone maximum rate
(T11)	Dwellings	1.5 per dwelling
(T12)	All other activities	Inner core as shown on the Parking Variation Control planning maps
(T13)		Outer core as shown on the Parking Variation Control planning maps

Table E27.6.2.2 Maximum parking rates for the Centre Fringe Office Control area adjoining the Business – City Centre Zone

Activity		Centre Fringe Office Control as shown on the planning maps adjoining the Business – City Centre Zone Maximum rate
(T14)	Offices	1 per 60 m ² GFA
(T15)	All other activities	No minimum or maximum

- (4) Table E27.6.2.3 sets out the parking rates which apply in the following zones and locations:

E27 Transport

- (a) Business – Metropolitan Centre Zone;
- (b) Business – Town Centre Zone – excluding the following town centres where Table E27.6.2.4 applies: Helensville, Kumeu-Huapai, Pukekohe, Warkworth and Wellsford;
- (c) Business – Local Centre Zone – excluding the following local centres where Table E27.6.2.4 applies: Karaka, Kaukapakapa, Leigh, Matakana, Riverhead, Snells Beach, Te Hana, Waimauku and Waiuku;
- (d) Business – Mixed Use Zone (excluding where the Business – Mixed Use Zone is adjacent to the town centres or local centres identified in Standards E27.6.2(4)(d) and E27.6.2(4)(e) above); and
- (e) Residential – Terrace Housing and Apartment Buildings Zone.

Table E27.6.2.3 Parking rates - area 1

Activity		Applies to zones and locations specified in Standard E27.6.2(4)	
		Minimum rate	Maximum rate
(T16)	Offices	No minimum	1 per 30 m ² GFA
(T17)	Retail	Food and beverage (excluding taverns)	A minimum of 1 per 30m ² GFA and outdoor seating area
(T18)		Supermarkets	A minimum of 1 per 30m ² GFA
(T19)		All other retail (including taverns)	A minimum of 1 per 30m ² GFA
(T20)	Commercial services	A minimum of 1 per 30m ² GFA	No maximum
(T21)	All other activities	No minimum	No maximum

- (5) The minimum parking requirements in Table E27.6.2.3 do not apply in any of the following circumstances:
 - (a) where the activity is located within the D17 Historic Heritage Overlay or
 - (b) where the activity is located within the D18 Special Character Areas Overlay – Residential and Business; or
 - (c) where the activity involves a change in use from;
 - (i) one retail activity to another; or
 - (ii) one commercial service to another; or
 - (iii) one retail activity to a commercial service or vice versa; or
 - (d) where the activity does not involve either:
 - (i) the construction of a new building not exceeding 100 m²; or

(ii) an addition not exceeding 100m² GFA to an existing building.

(6) Table E27.6.2.4 sets out the parking rates which apply to the Business – Neighbourhood Centre Zone and all other zones and areas not specified in Table E27.6.2.1, Table E27.6.2.2 and Table E27.6.2.3.

Table E27.6.2.4 Parking rates - area 2

Activity				Applies to zones and locations specified in Standard E27.6.2(6)	
				Minimum rate	Maximum rate
(T22)	Residential	Residential – Mixed Housing Urban Zone	Dwellings - studio	No minimum	No maximum
(T23)			Dwellings - 1 bedroom	No minimum	No maximum
(T24)			Dwellings - two or more bedrooms	1 per dwelling	No maximum
(T25)				No maximum	
(T26)		Residential – Mixed Housing Suburban Zone	Dwellings - studio	0.5 per dwelling (rounded down to nearest whole number)	No maximum
(T27)			Dwellings - 1 bedroom	0.5 per dwelling (rounded down to nearest whole number)	No maximum
(T28)			Dwellings - two or more bedrooms	1 per dwelling	No maximum
(T29)		Sites within the D18 Special Character Areas Overlay – Residential and Business	Site area 500m ² or less	No minimum	No maximum
(T30)			Site area greater than 500m ²	As per the underlying zoning	
(T31)		All other areas	Dwellings	1 per dwelling	No maximum
(T32)		Conversion of dwelling into two dwellings (Sites within the D18 Special Character Areas Overlay – Residential and Business)		No minimum	No maximum
(T33)		Home occupations		1 per dwelling except no additional space is required where both of the	No maximum

E27 Transport

Activity			Applies to zones and locations specified in Standard E27.6.2(6)	
			Minimum rate	Maximum rate
			following apply: (a) all employees live on the site of the home occupation; and (b) goods and services are not sold from the site (except electronically or by mail/courier)	
(T34)		Retirement village	0.7 per unit plus 0.2 visitor space per unit plus 0.3 per bed for rest home beds within a retirement village	No maximum
(T35)		Supported residential care	0.3 per bed	No maximum
(T36)		Visitor accommodation	1 per unit Or, where accommodation is not provided in the form of units, 0.3 per bedroom	No maximum
(T37)		Boarding houses	0.5 per bedroom (except that parking is not required for boarding houses which accommodate school students within the H29 Special Purpose – School Zone)	No maximum
(T38)	Offices		A minimum of 1 per 45m ² GFA	Maximum of 1 per 30m ² GFA
(T39)	Commercial services, excluding the following: veterinary clinics, storage and lockup facilities		1 per 25m ² GFA	No maximum
(T40)	Retail	Motor vehicle sales	1 per 10 vehicle display spaces, plus 1 per additional 50m ² GFA	No maximum
(T41)		Trade suppliers	1 per 50m ² GFA plus 1 per 100m ² of	No maximum

E27 Transport

Activity			Applies to zones and locations specified in Standard E27.6.2(6)	
			Minimum rate	Maximum rate
			outdoor storage or display areas	
(T42)		Large Format Retail (excluding supermarkets and department stores)	1 per 45m ² GFA	No maximum
(T43)		All other retail (including food and beverage)	1 per 25m ² GFA	No maximum
(T44)	Industrial activities and storage and lock-up facilities	Repair and maintenance services	4 per repair / lubrication bay, plus 1 per additional 50m ² GFA	No maximum
(T45)		Warehousing, storage and lock up facilities	1 per 100m ² GFA, or 0.7 per FTE employee (where the number of employees is known), whichever results in requiring a lower amount of on-site parking	No maximum
(T46)		All other industrial activities	1 per 50m ² GFA, or 0.7 per FTE employee (where the number of employees is known), whichever results in requiring a lower amount of on-site parking	No maximum
(T47)	Entertainment facilities and community facilities provided that, for places of worship, the 'facility' shall be the primary place of assembly (ancillary spaces such as prayer rooms, meeting rooms and lobby spaces not separately use shall be disregarded)		0.2 per person the facility is designed to accommodate	No maximum
(T48)	Emergency services		1 per employee on site plus 1 per emergency service appliance based at the facility	No maximum
(T49)	Care centres		0.10 per child or other person, other than employees plus 0.5 per FTE employee	No maximum

E27 Transport

Activity			Applies to zones and locations specified in Standard E27.6.2(6)	
			Minimum rate	Maximum rate
(T50)	Educational facilities	Primary and secondary	0.5 per FTE employee plus 1 visitor space per classroom	No maximum
(T51)		Tertiary	Massey University at Albany Campus: 0.32 per EFT student Other tertiary education facilities: 0.5 per FTE employee plus 0.25 per EFT student the facility is designed to accommodate	No maximum
(T52)	Medical facilities	Hospitals not shown on the Parking Variation Control planning maps	1 per 50m ² GFA	No maximum
(T53)		Grafton Hospital 2 Park Road, Grafton	No minimum	1 per 50m ² GFA
(T54)		Greenlane Clinical Centre 210 Green Lane West, Epsom	1 per 55m ² GFA	No maximum
(T55)		Mt Albert 50 Carrington Road, Mt Albert	1 per 60m ² GFA	No maximum
(T56)		Mercy Hospital 98 Mountain Road, Epsom	1 per 40m ² GFA	No maximum
(T57)		Healthcare facilities	1 per 20m ² GFA	No maximum
(T58)		Veterinary clinics	1 per 20m ² GFA	No maximum
(T59)	Land used for organised sport and recreation		12.5 spaces per hectare	No maximum
(T60)	Clubrooms		0.2 per person the facility is designed to accommodate	No maximum
(T61)	Water transport	Land adjacent to a public boat launching ramp	No minimum rate for accessory parking associated with boat launching	No maximum
(T62)		Marinas	0.35 per berth provided	No maximum

Activity			Applies to zones and locations specified in Standard E27.6.2(6)	
			Minimum rate	Maximum rate
(T63)		Minor ports at Gabador Place, Tamaki and Onehunga	0.5 per employee intended to be working in or at the facility at any one time	No maximum
(T64)	All other activities, except for activities within rural zones		1 per 50m ² GFA	No maximum
(T65)	All other activities where located in rural zones		No minimum	No maximum

(7) Bicycle parking:

- (a) the activities specified in Table E27.6.2.5 must provide the minimum number of bicycle parking spaces specified; and
- (b) the following bicycle parking requirements apply to new buildings and developments.

Table E27.6.2.5 Required bicycle parking rates

Activity			Visitor (short-stay) Minimum rate		Secure (long-stay) Minimum rate
(T66)	Residential	Developments of 20 or more dwellings	1 per 20 dwellings		1 per dwelling without a dedicated garage
(T67)		Visitor accommodation and boarding houses	1 space plus 1 space per 20 rooms/beds		1 per 10 FTE employees
(T68)		Retirement village and residential care	1 space plus 1 space per 30 units / apartments		1 per 10 FTE employees
(T69)	Offices		Up to 200m ²	Nil required	1 per 300m ² of office
(T70)			Greater than 200m ² up to 10,000m ²	1 space plus 1 space per 1,000m ² above 1,000m ²	
(T71)			Greater than	10 spaces plus	

E27 Transport

Activity			Visitor (short-stay) Minimum rate		Secure (long-stay) Minimum rate
			10,000m ²	1 space per 2000m ² above 10,000m ²	
(T72)	Retail	Food and beverage	Up to 350m ² GFA	Nil required	1 per 300m ² GFA
(T73)			Greater than 350m ² GFA	1 per 350m ² GFA	
(T74)		All other retail	Up to 500m ² GFA	Nil required	1 per 300m ² GFA of office
(T75)			Greater than 500m ² GFA up to 5000m ² GFA	1 per 500m ² GFA	
(T76)			Greater than 5000m ² GFA	1 per 750m ² GFA	
(T77)	Industrial activities and storage and lockup facilities		1 space plus 1 space per 750m ² GFA of office space		1 per 300m ² GFA of office
(T78)	Care centres		1 space plus 1 space per 50 people to be accommodated		1 space per 10 FTE employees
(T79)	Educational facilities	Primary and intermediate schools	1 space plus 1 space per 400 students and FTE employees		1 per 30 students in Year 1 to 5 plus 1 per 15 students in Year 6 to 8 plus 1 per 20 employees
(T80)		Secondary schools	1 space plus 1 space per 400 students and FTE employees		1 per 15 students in Year 9 to 13 plus 1 per 20 FTE employees
(T81)		Tertiary education facilities	1 per 800 m ² GFA office		1 per 20 EFT students and FTE

E27 Transport

Activity			Visitor (short-stay) Minimum rate	Secure (long-stay) Minimum rate
				employees on site at the peak times
(T82)	Medical facilities	Hospitals	1 per 30 beds	1 per 15 beds
(T83)		Healthcare services	1 space plus 1 space per 10 FTE practitioners	1 per 8 FTE practitioners
(T84)		Veterinary clinics	-	1 per 15 FTE employees
(T85)	Entertainment and community facilities	Entertainment facilities	Either: 1 per 50 seats Or: 2 spaces plus 1 space per 1500m ² GFA	Either: 1 per 15 FTE employees Or: 1 per 1500m ² GFA
(T86)		Major recreation facility	1 space plus 1 space per 1000m ² GFA of office and other accessory activities	1 per 300m ² GFA of office and other accessory uses
(T87)		Community facilities	1 per 200m ² GFA	1 per 500 m ² GFA
(T88)		Organised sport and recreational facility	3 per hectare distributed in groups of 3-5 racks	1 per hectare

(8) End-of-trip facilities:

(a) the activities specified in Table E27.6.2.6 must provide end-of-trip facilities as listed below; and

(a) the following end-of-trip facilities requirements apply to new buildings and developments.

Table E27.6.2.6 Required end-of-trip facilities (intended for staff use)

Land use		GFA	No. of showers and changing facilities required
(T89)	Offices, education facilities, hospitals	Up to 500m ²	No requirement
(T90)		Greater than 500m ² up to 2500m ²	One shower and changing area with space for storage of clothing
(T91)		Greater than 2500m ² up to 7500m ²	Two showers and changing area with space for storage of clothing
(T92)		Every additional 7500m ²	Two additional showers and

E27 Transport

			changing area with space for storage of clothing
--	--	--	--

(9) Number of loading spaces:

(a) all activities must provide loading spaces as specified in Table E27.6.2.7.

Table E27.6.2.7 Minimum loading space requirements

Activity		GFA	Minimum rate
(T93)	Retail and industrial activities	Up to 300m ²	No loading required
(T94)		Greater than 300m ² up to 5000m ²	1
(T95)		Greater than 5000m ² up to 10,000m ²	2
(T96)		Greater than 10,000m ²	3 spaces plus 1 space for every additional 10,000m ²
(T97)	All other activities, except for activities within rural zones	Up to 5000m ²	No loading required
(T98)		Greater than 5000m ² up to 20,000m ²	1
(T99)		Greater than 20,000m ² up to 90,000m ²	2
(T100)		Greater than 90,000m ²	3 spaces plus space 1 for every additional 40,000m ²
(T101)	All other activities where located in rural zones		No minimum rate

(10) Fractional spaces:

(a) where the calculation of the required or permitted parking results in a fractional space, any fraction that is less than one-half will be disregarded and any fraction of one-half or more will be counted as one space. If there are different activities within a development, the parking required or permitted for each activity must be added together prior to rounding.

(11) Accessible parking:

(a) where parking is provided, the Building Code requires parking spaces to be provided for people with disabilities and accessible routes from the parking spaces to the associated activity or road. The dimensions and accessible route requirements are detailed in the New Zealand Building Code D1/AS1 New Zealand Standard for Design for Access and Mobility – Buildings and Associated Facilities (NZS: 4121-2001).

E27.6.3. Design of parking and loading spaces

E27.6.3.1. Size and location of parking spaces

- (1) Every parking space must:
- (a) comply with the minimum dimensions given in Table E27.6.3.1.1 and Figure E27.6.3.1.1; and
 - (b) be located on the same site as the activity to which it relates unless one of the following criteria is met:
 - (i) the parking is located in an H7 Open Space Zone and the reserve, park or recreation area consists of more than one adjoining Certificate of Title. In that case, the parking must be located within the same reserve, park or recreation area as the activity to which it relates; or
 - (ii) resource consent is granted to an alternative arrangement, such as shared parking, offsite parking, or non-accessory parking.
 - (c) not be used for any other purpose; and
 - (d) be kept clear and available at all times the activity is in operation, except where stacked parking is permitted by Standard E27.6.3.3(3) below; and
 - (e) be located outside any area designated for road widening; and
 - (f) parking located in part of any yard on the site (where it is permitted in the zone) must not:
 - (i) impede vehicular access and movement on the site; and
 - (ii) infringe any open space and landscape requirements for the relevant zone; and
 - (g) not to be sold or leased separately from the activity for which it provides parking required under a resource consent.

Table E27.6.3.1.1 Minimum Car parking space and manoeuvring dimensions

Car parking angle		Width of parking space	Depth of parking space		Manoeuvring space ³	Total
			From wall ¹	From kerb ²		
(T102)	90 degrees (regular users) ⁴	2.4	5.0	4.0	7.1	12.1
(T103)		2.5			6.7	11.7
(T104)		2.6			6.3	11.3
(T105)		2.7			5.9	10.9
(T106)	90 degrees (casual users) ⁴	2.5	5.0	4.0	7.7	12.7
(T107)		2.6			7.0	12.0
(T108)		2.7			6.7	11.7
(T109)	75 degrees	2.5	5.2	4.2	6.3	11.5
(T110)		2.6			5.2	10.4
(T111)		2.7			4.2	9.4
(T112)	60 degrees	2.5	5.2	4.2	4.1	9.3
(T113)		2.6			3.5	8.7
(T114)		2.7			3.3	8.5
(T115)	45 degrees	2.5	5.0	4.2	3.0	8.0
(T116)		2.6			3.0	8.0
(T117)		2.7			3.0	8.0
(T118)	30 degrees	2.5	4.0	3.4	2.8	6.8
(T119)		2.6			2.8	6.8
(T120)		2.7			2.8	6.8
(T121)	0 degrees (parallel) ⁵	6	2.4	2.1	3.7	-

Notes

All dimensions are in metres (m).

¹ Where a parking space adjoins a wall or high kerb that does not allow vehicles to overhang.

² Kerb overhang. Applies where a vehicle may overhang the end of a space, provided that the first 1m immediately behind the space is unobstructed and does not form part of another parking or loading space, or is not required as part of pedestrian walkway or footpath. Wheel stops are required where a parking space would otherwise overhang onto a pedestrian walkway or footpath.

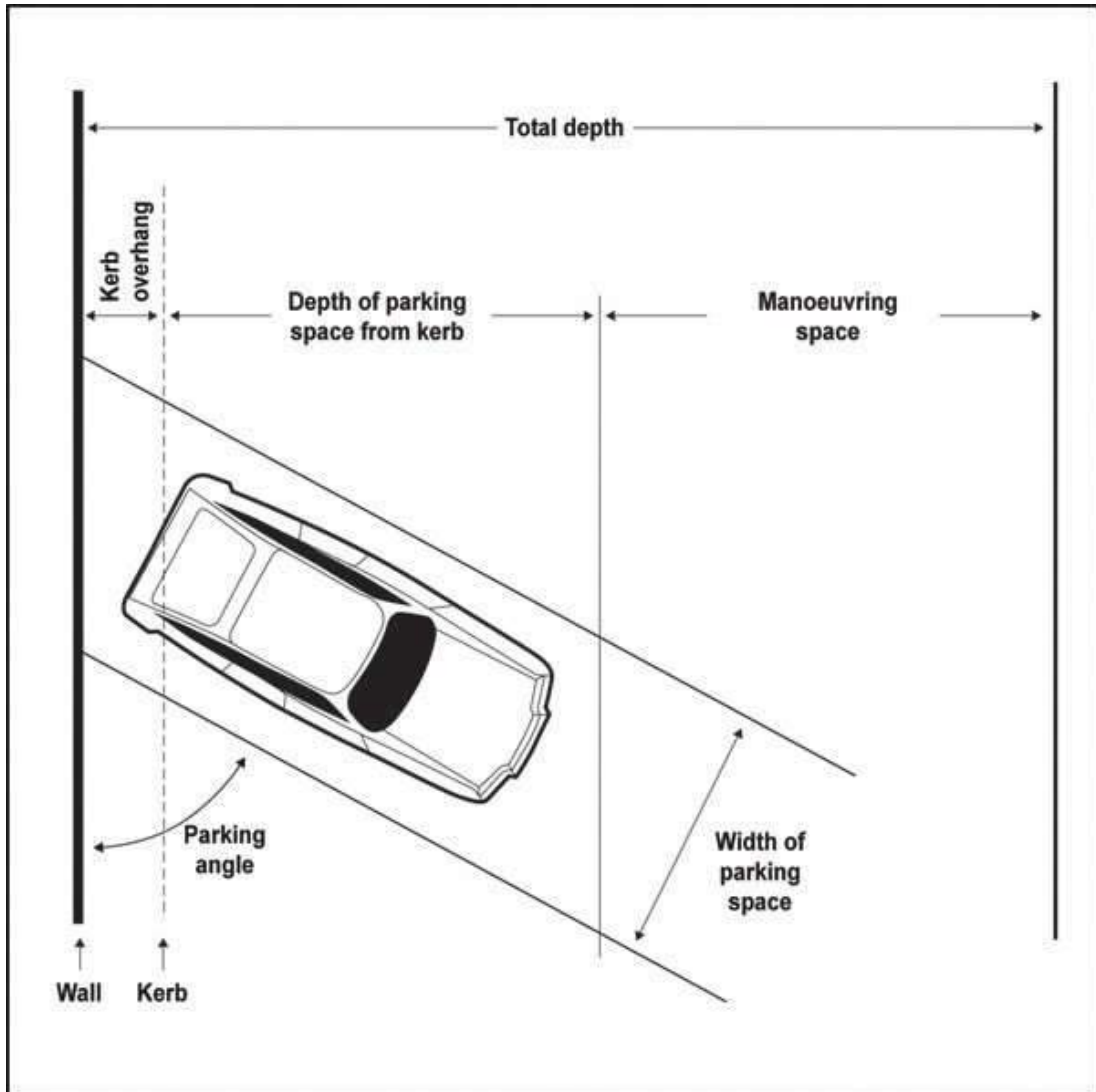
³ One way traffic is assumed for all angled parking spaces, excluding car parking at a 90 degree angle

⁴ Regular users are people whose regular use gives them a familiarity with the parking area that permits smaller safe clearances about the parking spaces (for example

residents, employees, long term parking users). Casual users are people, typically short-term visitors, who would not be familiar with the parking layout

⁵ Where a parallel end space has direct access through the end of the space, the depth of space can be reduced to 5.4m

Figure E27.6.3.1.1 Minimum parking space and manoeuvring dimensions



E27.6.3.2. Size and location of loading spaces

- (1) Every loading space must:
- (a) comply with the minimum dimensions given in Table E27.6.3.2.1; and
 - (b) be located on the same site as the activity to which it relates and be available at all times while the activity is in operation; and
 - (c) be located outside any area designated for road widening; and
 - (d) comply with the following when any yard of a site is used to provide the loading space (where it is permitted within the zone):
 - (i) ensure that the footpath or access to the rear of the site or access to an adjacent property is not blocked at any time; and
 - (ii) the use of the loading space does not create a traffic hazard on the road at any time.

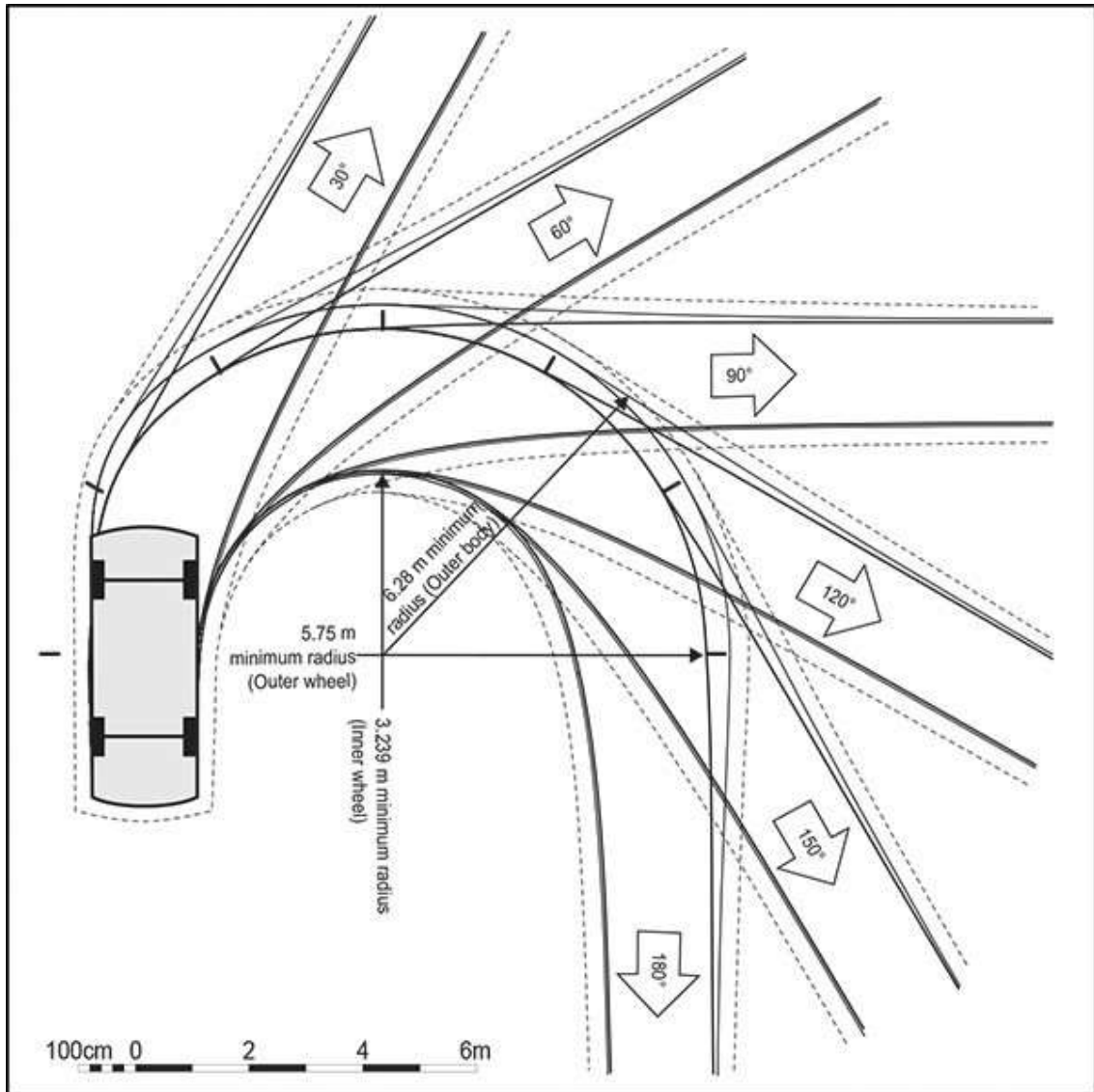
Table E27.6.3.2.1 Minimum loading space dimensions

Activity		Length of loading space (m)	Width of loading space (m)
(T122)	Industrial activities	11	3.5
(T123)	All other activities	8	3.5
(T124)	All sites and developments designed to accommodate articulated vehicles	18	3.5

E27.6.3.3. Access and manoeuvring

- (1) Every parking space must have driveways and aisles for entry and exit of vehicles to and from the road, and for vehicle manoeuvring within the site. Access and manoeuvring areas must accommodate the 85 percentile car tracking curves in Figure E27.6.3.3.1
- (2) Every loading space and where access and manoeuvring areas must accommodate heavy vehicles, a tracking curve for an appropriately sized truck for the type of activities to be carried out on the site must be assessed. Heavy vehicle tracking curves are set out in the following NZTA guidelines: RTS 18: NZ on-road tracking curves (2007).
- (3) Where a dwelling provides more than one parking space, these may be stacked. Stacked parking means access is required through another parking space.

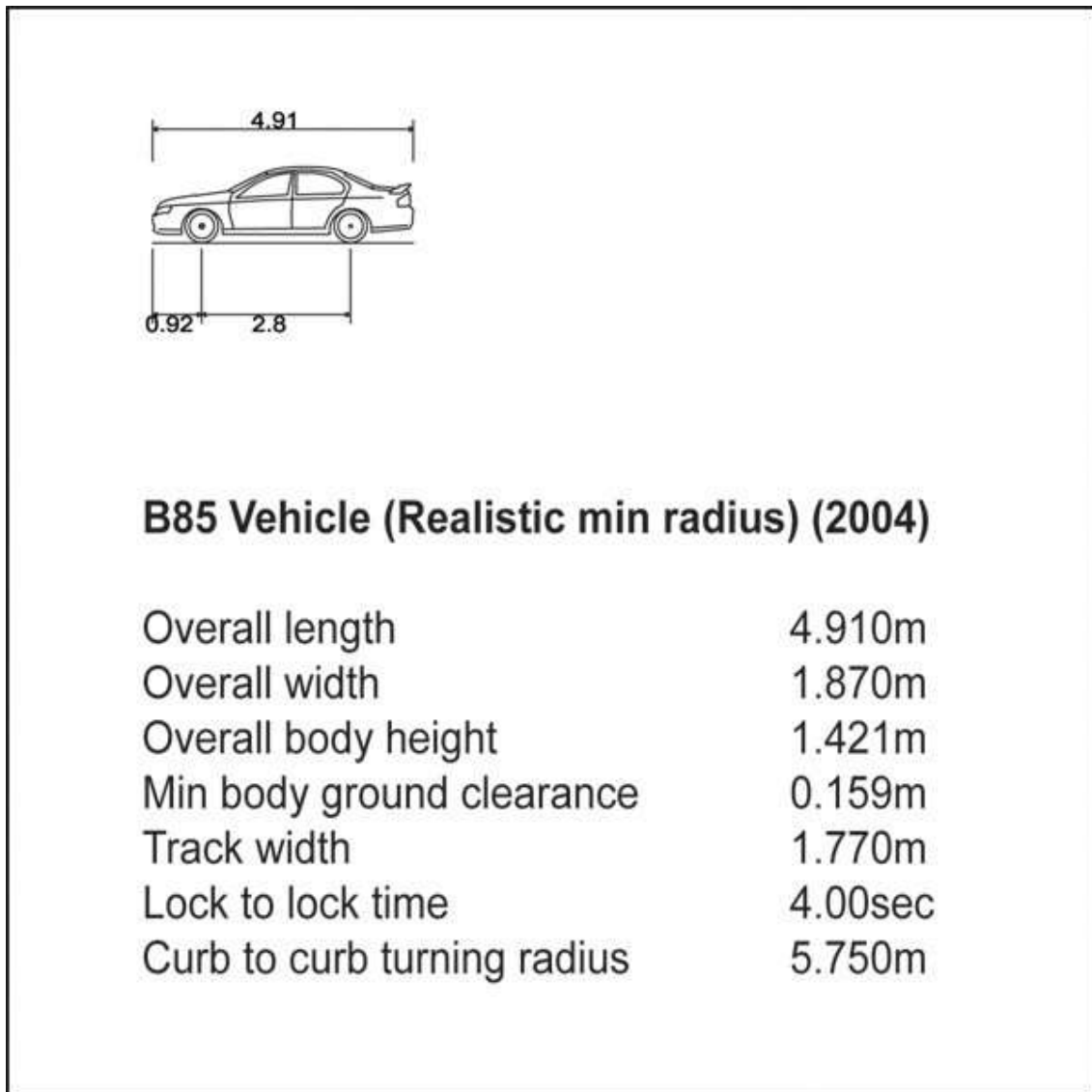
Figure E27.6.3.3.1 85 percentile car tracking curve



Note 1

The dotted line about the vehicle depicts a 300mm clearance about the vehicle. See following key in Figure E27.6.3.3.2

Figure E27.6.3.3.2 Key for 85 percentile car tracking curve

**E27.6.3.4. Reverse manoeuvring**

- (1) Sufficient space must be provided on any the site so vehicles do not need to reverse off the site or onto or off the road from any site where any of the following apply:
- (a) four or more required parking spaces are served by a single access;
 - (b) there is more than 30m between the parking space and the road boundary of the site; or
 - (c) access would be from an arterial road or otherwise within a Vehicle Access Restriction covered in Standard E27.6.4.1.

E27.6.3.5. Vertical clearance

- (1) To ensure vehicles can pass safely under overhead structures to access any parking and loading spaces, the minimum clearance between the formed surface and the structure must be:
 - (a) 2.1m where access and/or parking for cars is provided for residential activities;
 - (b) 2.3m where access and/or parking for cars is provided for all other activities;
 - (c) 2.5m where access and/or accessible parking for people with disabilities is provided; or
 - (d) 3.8m where loading is required.

E27.6.3.6. Formation and gradient

- (1) Except for Standard E27.6.3.6(2) below, the whole area of parking and loading spaces, and manoeuvring areas and aisles must be formed, drained, provided with an all-weather surface to prevent dust and nuisance, and be marked out or delineated. This must be done before the activity to which those parking and loading spaces relate commences, and maintained for as long as that activity is continued.
- (2) Parking and loading spaces and manoeuvring areas and aisles do not need to be provided with an all-weather surface in the following zones:
 - (a) Rural – Rural Conservation Zone;
 - (b) Rural – Rural Coastal Zone;
 - (c) Rural - Mixed Rural Zone; and
 - (d) Rural – Rural Production Zone.
- (3) The gradient for the surface of any parking space must not exceed:
 - (a) 1 in 25 in any direction for accessible spaces for people with disabilities; or
 - (b) 1 in 20 (five per cent) in any direction for other spaces.
- (4) The gradient for the manoeuvring area must not exceed 1 in 8.

E27.6.3.7. Lighting

- (1) Lighting is required where there are 10 or more parking spaces which are likely to be used during the hours of darkness. The parking and manoeuvring areas and associated pedestrian routes must be adequately lit during use in a manner that complies with the rules in Section E24 Lighting.

E27.6.4. Access

E27.6.4.1. Vehicle Access Restrictions

(1) Vehicle Access Restrictions apply and new vehicle crossings must not be constructed to provide vehicle access across that part of a site boundary which is subject to:

(a) a Vehicle Access Restriction – General Control as shown on the planning maps in the Business – City Centre Zone; or

(b) a Key Retail Frontage Control as shown on the planning maps;

infringing this standard is a non-complying activity unless the application involves:

(i) the use of an existing vehicle crossing to service the establishment of a new activity, a change of activity type, the expansion or intensification of an existing activity or where a building(s) is constructed, or additions to buildings that are not permitted activities in:

- Table H9.4.1 Activity table;
- Table H10.4.1 Activity table;
- Table H11.4.1 Activity table;
- Table H12.4.1 Activity table;
- Table H13.4.1 Activity table;
- Table H14.4.1 Activity table; or
- Table H15.4.1 Activity table;

(ii) the construction of a new vehicle crossing and the establishment of the vehicle crossing is to relocate and/or amalgamate an existing vehicle crossing or crossings serving the site, that will reduce or otherwise not increase either the number of crossings or width of crossings serving a site; or there is no other means of accessing a site

where Standards E27.6.4.1(1)(b)(i) and E27.6.4.1(1)(b)(ii) apply the activities require a restricted discretionary activity consent.

(2) Standard E27.6.4.1(3) below applies in any of the following circumstances:

(a) a new vehicle crossing is proposed;

(b) a new activity is established on a site;

(c) there is a change of type of activity; or

(d) a building(s) is constructed, or additions to buildings that are not permitted activities in:

- Table H9.4.1 Activity table;
- Table H10.4.1 Activity table;
- Table H11.4.1 Activity table;
- Table H12.4.1 Activity table;
- Table H13.4.1 Activity table;
- Table H14.4.1 Activity table; or
- Table H15.4.1 Activity table

except that this does not apply in the case of a dwelling where the reconstruction, alteration or addition does not increase the number of dwellings on a site.

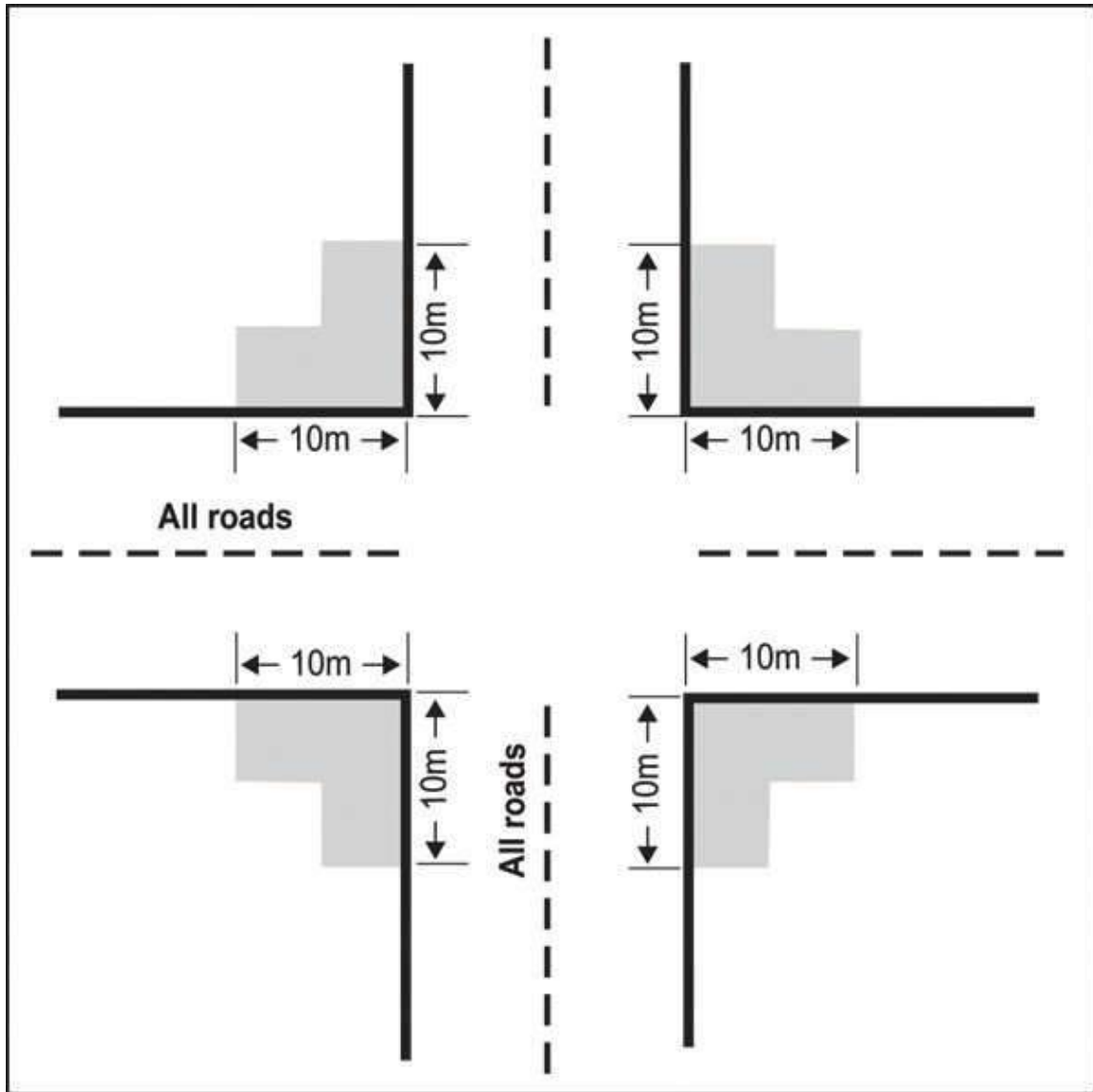
(3) Vehicle Access Restrictions apply and vehicle crossings must not be constructed or used to provide vehicle access across that part of a site boundary which:

- (a) is located within 10m of any intersection as measured from the property boundary, illustrated in Figure E27.6.4.1.1;
- (b) is subject to the following types of Vehicle Access Restriction as identified on the planning maps in the zones listed in Table H27.6.4.1.1;
- (c) has frontage to an arterial road as identified on the planning maps; or
- (d) is located closer than 30m from a railway level crossing limit line.

Table E27.6.4.1.1 Types of Vehicle Access Restrictions

Type of Vehicle Access Restriction		Zone
(T125)	Vehicle Access Restriction General Control	All zones except the Business – City Centre Zone which is covered in Standard E27.6.4.1(1)(a)
(T126)	Vehicle Access Restriction Motorway Interchange Control	All zones
(T127)	Vehicle Access Restriction Level Crossing Control	All zones

Figure E27.6.4.1.1 Vehicle crossing restrictions 10m



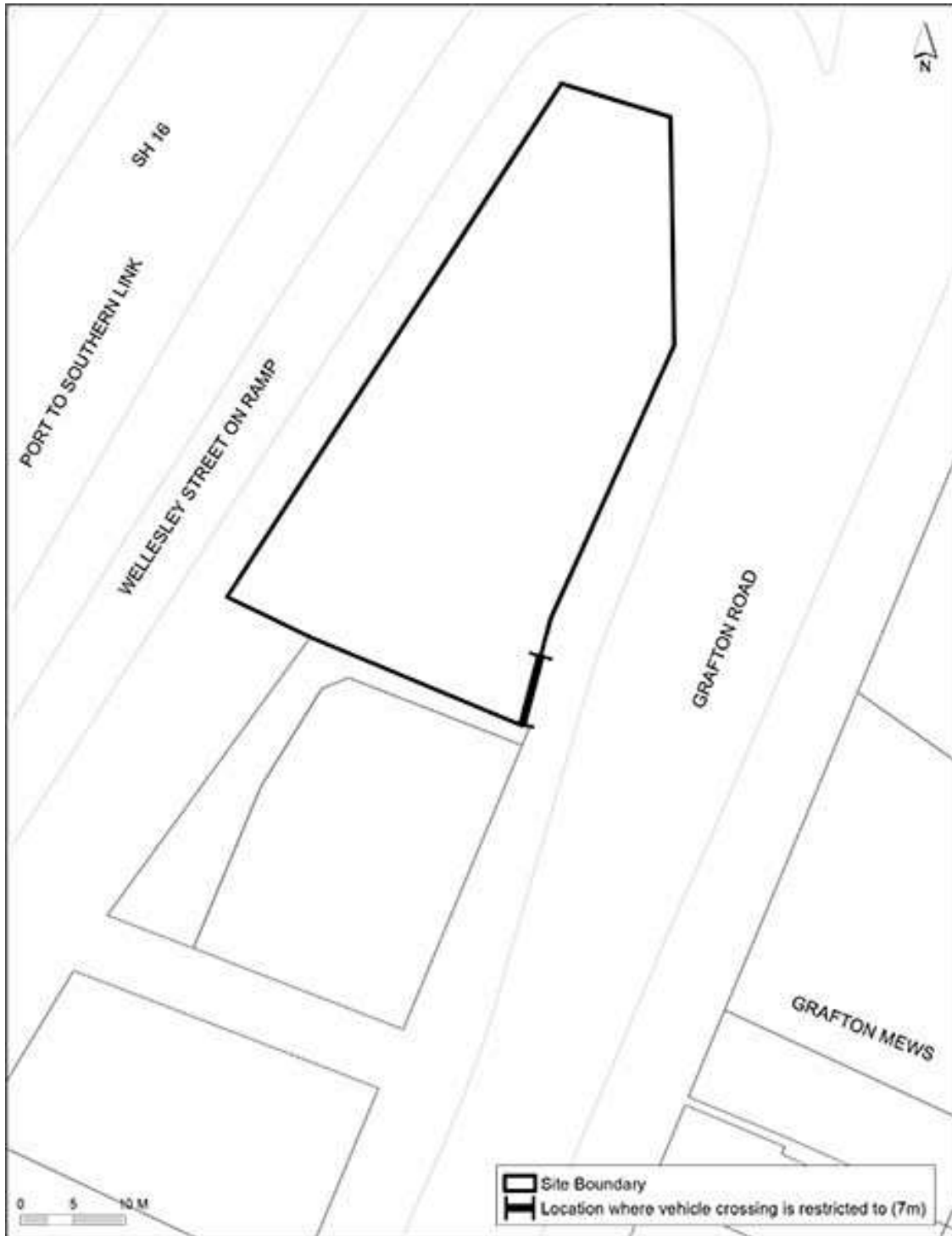
E27.6.4.2. Width and number of vehicle crossings

- (1) The maximum number of vehicle crossings permitted for any site and separation distance between crossings is specified in Table E27.6.4.2.1.

Table E27.6.4.2.1 Maximum number of vehicle crossings and separation distance between crossings

Location		Maximum number of vehicle crossings per road frontage of the site	Minimum separation from crossings serving adjacent sites	Minimum separation between crossings serving same site
(T128)	That part of a site subject to: • a Vehicle Access Restriction General Control in the Business – City Centre Zone • a Key Retail Frontage Control as shown on the planning maps	No crossings permitted	No crossings permitted	No crossings permitted
(T129)	That part of a site subject to: • a Vehicle Access Restriction under Standards E27.6.4.1(2) and E27.6.4.1(3) (see additional limitation below for site at 71-75 Grafton Road) • a General Commercial Frontage Control as shown on the planning maps	1 per 50m of frontage or part thereof	2m provided that two crossings on adjacent sites can be combined where they do not exceed a total width of 6m at the property boundary	6m
(T130)	Site at 71-75 Grafton Road	1 - located within the area identified on Figure E27.6.4.2.1	No limitation	Only one crossing permitted
(T131)	All other sites	1 per 25m of frontage or part thereof	2m provided that two crossings on adjacent sites can be combined where they do not exceed a total width of 6m at the property boundary	6m

Figure E27.6.4.2.1 Location of vehicle crossing at 71-75 Grafton Road



- (1) The width of a vehicle crossing(s) must meet the minimum width and not exceed the maximum width as specified in Table E27.6.4.3.2.
- (2) With the exception of vehicle crossings on unsealed roads, all vehicle crossings must be designed and constructed to maintain the level, colour, and materials of the footpath to clearly identify to vehicles that pedestrians have priority.

(3) Vehicle crossings on unsealed roads:

(a) where the vehicle crossing is served by an access steeper than 1 in 8, the vehicle crossing must be sealed for 6m between the site boundary and the unsealed road.

(b) vehicle crossings not covered by Standard E27.6.4.2(3)(a) above must be formed using materials similar to the existing road surface or better.

(4) Where a vehicle crossing is altered or no longer required, the crossing, or redundant section of crossing, must be reinstated as berm and/or footpath and the kerbs replaced. The cost of such work will be borne by the owner of the site previously accessed by the vehicle crossing.

E27.6.4.3. Width of vehicle access and queuing requirements

(1) Every on-site parking and loading space must have vehicle access from a road, with the vehicle access complying with the following standards for width:

(a) passing bays are provided in accordance with Table E27.6.4.3.1; and

(b) meeting the minimum formed access width specified in Table E27.6.4.3.2.

(2) Access must be designed so that vehicles using or waiting to use fuel dispensers, ticket vending machines, remote ordering facilities and devices, entrance control mechanisms, or other drive-through facilities do not queue into the adjoining road reserve or obstruct entry to or exit from the site.

Table E27.6.4.3.1 Passing bay requirements

Zone		Length of access	Width of access	Maximum intervals between passing bays	Passing bay width
(T132)	Rural	Exceeds 100m	Less than 5.5m	100m	Increase formed width of access to 5.5m over a 15m length (to allow two vehicles to safely pass each other)
(T133)	All other zones	Exceeds 50m		50m	Increase formed width of access to 5.5m over 7m with 45° tapers

Table E27.6.4.3.2 Vehicle crossing and vehicle access widths

Location of site frontage		Minimum width of crossing at site boundary	Maximum width of crossing at site boundary	Minimum formed access width	
(T134)	Residential zone	2.75m	3.0m	Serves 1 dwelling	2.5m provided it is contained within a corridor clear of buildings or parts of a building with a minimum width of 3m
(T135)		3.0m (one way)	3.5m (one way)	Serves nine or less parking spaces or 2 – 5 dwellings	3.0m provided it is contained within a corridor clear of buildings or parts of a building with a minimum width of 3.5m
(T136)		5.5m (two-way) This may be narrowed to 2.75m if there are clear sight lines along the entire access and passing bays at 50m intervals can be provided	6.0m (two-way)	Serves 10 or more car parking spaces	5.5m (providing for two-way movements)
(T137)	Centres, Mixed Use and all other zones not listed below	3.0m (one way)	3.5m (one way)	Serves nine or less parking spaces or two or less loading spaces	3.0m provided it is contained within a corridor clear of buildings or parts of a building with a minimum width of 3.5m
(T138)		5.5m (two-way)	6.0m (two-way)	Serves 10 or more parking spaces or three or more loading spaces	5.5m (providing for two-way movements) 1.5m pedestrian access for rear sites
(T139)	General Business,	3.7m (one way)	4.0m (one-way)	Serves nine or less	3.0m provided it is contained

E27 Transport

	Business Park or Industrial zones			parking spaces or two or less loading spaces	within a corridor clear of buildings or parts of a building with a minimum width of 3.5m
(T140)		6.0m (two-way)	7m (two-way)	Serves 10 parking spaces or three or more loading spaces	6.0m (providing for two-way movements)
(T141)	Rural zones	3.0m	6.0m*	No minimum specified	

* Provided that a maximum width of 9.0m is permitted where the crossing needs to accommodate the tracking path of large heavy vehicles

Note 1

Minimum vehicle crossing widths to the State Highway network may be greater than those above. All access to the State Highway network requires the approval of the New Zealand Transport Agency under the Government Roding Powers Act 1989. Applicants are advised to contact the New Zealand Transport Agency's Auckland Office.

E27.6.4.4. Gradient of vehicle access

- (1) The gradient of the access must not be steeper than specified in Table E27.6.4.4.1:

Table E27.6.4.4.1 Gradient of vehicle access

Access type		Maximum gradient
(T142)	Vehicle access serving residential	1 in 5 (20 per cent)
(T143)	Vehicle access used by heavy vehicles	1 in 8 (12.5 per cent)
(T144)	Vehicle access serving all other activities	1 in 6 (16.7 per cent)

Note 1

For curved ramps and driveways, the gradient is measured along the inside radius (refer to Figure E27.6.4.4.1).

- (2) To avoid the underside of the car striking the ground, as illustrated in Figure E27.6.4.4.2, access with a change in gradient exceeding 1 in 8 (greater than 12.5 per cent change) at the summit or a 1 in 6.7 (15 per cent change) at a sag must include transition sections to achieve adequate ground clearance, refer to Figure E27.6.4.4.3. Typically, a transition section requires a minimum length of 2m.
- (3) All vehicle access must be designed so that where the access adjoins the road there is sufficient space onsite for a platform so that vehicles can

stop safely and check for pedestrians and other vehicles prior to exiting. This is illustrated in Figure E27.6.4.4. The platform must have a maximum gradient no steeper than 1 in 20 (5 per cent) and a minimum length of 4m for residential activities and 6m for all other activities.

Figure E27.6.4.4.1 Curved ramp diagram

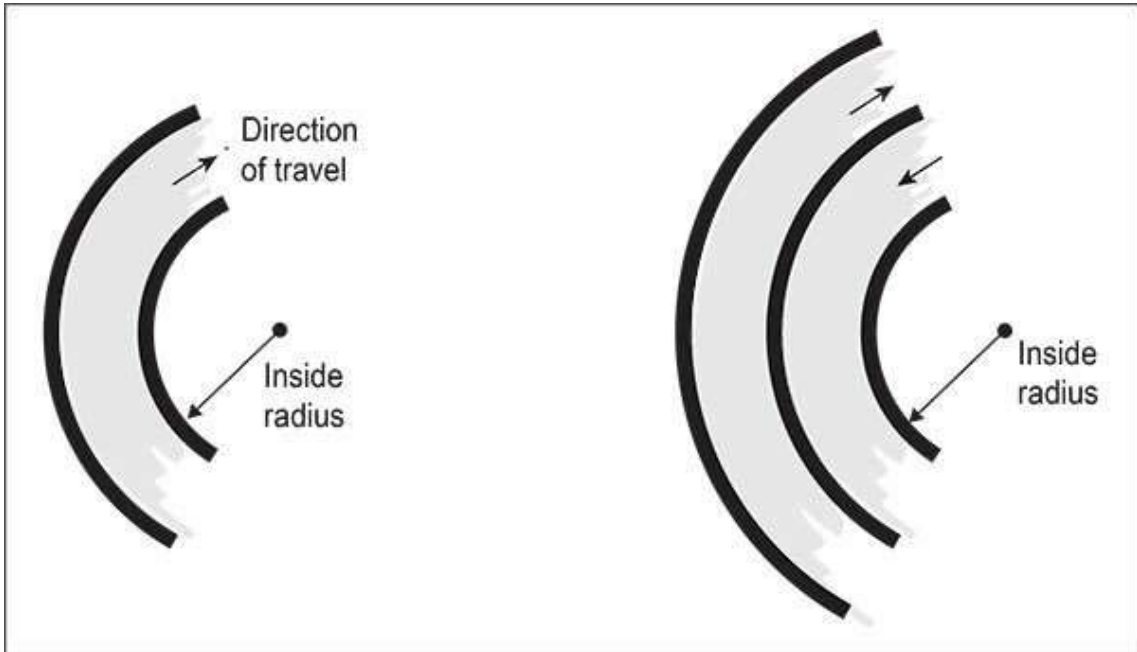
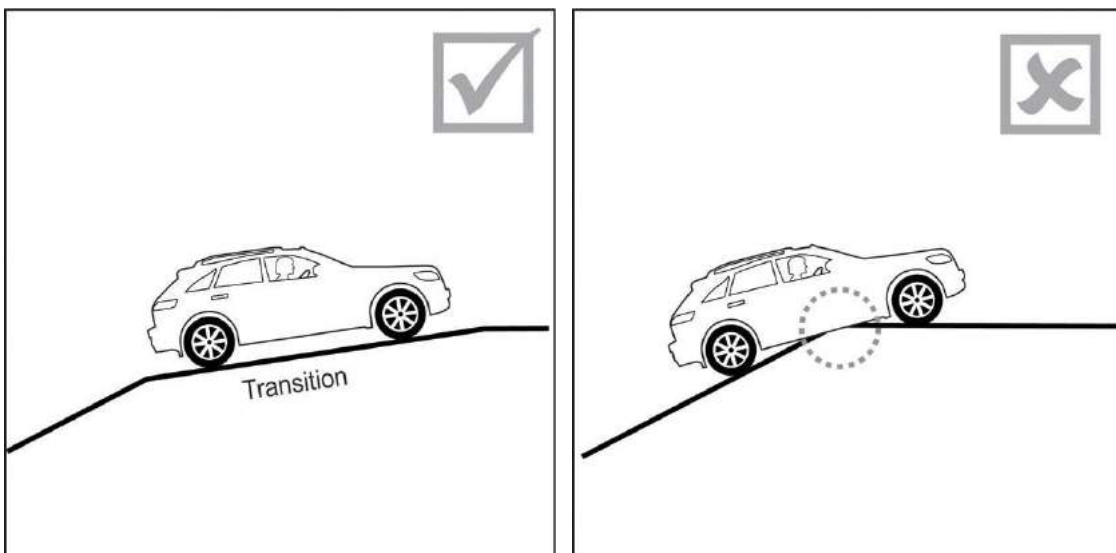


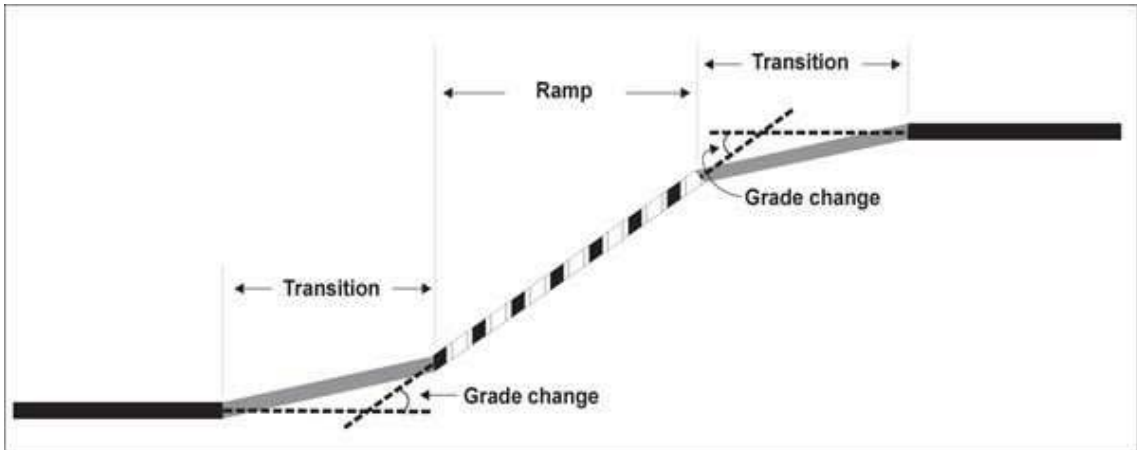
Figure E27.6.4.4.2 Illustrating the benefit of transitions



Correct

Incorrect

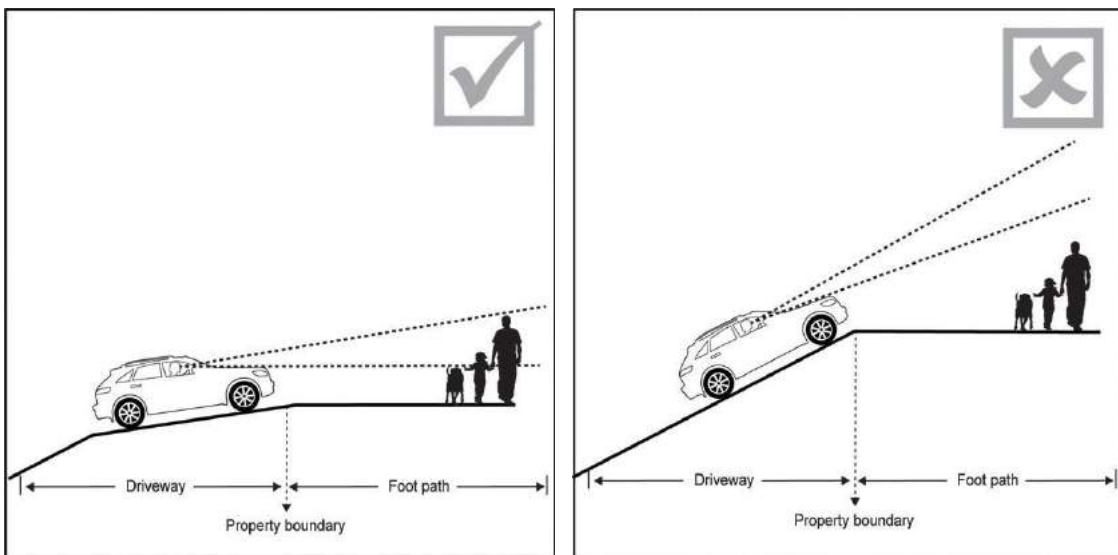
Figure E27.6.4.4.3 Gradient transition



Note 1

The gradient change is determined by subtracting one gradient from the adjacent gradient, both expressed as percentages; if this is greater than a 12.5 per cent change, then a gradient transition will be required.

Figure E27.6.4.4.4 Illustrating the benefits of a level platform



Correct

Incorrect

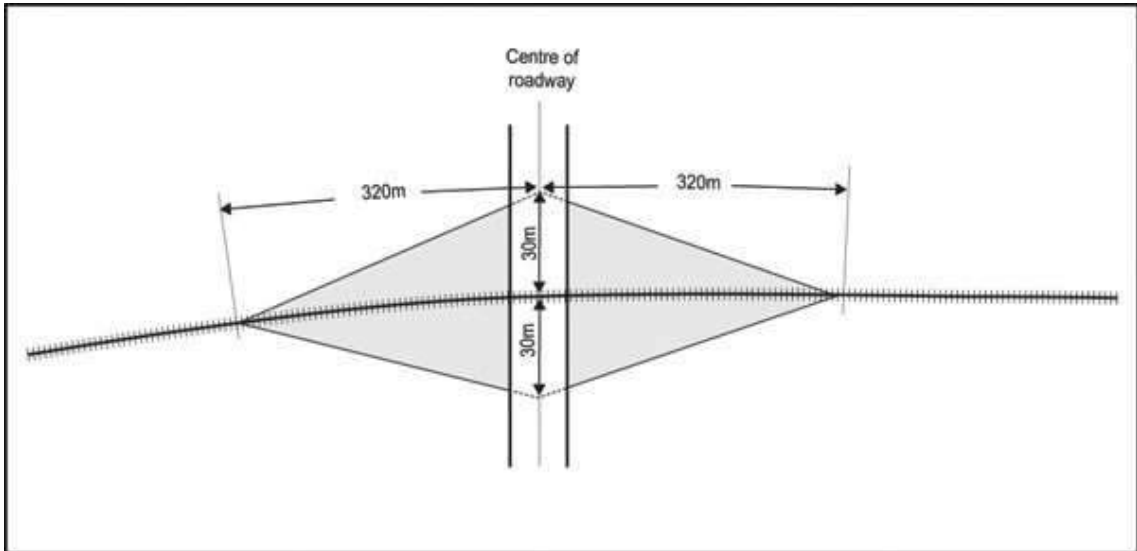
E27.6.4.5. Sightlines for road/rail level crossings

(1) Sites subject to sightlines for level crossings are identified on the planning maps by the Level Crossings with Sightline Control. If alarms and/or barrier arms are subsequently installed at a level crossing with Stop or Give Way signs, the Approach sight triangle in Figure E27.6.4.5.1 below ceases to apply.

(2) Approach sight triangles (refer to Figure E27.6.4.5.1)

- (a) on sites adjacent to the Level Crossings with Sightline Control buildings and other visual obstructions, cannot be located within the approach sight triangles identified on the planning maps.

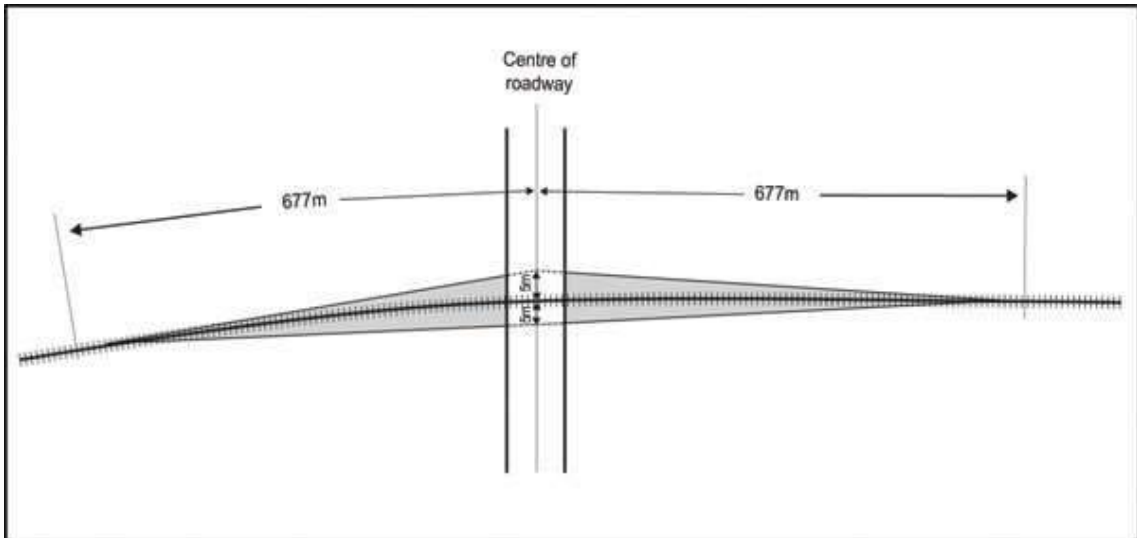
Figure E27.6.4.5.1 Approach sight triangles for rail level crossings with 'stop' or 'give way' signs



- (b) the approach sight triangles are calculated by reference to Figure E27.6.4.5.1. For a single set of railway tracks, the sight triangles are defined by a triangle taken 30m from the outside rail and 320m along the railway track. For each additional set of tracks, 25m is added to the 320m along the railway track.
- (3) Restart sight triangles (see Figure E27.6.4.5.2)

- (a) on sites adjacent to the Level Crossings with Sightline Control, buildings and other visual obstructions, cannot be located within the restart sight triangles identified on the planning maps. The restart triangle applies to all level crossings.

Figure E27.6.4.5.2 Restart sight site triangles for rail level crossings



(b) the restart sight triangles are calculated by reference to Figure E27.6.4.5.2. For a single set of tracks, the sight triangles are defined by a triangle taken 5m from the outside rail and 677m along the railway track. For each additional set of tracks, 50m is added to the 677m along the railway track.

E27.6.5. Design and location of off-road pedestrian and cycling facilities

- (1) The design and location of the proposed facility to ensure good connections to existing facilities.
- (2) The width of the path is designed to accommodate the anticipated number and type of users.
- (3) The surface of the path is designed to safely provide for the anticipated number and type of users.

E27.7. Assessment – controlled activities

There are no controlled activities in this section.

E27.8. Assessment – restricted discretionary activities

E27.8.1. Matters of discretion

The Council will restrict its discretion to the following matters when assessing a restricted discretionary resource consent application.

- (1) park-and-ride:
 - (a) effect on the transport network;
 - (b) location, design and external appearance; and
 - (c) compatibility with surrounding activities.
- (2) public transport facility:

E27 Transport

- (a) effect on the transport network;
 - (b) location, design and external appearance; and
 - (c) compatibility with surrounding activities.
- (3) non-accessory parking:
- (a) effect on the transport network;
 - (b) location, design and external appearance;
 - (c) compatibility with surrounding activities; and
 - (d) availability of parking.
- (4) any activity or subdivision which exceeds the trip generation thresholds under Standard E27.6.1:
- (a) effects on the transport network.
- (5) any activity or development which provides more than the maximum permitted number of parking spaces under Standard E27.6.2(1):
- (a) adequacy for the site and the proposal;
 - (b) effects on intensification; and
 - (c) effects on the transport network.
- (6) any activity or development which provides fewer than the required minimum number of parking spaces under Standard E27.6.2(1):
- (a) adequacy for the site and the proposal;
 - (b) effects on adjacent activities and on the adjoining transport network; and
 - (c) availability and suitability of alternative parking supply and management arrangements.
- (7) any activity or development which infringes the standards for bicycle parking and end-of-trip facilities in Standard E27.6.2(7) and Standard E27.6.2(8):
- (a) adequacy for the site and the proposal.
- (8) any activity or development which provides fewer than the minimum number of loading spaces under Standard E27.6.2(9):
- (a) adequacy for the site and the proposal; and
 - (b) effects on the transport network.
- (9) any activity or development which infringes the standards for design of parking and loading areas or access under Standard E27.6.3:
- (a) adequacy for the site and the proposal;

E27 Transport

- (b) design of parking, loading and access;
 - (c) effects on pedestrian and streetscape amenity; and
 - (d) effects on the transport network.
- (10) use of an existing vehicle crossing where a Vehicle Access Restriction applies under Standard E27.6.4.1(1):
- (a) effect on the transport network; and
 - (b) street and pedestrian amenity.
- (11) construction of a new vehicle crossing where a Vehicle Access Restriction applies under Standard E27.6.4.1(1):
- (a) effect on the transport network; and
 - (b) building frontage, pedestrian priority, pedestrian safety, street and pedestrian amenity.
- (12) construction or use of a vehicle crossing where a Vehicle Access Restriction applies under Standard E27.6.4.1(2) and Standard E27.6.4.1(3):
- (a) adequacy for the site and the proposal;
 - (b) design and location of access;
 - (c) effects on pedestrian and streetscape amenity; and
 - (d) effects on the transport network.
- (13) any building or structure located within a sightline area applying to a road/rail level crossing with sightline standards under Standard E27.6.4.5:
- (a) effects on the transport network.
- (14) any activity or development which infringes the standard for design and location of off-road pedestrian and cycling facilities under Standard E27.6.5:
- (a) location, design and external appearance; and
 - (b) compatibility with surrounding activities.

E27.8.2. Assessment criteria

The Council will consider the relevant assessment criteria for restricted discretionary activities from the list below:

- (1) park-and-ride and public transport facility:
 - (a) effect on the transport network:
 - (i) the extent to which any proposed facility is located and designed to support the public transport system by:

E27 Transport

- locating in close proximity to public transport stations, stops and terminals;
 - growing public transport patronage, especially to assist in relieving congested corridors by encouraging commuters to shift to public transport for their travel;
 - making public transport easier and more convenient to use, thereby attracting new users;
 - improving the operational efficiency of the public transport system and ferry services;
 - extending the catchment for public transport into areas of low demand where it is not cost-effective to provide traditional services or feeders;
 - reinforcing existing and future investments on the public transport system and ferry public transport services; and
 - providing free, secure and covered parking for cycles.
- (ii) the extent to which the scale, design, management and operation of the facility and its access points have an adverse effect on the effective, efficient and safe operation of the transport network, including:
- the safety of pedestrians and cyclists;
 - amenity for pedestrians;
 - avoiding queuing onto the road and conflict at access points to the facility;
 - avoiding generating high volumes of traffic onto local roads or areas with high pedestrian amenity; and
 - the operation of public transport services and related infrastructure.
- (b) location, design and external appearance:
- (i) the location, design and external appearance of any park-and-ride or public transport facility:
- compatible with and meets the planning and design outcomes identified in this Plan for the site and / or location generally;
 - provides appropriate screening on the facade of any building so vehicles are not visible from the public realm;
 - is accessible, safe and secure for users with safe and attractive pedestrian connections within the facility and to adjacent public footpaths; and

E27 Transport

- provides an attractive interface between any buildings, structures or at-grade parking areas and adjacent streets and public open spaces. Depending on location and scale, this includes:
 - maintaining an active frontage through sleeving and/ or an interesting appearance through use of architectural treatments so that the facility contributes positively to the pedestrian amenity and to any retail, commercial or residential uses along the road it fronts;
 - planting and other landscaping provides for any buildings to be adapted for other uses if no longer required for parking. In particular, the floor to ceiling height of a parking building at street level should be capable of conversion to other activities provided for in the zone.

(c) compatibility with surrounding activities:

- (i) the facility is compatible with surrounding activities with particular regard to residential uses.

This includes:

- ensuring that the design and operation of any lighting meets the rules in Section E24 Lighting;
- ensuring that the design and operation of any park-and-ride or public transport facility meets the rules in Section E25 Noise and vibration.

(2) non-accessory parking:

(a) effect on the transport network:

- (i) the scale, design, management and operation of the facility and its access points will not have an adverse effect on the effective, efficient and safe operation of the transport network, including:
 - the safety of pedestrians and cyclists;
 - amenity for pedestrians;
 - avoiding queuing onto the road and conflict at access points to the facility;
 - the operation of public transport services and related infrastructure; and
 - the effect of additional parking on trip generation from the site including during peak commuter times.

(b) location, design and external appearance:

(i) the location, design and external appearance of any non-accessory parking facility:

- compatible with and meets the planning and design outcomes identified in this Plan for the site and / or location generally;
- provides appropriate screening on the facade of any building so vehicles are not visible from the public realm;
- is accessible, safe and secure for users with safe and attractive pedestrian connections within the facility and to adjacent public footpaths;
- provides an attractive interface between any buildings, structures or at-grade parking areas and adjacent streets and public open spaces. Depending on location and scale, this includes:
 - maintaining an active frontage through sleeving and / or an interesting appearance through use of architectural;
 - treatments so that the facility contributes positively to the pedestrian amenity and to any retail, commercial or residential uses along the road it fronts;
 - planting and other landscaping;
 - provides for any buildings to be adapted for other uses if no longer required for parking. In particular, the floor to ceiling height of a parking building at street level should be capable of conversion to other activities provided for in the zone.

(c) compatibility with surrounding activities:

(i) the facility is compatible with surrounding activities with particular regard to residential uses.

This includes:

- ensuring that the design and operation of any lighting meets the rules in Section E24 Lighting;
- ensuring that the design and operation of any park-and-ride or public transport facility meets the rules in Section E25 Noise and vibration.

(d) availability of parking:

(i) the availability of alternative parking in the surrounding area, including on street and public parking;

E27 Transport

- (i) the availability of parking provision in the immediate vicinity to accommodate existing and future parking demands from surrounding activities;
 - (ii) the extent to which the demand for the additional parking cannot be adequately addressed by management of existing or permitted parking; or
 - (iii) the extent to which the provision of additional parking is informed by the findings of a Comprehensive Parking Management Plan or similar analysis of area based parking supply and demand.
- (3) any activity or subdivision which exceeds the trip generation thresholds under Standard E27.6.1:
- (a) the effects on the function and the safe and efficient operation of the transport network including pedestrian movement, particularly at peak traffic times;
 - (b) the implementation of mitigation measures proposed to address adverse effects which may include measures such as travel planning, providing alternatives to private vehicle trips including accessibility to public transport, staging development, or contributing to improvements to the local transport network; or
 - (c) the trip characteristics of the proposed activity on the site.
- (4) any activity or development which provides more than the maximum permitted number of parking spaces under Standard E27.6.2(1):
- (a) the effects of the parking on the intensification provided for in this Plan in the following zones and locations: Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone, Business – Local Centre Zone, Business – Mixed Use Zone and the Centre Fringe Office Control area;
 - (b) the trip characteristics of the proposed activities on the site requiring additional parking spaces;
 - (c) the effects of the vehicle movements associated with the additional parking spaces on the safe and efficient operation of the adjacent transport network, including public transport and the movements of pedestrians, cyclists and general traffic. This includes considering the effect of additional parking on trip generation from the site during peak commuter times;
 - (d) the availability of alternative parking in the surrounding area, including on street and public parking, to provide the additional parking sought for the proposal;

E27 Transport

- (e) the availability of parking provision in the immediate vicinity to accommodate parking demands from surrounding activities;
 - (f) the adequacy and accessibility of public transport and its ability to serve the proposed activity;
 - (g) mitigation measures to provide the additional parking which may include measures such as by entering into a shared parking arrangement with another site or sites in the immediate vicinity; or
 - (h) the extent to which the demand for the additional parking can be adequately addressed by management of existing or permitted parking. Depending on number of additional parking spaces proposed, the number of employees, and the location of the site, this may be supported by a travel plan outlining measures and commitments for the activity or activities on-site to minimise the need for private vehicle use and make efficient use of any parking provided.
- (5) any activity or development which provides fewer than the required minimum number of parking spaces under Standard E27.6.2(1):
- (a) the amount of parking proposed is sufficient for the proposal having regard to:
 - (i) the nature of the operation including the interaction between activities on the site;
 - (ii) the availability and accessibility of the site by public transport serving the site;
 - (iii) the measures and commitments outlined in a travel plan for the site which will reduce the need for vehicle use to a level where parking demands can be satisfactorily addressed through efficient use of the proposed parking; or
 - (iv) the extent to which activities on the site have complementary parking demands.
 - (b) the effects of parking overspill from the reduction in parking on adjacent activities and on the transport network;
 - (c) the extent to which there is public parking on-street or off-street in the immediate vicinity with capacity and availability at the times required to serve the proposal;
 - (d) the extent to which the parking requirements of the proposal will be met by entering into a shared parking arrangement with another site in the immediate vicinity that has available parking spaces which are not required at the same time as the proposed activity;

E27 Transport

- (e) the extent to which it is physically practicable to provide the required parking on the site including in terms of the existing location of buildings and the availability of access to the road; or
 - (f) if a character overlay applies to the site, the extent to which the provision of a minimum car parking requirement would detrimentally affect the character and features of the area or site identified by the overlay.
- (6) any activity or development which infringes the standards for bicycle parking and end-of-trip facilities in Standard E27.6.2(7) and Standard E27.6.2(8):
- (a) sufficient provision is made for cyclists and active modes and changes in demand for such facilities can be accommodated if the operation or use changes over time, having regard to:
 - (i) the nature of the operation and the likely demand for long and short-term cycle parking and end-of-trip facilities;
 - (ii) the extent to which the bicycle parking facilities are designed and located to match the needs of the intended users;
 - (iii) the extent to which adequate alternative, safe and secure bicycle parking and end of trip facilities (such as showers and lockers), that meet the needs of the intended users, are available in a nearby location that is readily accessible;
 - (iv) the extent to which the parking can be provided and maintained in a jointly used bicycle parking area; or
 - (b) the provision made for cyclists and active modes is practicable and adequate given site limitations and layout, arrangement of buildings and activities, users and operational requirements.
- (7) any activity or development which provides fewer than the minimum number of loading spaces under Standard E27.6.2(9):
- (a) effects of the loading arrangements proposed for the site on the safe and efficient operation of adjacent transport network;
 - (b) the specific business practice, operation or type of customer associated with the proposed activities;
 - (c) the extent to which an accessible and adequate on-street loading space is available nearby or can be created while having regard to other demands for kerbside use of the road;
 - (d) the extent to which loading can be provided informally on site or on another site in the immediate vicinity; or
 - (e) the extent to which the reduction in loading spaces will contribute to the efficient use of land and the growth and intensification provided for in this Plan.

- (8) any activity or development which infringes the standards for design of parking and loading areas or access under Standard E27.6.3:
- (a) effects on the safe and efficient operation of the adjacent transport network having regard to:
 - (i) the effect of the modification on visibility and safe sight distances;
 - (ii) existing and future traffic conditions including speed, volume, type, current accident rate and the need for safe manoeuvring;
 - (iii) existing pedestrian numbers, and estimated future pedestrian numbers having regard to the level of development provided for in this Plan; or
 - (iv) existing community or public infrastructure located in the adjoining road, such as bus stops, bus lanes, footpaths and cycleways.
 - (b) effects on pedestrian amenity or the amenity of the streetscape, having regard to:
 - (i) the effect of additional crossings or crossings which exceed the maximum width; or
 - (ii) effects on pedestrian amenity and the continuity of activities and pedestrian movement at street level in the Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone and Business – Local Centre Zone.
 - (c) the practicality and adequacy of parking, loading and access arrangements having regard to:
 - (i) site limitations, configuration of buildings and activities, user requirements and operational requirements;
 - (ii) the ability of the access to accommodate the nature and volume of traffic and vehicle types expected to use the access. This may include considering whether a wider vehicle crossing is required to:
 - comply with the tracking curve applicable to the largest vehicle anticipated to use the site regularly;
 - accommodate the traffic volumes anticipated to use the crossing, especially where it is desirable to separate left and right turn exit lanes;
 - the desirability of separating truck movements accessing a site from customer vehicle movements;
 - the extent to which reduced manoeuvring and parking space dimensions can be accommodated because the parking will be used by regular users familiar with the layout, rather than by casual users;

E27 Transport

- (iii) any use of mechanical parking installation such as car stackers or turntables does not result in queuing beyond the site boundary; or
 - (iv) any stacked parking is allocated and managed in such a way that it does not compromise the operation and use of the parking area.
- (9) use of an existing vehicle crossing where a Vehicle Access Restriction applies under Standard E27.6.4.1(1):
- (a) effect on the transport network:
 - (i) effects of the location and design of the access on the safe and efficient operation of the adjacent transport network having regard to:
 - visibility and safe sight distances;
 - existing and future traffic conditions including speed, volume, type, current accident rate, and the need for safe manoeuvring;
 - proximity to and operation of intersections;
 - existing pedestrian numbers, and estimated future pedestrian numbers having regard to the level of development provided for in the this Plan; or
 - existing community or public infrastructure located in the adjoining road, such as bus stops, bus lanes and cycleways.
 - (b) street and pedestrian amenity:
 - (i) the effects on the continuity of activities and pedestrian movement at street level in the Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone and Business – Local Centre Zone; or
 - (ii) the extent to which the existing crossing is to be upgraded as a part of the development so as to improve the visual amenity of the street.
- (10) construction of a new vehicle crossing where a Vehicle Access Restriction applies under Standard E27.6.4.1(1):
- (a) effect on the transport network:
 - (i) effects of the location and design of the access on the safe and efficient operation of the adjacent transport network having regard to:
 - visibility and safe sight distances;
 - existing and future traffic conditions including speed, volume, type, current accident rate, and the need for safe manoeuvring;
 - proximity to and operation of intersections;
 - existing pedestrian numbers, and estimated future pedestrian numbers having regard to the level of development provided for in this Plan; or

E27 Transport

- existing community or public infrastructure located in the adjoining road, such as bus stops, bus lanes and cycleways.

(b) street and pedestrian amenity:

- (i) whether the new crossing is part of a site redevelopment that increases the proportion of a site's frontage developed as an active edge;
- (ii) whether the new crossing enhances, or at least maintains, the appeal of the street as an environment where pedestrians have priority and are likely to enjoy spending time in;
- (iii) whether any new or relocated crossing should be accompanied by mitigation measures to enhance overall pedestrian amenity this could include:
 - a reduction in overall vehicle crossing width;
 - weather protection for pedestrians;
 - significant enhancement to the visual interest of the site's frontage visible from the street; or
 - where appropriate, significant improvement in the width and or quality of the footpath.

(11) construction or use of a vehicle crossing where a Vehicle Access Restriction applies:

- (a) this applies where a Vehicle Access Restriction is identified in Standard E27.6.4.1(2) and Standard E27.6.4.1(3), other than a Vehicle Access Restriction Level Crossing or a Vehicle Access Restriction Motorway Interchange:
 - (i) effects of the location and design of the access on the safe and efficient operation of the adjacent transport network having regard to:
 - visibility and safe sight distances;
 - existing and future traffic conditions including speed, volume, type, current accident rate, and the need for safe manoeuvring;
 - proximity to and operation of intersections;
 - existing pedestrian numbers, and estimated future pedestrian numbers having regard to the level of development provided for in this Plan;
 - existing community or public infrastructure located in the adjoining road, such as bus stops, bus lanes and cycleways;
 - (ii) the effects on the continuity of activities and pedestrian movement at street level in the Business – City Centre Zone, Business –

Metropolitan Centre Zone, Business – Town Centre Zone and Business – Local Centre Zone; or

- (iii) the practicability and adequacy of the access arrangements considering site limitations, arrangement of buildings and activities, user requirements and operational requirements, proximity to and operation of intersections, having regard to:
- the extent to which the site can reasonably be served by different access arrangements including:
 - access from another road;
 - shared or amalgamated access with another site or sites;
 - via a frontage road, such as a slip lane or service road; or
 - the extent to which the need for access can reasonably be avoided by entering into a shared parking and/or loading arrangement with another site or sites in the immediate vicinity.

(b) for any proposed access within a Vehicle Access Restriction Motorway Interchange Control:

- (i) the intensity, scale and traffic generating nature of activities on the site are such that any adverse effects on the safe and efficient operation of the motorway interchange are avoided, remedied or mitigated; or
- (ii) the extent to which, when considered against other access opportunities for the site, comparable or better outcomes are achieved in terms of effects on the safe and efficient operation of the interchange.

(c) for any proposed access within a Vehicle Access Restriction Level Crossing Control:

- (i) effects on the safe and efficient operation of the level crossing; or
- (ii) the practicability and adequacy of the access arrangements having regard to site limitations, arrangement of buildings and activities, user requirements and operational requirements.

(12) any building or structure located within a sightline area applying to a road/rail level crossing with sightline standards under Standard E27.6.4.5:

- (a) effects on the safety of the level crossing for vehicles and pedestrians; or
- (b) effects on visibility and safe sight distances.

(13) any activity or development which infringes the standard for design and location of off-road pedestrian and cycling facilities under Standard E27.6.5:

- (a) location, design and external appearance:

- (i) the location, design and external appearance of any off-road pedestrian and cycling facility:
 - is legible and designed to provide for safe and convenient access for users, including safe connections with the existing road network;
 - creates minimal adverse effect on the vegetation, landform and character of the surrounding environment.

(b) compatibility with surrounding activities:

- (i) the facility is compatible with surrounding activities with particular regard to residential uses. This includes ensuring that the design and operation of any lighting meets the rules in Section E24 Lighting.

E27.9. Special information requirements

(1) Parking plans submitted to Council must show:

- (a) the locations and dimensions of any pillars and/or other structures that may restrict parking space, or inhibit access and manoeuvring, as well as clearances between parking spaces and vehicle tracking curves and those pillars and/or other structures; and
- (b) the proposed gradients of parking, manoeuvring and access areas

New Zealand Standard for Off-Street Parking - Parking Facilities Part 1: Off-Street Car Parking (AS/NZS 2890.1 2004) may assist applicants in designing parking areas.

(2) Travel plan:

- (a) a travel plan may be required as part of an assessment of environmental effects where a proposal exceeds the trip generation threshold, provides more parking than the maximums specified or fewer than the minimums specified. A travel plan will not be required where the infringement of the parking standards is minor in relation to the scale of the activity and associated parking proposed.

(3) Applications for off-site parking must include information to demonstrate that:

- (a) the proposal provides off-site parking which is related exclusively to the parking requirements associated with activities located on other donor site(s) in the area;
- (b) the off-site parking arrangements will be formalized on the land titles of all sites involved, including extinguishing the ability to provide accessory parking on the donor site(s); and

E27 Transport

- (c) the parking has been transferred from the donor site(s) and the donor site(s) are required or permitted by the parking standards of this Plan to provide the number of parking spaces proposed.
- (4) The Council may require applications which affect the transport network, including proposals which exceed the trip generation threshold, to include a transport assessment prepared by suitably qualified transport planner or traffic engineer.
- (5) Any new activity or change to an existing activity, which is not specifically provided for in the activity tables in the applicable zone or is a non-complying land use activity, and which will generate 100 vehicles or more (any hour) may need to include an Integrated Transport Assessment prepared in accordance with the Auckland Transport Integrated Transport Assessment Guidelines in force at the time of the application.



**Decisions of the Auckland Council on
recommendations by the Auckland Unitary
Plan Independent Hearings Panel on
submissions and further submissions to the
Proposed Auckland Unitary Plan**

Decisions Report

19 August 2016

Contents

1. Introduction	2
2. Statutory Context	2
3. The Panel's Recommendations	4
4. 'Out of scope' recommendations / decisions	5
5. Designations	6
6. Attachments to Decisions Report.....	8
7. Decisions of Auckland Council	9

1. Introduction

- 1.1 This “**Decisions Report**” sets out the decisions made by the Auckland Council (**Council**) on the recommendations for the Proposed Auckland Unitary Plan (**PAUP**) that were provided to the Council on 18 May 2016¹ and 22 July 2016² by the Auckland Unitary Plan Independent Hearings Panel (**Panel**).
- 1.2 This Decisions Report has been prepared in accordance with section 148 of the Local Government (Auckland Transitional Provisions) Act 2010 (**LGATPA**). Section 148 sets out how the Council is to consider the “**Panel’s Recommendations**” and make and notify its decisions on them. In summary, the Council must decide whether to accept or reject each of the Panel’s Recommendations, and must publicly notify those decisions no later than 20 working days after it is provided with the reports containing the Panel’s Recommendations (or, if there is more than one report, the last of the reports). Where any of the Panel’s Recommendations are proposed for rejection, the Council must provide reasons supporting the rejection and an alternative solution to the Panel’s Recommendation that has been rejected.
- 1.3 The Council made its decisions on the Panel’s Recommendations during a series of Governing Body (**GB**) meetings held between 10 and 15 August 2016, at which the Panel’s Recommendations were considered alongside several reports which set out the proposed staff response to the Panel’s recommendations.
- 1.4 In accordance with section 148(4) of the LGATPA, the Council is required to:
 - a) publicly notify its decisions no later than 20 working days after it is provided with the reports containing the Panel’s Recommendations (or, if there is more than one report, the last of the reports).
 - b) electronically notify its decisions on designations to requiring authorities.

2. Statutory Context

- 2.1 The statutory context within which the Panel was required to provide recommendations on the PAUP to the Council, and which then requires the Council to make its decisions on the Panel’s Recommendations, is found in Part 4 of the LGATPA.
- 2.2 As outlined in earlier reports to the Council³, Part 4 of the LGATPA was enacted by the Government to provide a streamlined, unique process for the preparation of the PAUP. It is the Part 4 process which requires the Council to make and publicly notify its decisions on the Panel’s Recommendations, and notify requiring authorities of decisions on their designations, by way of this Decisions Report.

¹ In relation to a majority of designations, except for Auckland International Airport, Kiwirail designations heard on 2 May 2016, and NZ Transport Agency designation 6727 (Newmarket Viaduct) heard on 2 May 2016.

² In relation to the remaining designations and the balance of the PAUP.

³ Reports 1, 2 and 3 dated 10 August 2016. Report 1 provided information about the process used to develop the PAUP and the statutory framework around the PAUP process and the decision-making requirements placed on the Council by the LGATPA.

- 2.3 The Panel was required to provide its recommendation report(s) to the Council by no later than 22 July 2016.
- 2.4 After receiving the Panel's Recommendations the LGATPA requires the Council to make decisions, specifically deciding whether to accept or reject each recommendation made by the Panel⁴. Where the Council decides to reject any recommendation, there are additional requirements for the Council, including preparing an "alternative solution" which, in accordance with section 148(1)(b):
- a) may or may not include elements of both the PAUP as notified and the Panel's Recommendation in respect of that part of the PAUP; but
 - b) must be within the scope of the submissions.
- 2.5 After making its decisions, the Council must, by no later than 19 August 2016, publicly notify its decisions in a way that sets out the following information⁵:
- a) each Panel recommendation that it accepts; and
 - b) each Panel recommendation that it rejects and the reasons for doing so; and
 - c) the alternative solution for each rejected recommendation.
- 2.6 In relation to designations (discussed further below), the Council must, again by no later than 19 August 2016, electronically notify each requiring authority affected by the decisions of the Council of the information referred to in paragraph (2.5) above that specifically relates to the decision recommending that the authority confirm, modify, impose conditions on, or withdraw the designation concerned⁶.

Decision-making by the Council

- 2.7 In making its decisions the Council must either accept or reject the Panel's Recommendations.
- 2.8 For the Panel's Recommendations that it decides to **accept**, the Council will be able to fulfil its decision-making obligations by considering the Panel's Recommendations and reasons only. This is because the Panel, in making its recommendations, was required to comply with all the requirements of section 145 of the LGATPA, including obligations on the Panel to:
- a) ensure that if the Council accepts each/any/all of the Panel's Recommendations, all relevant requirements (and legal tests) of the RMA,

⁴ See section 148, LGATPA.

⁵ See section 148(4), LGATPA.

⁶ See section 148(4)(b), LGATPA. While this requirement also applies to heritage orders, all heritage orders in the PAUP 'rolled over' without modification or submissions, meaning that section 144(6) of the LGATPA applies (pursuant to that provision, the Panel must not make a recommendation on any existing designation or heritage order that is included in the PAUP without modification and on which no submissions were received).

and other enactments which apply to the Council's preparation of the PAUP, are complied with⁷; and

- b) prepare, and include with its recommendations, a further evaluation in accordance with section 32AA of the RMA⁸.

2.9 Where however, the Council decides to **reject** any of the Panel's Recommendations, there are additional requirements that must be satisfied before that decision can be publicly notified. If the Council decides to **reject** a recommendation, it must provide reasons supporting that rejection and also prepare an **alternative solution** for that rejected Panel recommendation⁹ (which, given the way in which the Panel's Recommendations have been formulated, could be any matter or provision recommended by the Panel), together with a **section 32AA assessment** supporting the rejection, where necessary. No new section 32AA assessment has been undertaken by the Council, where section 32 / 32AA assessment relating to all alternative solution has already been prepared as part of development of the PAUP¹⁰ and / or the Council's case team evidence for the hearings before the Panel.

2.10 There are specific requirements relating to the preparation of alternative solutions, which are set out in subsections (1) and (2) of section 148 of the LGATPA. In short, the Council must decide an alternative solution which:

- a) **May or may not** include elements of both the PAUP as notified and the Panel's Recommendations in respect of that part of the PAUP (and which therefore may be a combination of the two); **but**
- b) **Must** be within the scope of the submissions.

3. The Panel's Recommendations

3.1 As outlined in the background information report prepared by staff for the GB decision-making meetings¹¹, the Panel's Recommendations were provided to the Council in three parts:

- a) **Part 1** - The Panel's Recommendation Reports: these comprise an overview report dated July 2016, which generally addresses all of the Panel's Recommendations, and 58 separate recommendation reports, relevant to the topics that were heard before the Panel (albeit with some of those hearing topics being combined together in one Panel recommendation report). In addition, the Panel provided a series of designation reports, including a similar introductory / overview report on designations;
- b) **Part 2** - The Recommended Plan: which comprises a "clean" version of the Panel's recommended text for the PAUP; and

⁷ See section 145(1)(f), LGATPA.

⁸ See section 145(1)(d) and (f)(i) and (ii), LGATPA.

⁹ See section 148(1)(b), LGATPA.

¹⁰ E.g. in the Auckland Unitary Plan Evaluation Report prepared by the Council under section 32.

¹¹ Report 1.

- c) **Part 3** - The Recommended Maps / GIS Viewer: which comprises the Panel's recommended version of the PAUP planning maps, created in the Panel's GIS viewer.

Collectively, the above reports have been referred to by the Council as the "**Panel's Recommendations**".

- 3.2 The Panel's Recommendations (including on designations), Recommended Plan, and Recommended Maps / GIS Viewer can all be viewed on the Council's website: www.aucklandcouncil.govt.nz/unitaryplan.
- 3.3 It is noted that the Panel's Recommendations contain a number of separate hearing topic reports, and that recommendations are often provided throughout the body of each report (including the overview reports referred to at paragraph 3.1(a) above). As a result, where the Council has made a decision which accepts all of the Panel's Recommendations in relation to a specific hearing topic / designation, this Decisions Report will need to be read in conjunction with the related hearing topic report provided to the Council as part of the Panel's Recommendations as well as the decisions (and recommended) version of the PAUP text and maps.

4. 'Out of scope' recommendations / decisions

- 4.1 The Part 4 process for the preparation of the PAUP allowed the Panel to make recommendations that are beyond the scope of submissions made on the PAUP¹² ("out of scope recommendations"). Where the Council accepts any out of scope recommendations made by the Panel in relation to provisions / matters in the PAUP, there is a specific right of appeal to the Environment Court for any person that "is, was, or will be unduly prejudiced by the inclusion of the provision or exclusion of the matter"¹³.
- 4.2 The overview report dated July 2016 included with the Panel's Recommendations contained a detailed section that addressed "scope" and, as required by section 144(8) of the LGATPA, the Panel identified recommendations that the Panel considered to be beyond the scope of submissions on the PAUP.
- 4.3 The identification of the Panel's out of scope recommendations was set out in Appendix 3 to the overview report dated July 2016 – "*Summary of recommendations out of scope*" – which listed the hearing topics where the Panel had provided out of scope recommendations to the Council, and identified the out of scope recommendations in question. The Panel's Appendix 3 is reproduced as **Attachment C** to this Decisions Report.
- 4.4 While the Panel's Appendix 3, as reproduced at Attachment C, should be referred to, in summary, the Panel has identified out of scope recommendations in relation to the following topics: 006 – *Natural Resources*, 027 – *Artworks, signs and temporary activities*, 028 – *Future Urban*, 032 – *Historic heritage schedules*, 080 – *Rezoning and precincts (general)* and 081 – *Rezoning and precincts (geographical areas)*, with numerous individual precincts containing out of scope recommendations.

¹² Section 144(5), LGATPA.

¹³ Section 156(3), LGATPA.

- 4.5 In order to identify out of scope recommendations as they relate to the GIS Viewer (the PAUP spatial component, e.g. zoning) the Panel outlined the properties associated with out of scope recommendations with a bold black line on the GIS Viewer. This outline can be seen on the Panel's recommended version of the GIS Viewer.
- 4.6 In order to identify the Panel's out of scope spatial (zoning) recommendations that have been accepted, the Council has retained the same bold black line on its decisions version of the GIS Viewer.
- 4.7 For ease of reference for users of this Decisions Report the Council has also printed and **attached** ten separate maps showing the accepted Panel out of scope recommendations as they relate to the GIS Viewer. These maps, which are included as **Attachment C**, show out of scope decisions made in the following areas: Albany; Glen Eden, Greenlane, Mangere Bridge, Milford, Newmarket, Otahuhu, Te Atatu South, Warkworth and Whangaparoa. The address details of the properties associated with those decisions have not been provided by the Council.

5. Designations

- 5.1 Under the RMA (and the special legislation applying to the PAUP), while designations included as part of a plan review are subject to submissions and a hearing, there is a different process for who makes the decisions on the recommendations from the Panel.
- 5.2 For the Council's own designations, the Council must make a decision on the recommendations provided by the Panel. For designations owned by other requiring authorities however, the Council's decisions are treated as recommendations to those requiring authorities on their designations¹⁴. The requiring authorities themselves will make the final decisions (subject to appeal) on whether they will accept or reject the Council's recommendations.
- 5.3 In relation to designations included in the PAUP, the Council's GB made decisions on the following aspects:
- a) decisions relating to Chapter G1.3 and Part 7 Designations of the PAUP;
 - b) decisions relating to the Council's own designations included in the PAUP; and
 - c) decisions relating to the recommendations it will make to other requiring authorities in respect of their designations included in the PAUP.
- 5.4 The Council did not oppose any designations included in the PAUP, and did not have an active role in the assessment of third party submissions on designations; other

¹⁴ See section 151(1), LGATPA. As noted at paragraph 2.3(i) above, the Council is required to electronically notify each requiring authority affected by the decisions of the Council of the information that specifically relates to the decision recommending that the authority confirm, modify, impose conditions on, or withdraw the designation.

than where the Council's own designations were involved, or where the Council was also a submitter. In addition, the LGATPA did not allow the Panel to make recommendations on designations (or heritage orders) that were 'rolled over' without modification that did not attract any submissions and the Council does not have a decision making role in relation to those 'rolled over' designations (and heritage orders¹⁵). These 'rolled over' designations will be included in the Council's decisions version of the PAUP and are deemed to have been approved by the Council¹⁶.

- 5.5 Council staff recommended that the GB, in making its decision on the Panel's Recommendations as they relate to designations, accept all the Panel's Recommendations on designations. Those designations were identified in an attachment to a report entitled "Proposed Auckland Unitary Plan Report 3 - Response to Recommendations from the Auckland Unitary Plan Independent Hearings Panel Relating to Designations" which was prepared for committee meetings on 10 August 2016. That same attachment has been included as Attachment E to this Decisions Report as it contains the Council's decisions in relation to designations.

¹⁵ As noted earlier, all heritage orders rolled over without modification / submissions.

¹⁶ Under clause 17(1) of Schedule 1 to the RMA. See s152(5) of the LGATPA.

6. Attachments to Decisions Report

6.1 A number of attachments have been included as part of this Decisions Report, as follows:

- a) **Attachment A** - The alternative solutions prepared by the Council for any rejected recommendations (which includes: text, diagram and map alternative solutions).
- b) **Attachment B** - The section 32AA assessment reports prepared, where necessary, as part of any rejection.
- c) **Attachment C** - A list of the Panel's out of scope recommendations that have been accepted by the Council, including maps which show the out of scope recommendations within the GIS Viewer.
- d) **Attachment D** - A list of the Panel's Recommendations that have been rejected by the Council.
- e) **Attachment E** - Designations (Parts 1, 2 and 3).

Approved for release:

John Duguid - General Manager - Plans and Places



Penny Pirrit - Director Regulatory Services



7. Decisions of Auckland Council

- 7.1 The Council's decisions on the Panel's Recommendations are set out below, addressed in relation to each hearing topic report provided by the Panel in numerical order.
- 7.2 The Council's Decisions Report addresses those Panel Recommendations which have been accepted by the Council first, with the Panel Recommendations that have been rejected following.
- 7.3 A full list of the Panel's Recommendations that have been rejected by the Council is attached to this Decisions Report as **Attachment D**.

1. Council decisions relating to Panel report entitled "Report to Auckland Council Hearing Topic 001 (Auckland-wide), July 2016"

Panel recommendations accepted:

- 1.1 The Council has accepted all the recommendations of the Panel contained in the Panel report for Hearing Topic 001 (Auckland-wide), as they relate to the content of the PAUP, and also the associated recommendations as they appear in the plan and the maps.

Panel recommendations rejected: none.

2. Council decisions relating to Panel report entitled "Report to Auckland Council Hearing Topic 002 (ePlan and miscellaneous), July 2016"

Panel recommendations accepted:

- 2.1 The Council has accepted all the recommendations of the Panel contained in the Panel report for Hearing Topic 002 (ePlan and miscellaneous), as they relate to the content of the PAUP, and also the associated recommendations as they appear in the plan and the maps.

Panel recommendations rejected: none.

3. Council decisions relating to Panel report entitled "Report to Auckland Council Hearing Topic 003 (Chapter A Introduction), July 2016"

Panel recommendations accepted:

- 3.1 The Council has accepted all the recommendations of the Panel contained in the Panel report for Hearing Topic 003 (Chapter A Introduction), as they relate to the content of the PAUP, and also the associated recommendations as they appear in the plan and the maps.

Panel recommendations rejected: none.

4. Council decisions relating to Panel report entitled “Report to Auckland Council Hearing Topic 004 (General Rules), July 2016”

Panel recommendations accepted:

- 4.1 The Council has accepted all the recommendations of the Panel contained in the Panel report for Hearing Topic 004 (General Rules), as they relate to the content of the PAUP, and also the associated recommendations as they appear in the plan and the maps.

Panel recommendations rejected: none.

5. Council decisions relating to Panel report entitled “Report to Auckland Council Hearing Topic 005 (Issues of Regional Significance), July 2016”

Panel recommendations accepted:

- 5.1 The Council has accepted all the recommendations of the Panel contained in the Panel report for Hearing Topic 005 (Issues of regional significance), as they relate to the content of the PAUP, and also the associated recommendations as they appear in the plan and the maps.

Panel recommendations rejected: none.

6. Council decisions relating to Panel report entitled “Report to Auckland Council Hearing Topic 006 and 035 (Air quality), July 2016”

Panel recommendations accepted:

- 6.1 The Council has accepted all the recommendations of the Panel contained in the Panel reports for Hearing Topics 006 and 035 (Air quality), 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 6.2.

Panel recommendations rejected:

- 6.2 The Council has rejected the Panel recommendations in relation to Hearing Topics 006 and 035 (Air quality) as listed below, with accompanying reasons, alternative solutions and section 32AA evaluation (where necessary):

(a) **Deletion of the Auckland Ambient Air Quality Standards**

Reasons	
(i) The limits and criteria for a number of pollutants which may adversely affect air quality will not exist.	
(ii) Outcomes outlined in the Regional Policy Statement Objectives B7.5.1(1) and B7.5.1(3) and the Auckland wide objectives E14.2(1) and E14.2(3) will not be achieved.	
(iii) There will be uncertainty and inefficiency in the processing of resource consent applications	
Alternative solution	See Attachment A
Section 32AA evaluation	See Attachment B

7. Council decisions relating to Panel report entitled “Report to Auckland Council Hearing Topics 006 (Natural resources) and 010 (Biodiversity), July 2016”

Panel recommendations accepted:

- 7.1 The Council has accepted all the recommendations of the Panel contained in the Panel reports for Hearing Topic 006 (Natural resources) and Hearing Topic 010 (Biodiversity), as they relate to the content of the PAUP, and also the associated recommendations as they appear in the plan and the maps.

Panel recommendations rejected: none.

8. Council decisions relating to Panel report entitled “Report to Auckland Council Hearing Topic 007 (RPS climate change), July 2016”

Panel recommendations accepted:

- 8.1 The Council has accepted all the recommendations of the Panel contained in the Panel report for Hearing Topics 007 (RPS climate change), as they relate to the content of the PAUP, and also the associated recommendations as they appear in the plan and the maps.

Panel recommendations rejected: none.

9. Council decisions relating to Panel report entitled “Report to Auckland Council Hearing Topic 008 (Coastal Environment), July 2016”

Panel recommendations accepted:

- 9.1 The Council has accepted all the recommendations of the Panel contained in the Panel report for Hearing Topic 008 (Coastal environment), as they relate to the content of the PAUP, and also the associated recommendations as they appear in the plan and the maps.

Panel recommendations rejected: none.

10. Council decisions relating to Panel report entitled “Report to Auckland Council Hearing Topic 009 (Mana Whenua) and Topic 036/037 (Maori land and treaty and Mana Whenua sites), July 2016”

Panel recommendations accepted:

- 10.1 The Council has accepted all the recommendations of the Panel contained in the Panel reports for Hearing Topic 009 (Mana Whenua) and Hearing Topic 036/037 (Maori land and treaty and Mana Whenua sites), as they relate to the content of the PAUP, and also the associated recommendations as they appear in the plan and the maps.

Panel recommendations rejected: none.

11. Council decisions relating to Panel report entitled “Report to Auckland Council Hearing Topic 010 (Historic Heritage), July 2016”

Panel recommendations accepted:

- 11.1 The Council has accepted all the recommendations of the Panel contained in the Panel report for Hearing Topics 010 (Historic heritage), as they relate to the content of the PAUP, and also the associated recommendations as they appear in the plan and the maps.

Panel recommendations rejected: none.

12. Council decisions relating to Panel report entitled “Report to Auckland Council Hearing Topic 010/029/030/079 (Special character and pre 1944), July 2016”

Panel recommendations accepted:

- 12.1 The Council has accepted all the recommendations of the Panel contained in the Panel report for Hearing Topic 010/029/030/079 (Special character and

pre 1944), 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 12.2.

Panel recommendations rejected:

12.2 The Council has rejected the Panel’s recommendations in relation to Hearing Topic 010/029/030/079 (Special character and pre 1944), as listed below, with accompanying reasons, alternative solutions and section 32AA evaluation (where necessary):

- (a) **The deletion of the objective that provides for management of heritage values in the Regional Policy Statement**

Reasons	
<p>(i) The Special Character Areas overlay – Residential and Business District Plan provisions and character statements recommended by the Panel identify the amenity and heritage values of the areas that are to be addressed in the District Plan provisions. However the cascade down from the RPS to District Plan is not evident, with no corresponding RPS objective, resulting in a disconnect between the RPS and District Plan.</p>	
Alternative solution	See Attachment A

13. Council decisions relating to Panel report entitled “Report to Auckland Council Hearing Topic 011 (Rural environment), July 2016”

Panel recommendations accepted:

13.1 The Council has accepted all the recommendations of the Panel contained in the Panel report for Hearing Topics 011 (Rural environment), 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 13.2.

Panel recommendations rejected:

13.2 The Council has rejected the Panel recommendations in relation to Hearing Topic 011 (Rural environment) as listed below, with accompanying reasons, alternative solutions and section 32AA evaluation (where necessary):

- (a) **The deletion of objectives and policies for rural subdivision that:**
 - (i) Prevent inappropriate subdivision
 - (ii) Promote the significant enhancement of indigenous biodiversity

(iii) Facilitate transfer of titles only into the Countryside living zone.

Reasons	
The Panel's recommended approach would:	
(i) Enable inappropriate subdivision of the rural area through a proliferation of rural-residential lots across the production focussed rural zones (resulting in loss of rural production, reverse sensitivity, rural character and amenity and potential additional demands on infrastructure in remote locations).	
(ii) Undermine the Auckland Plan's strategic direction for rural areas.	
(iii) Does not support the concept of the compact city that inherently has as a benefit the retention and protection of rural areas (rather than their subdivision for rural-residential uses).	
(iv) Undermine focus of rural lifestyle living in the Countryside Living zone	
Alternative solution	See Attachment A

14. Council decisions relating to Panel report entitled "Report to Auckland Council Hearing Topic 012 (Infrastructure, energy and transport), July 2016"

Panel recommendations accepted:

14.1 The Council has accepted all the recommendations of the Panel contained in the Panel report for Hearing Topic 012 (Infrastructure, energy and transport), 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 14.2.

Panel recommendations rejected:

14.2 The Council has rejected the Panel recommendations in relation to Hearing Topic 012 (Infrastructure, energy and transport) as listed below, with accompanying reasons, alternative solutions and section 32AA evaluation (where necessary):

- (a) **The deletion of policies which encourage land use and transport integration and in particular, the location of higher intensity activities where those activities are served by key public transport services and routes.**

Reasons	
(i) The Panel's recommended policy framework does not adequately address land use and transport integration which is a key consideration in the management of growth and the efficient use of the transport network.	
Alternative solution	See Attachment A
Section 32AA evaluation	See Attachment B (under 043-044 Transport)

15. Council decisions relating to Panel report entitled "Report to Auckland Council Hearing Topic 013 (Urban growth), July 2016"

Panel recommendations accepted:

- 15.1 The Council has accepted all the recommendations of the Panel contained in the Panel report for Hearing Topic 013 (Urban growth), 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 15.2.

Panel recommendations rejected:

- 15.2 The Council has rejected the Panel recommendations in relation to Hearing Topic 013 (Urban growth) as listed below, with accompanying reasons, alternative solutions and section 32AA evaluation (where necessary):

- (a) **The deletion of objectives and policies that seek to focus growth within the existing metropolitan area**

Reasons
(i) The lack of a specific objective and policy that indicates the primary location for growth is within the existing metropolitan area means there is little or no guidance for where future growth should be enabled and encouraged

(ii) The Panel's recommendation does not have sufficient regard to the Auckland Plan's Development Strategy resulting in a misalignment with the Council's strategic directions.	
(iii) Focusing intensification within the existing urban area delivers the benefits of a quality compact urban form, which include better public transport, proximity to amenity and services, efficient infrastructure servicing, environmental protection and a reduced carbon footprint.	
Alternative solution	See Attachment A

(b) **Amendments to the policy that guides the location of the Rural Urban Boundary**

Reasons	
(i) To support the Rural Urban Boundary at the District Plan level the policy framework needs to be sufficiently clear and certain of the outcomes to enable inappropriate proposals to be turned down	
(ii) The recommended policy does not include either providing a quality compact urban form or the importance of land use and transport integration	
(iii) Reliance on the structure plan guidelines in Appendix 1 to achieve these outcomes is inadequate because the guideline is not a policy	
(iv) The Panel's recommended policy does not reflect the Panel's position in its report that the policy applies to requests to amend the Rural Urban Boundary and must follow the structure plan guidelines in Appendix 1.	
Alternative solution	See Attachment A

(c) **The enablement of commercial activities within centres and corridors**

Reasons	
<p>(i) The 'centres-plus' commercial growth strategy has been removed. The strategy is considered to be an appropriate method to achieve land use, transport and infrastructure integration in centres, and provides a release valve that enables commercial activities in out-of-centre areas where this is appropriate.</p>	
<p>(ii) The District Plan provisions have some objectives and policies that recognise the importance of centres but there is no vertical alignment to any objective or policies in the Regional Policy Statement provisions.</p>	
<p>(iii) The absence of a Regional Policy Statement objective and related policies greatly weakens the ability to assess the effects of dispersed commercial activity (for example, land use and transport integration, effects on centres and community social and economic wellbeing).</p>	
<p>(iv) The Panel has not provided reasons why the centres-plus strategy has been deleted.</p>	
<p>(v) The centres-plus commercial strategy reflects the PAUP mediation, where the commercial and industrial growth provisions were agreed to by all parties present, except for one. The parties agreeing to the mediated position included the 'Key Retail Group' which has been heavily involved in the centres-plus strategy formation since the notification of Change 6 to the legacy Regional Policy Statement in 2005.</p>	
Alternative solution	See Attachment A

16. Council decisions relating to Panel report entitled “Report to Auckland Council Hearing Topic 018 (Monitoring and environmental results anticipated), July 2016”

Panel recommendations accepted:

- 16.1 The Council has accepted all the recommendations of the Panel contained in the Panel report for Hearing Topic 018 (Monitoring and environmental results anticipated), as they relate to the content of the PAUP, and also the associated recommendations as they appear in the plan and the maps.

Panel recommendations rejected: none.

17. Council decisions relating to Panel report entitled “Report to Auckland Council Hearing Topic 019 (Natural features, landscapes and character), July 2016”

Panel recommendations accepted:

- 17.1 The Council has accepted all the recommendations of the Panel contained in the Panel report for Hearing Topic 019 (Natural features, landscapes and character), as they relate to the content of the PAUP, and also the associated recommendations as they appear in the plan and the maps.

Panel recommendations rejected: none.

18. Council decisions relating to Panel report entitled “Report to Auckland Council Hearing Topic 020 (Viewshafts), July 2016”

Panel recommendations accepted:

- 18.1 The Council has accepted all the recommendations of the Panel contained in the Panel report for Hearing Topic 020 (Viewshafts), as they relate to the content of the PAUP, and also the associated recommendations as they appear in the plan and the maps.

Panel recommendations rejected: none.

19. Council decisions relating to Panel report entitled “Report to Auckland Council Hearing Topic 022 (Natural hazards and flooding and 026 – General others), July 2016”

Panel recommendations accepted:

- 19.1 The Council has accepted all the recommendations of the Panel contained in the Panel reports for Hearing Topic 022 (Natural hazards) and flooding and

Hearing Topic 026 (General others), 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 19.2.

Panel recommendations rejected:

19.2 The Council has rejected the Panel recommendations in relation to Hearing Topic 022 – Natural hazards and flooding and Hearing Topic 026 – General others as listed below, with accompanying reasons, alternative solutions and section 32AA evaluation (where necessary):

(a) Replacing the 1 per cent annual exceedance probability (AEP) flood hazard with the 2 per cent annual exceedance probability (AEP) flood hazard in urban areas

Reasons	
(i) The 1 per cent annual exceedance probability (AEP) flood hazard is identified as posing a level of risk warranting management in the Auckland region. This was supported by the majority of relevant experts during the hearing process.	
(ii) Off-site effects - the displacement of flood waters onto adjoining properties from buildings in floodplains, and changes to flood depths and velocities experienced by upstream and downstream properties. These are matters that go beyond the Building Code.	
Alternative solution	See Attachment A

(b) No controls for buildings within floodplains to prevent the exacerbation of flood hazards

Reasons	
(i) The Panel's recommended text provides for the management of fences, storage of goods, above ground parking and hazardous substances within the 1 per cent annual exceedance probability (AEP) floodplain area but does not provide a management response for buildings or structures within these areas.	
Alternative solution	See Attachment A

(c) No controls to manage a change of use to more vulnerable activities in existing buildings within floodplains

Reasons	
(i) The Panel's recommended rule remains silent on the change of use within existing buildings. It is unclear from the report that this is an intentional omission or otherwise but the result is the creation of a Plan workability issue.	
(ii) Amending these provisions will ensure that the control applies to both new buildings and structures as well as to a change of use in an existing building to accommodate a more vulnerable activity and not be in conflict with the Building Act in respect of controlling specific aspects of building works.	
Alternative solution	See Attachment A

(d) Amending the definition of coastal storm inundation 1 per cent annual exceedance probability plus 1 metre of sea level rise to not include reference to maps

Reasons	
(i) The definitions for coastal storm inundation area 1per cent annual exceedance probability (AEP) and Coastal storm inundation area 1per cent annual exceedance probability (AEP) plus 1m sea level rise should be amended to ensure that they align with the Panel's recommended inclusion of the Coastal storm inundation area 1per cent annual exceedance probability (AEP) plus 1m sea level rise maps	
Alternative solution	See Attachment A

(e) No consent requirements for new buildings in the activity table for the coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1 metre of sea level rise area

Reasons	
(i) The Panel's recommended rule requires Discretionary Activity consent for additions and alterations to existing buildings. However, no consent	

requirements are included for new buildings within the same area (of any size). This is inconsistent with the Policy (9) which refers to both new buildings and substantive alterations to existing buildings.	
(ii) The application of the rule to only additions and alterations to existing buildings and not new buildings will pose problems for implementing the policy and rule framework. No explanation of this is given in the Panel's report. Given the issues that the rule in its current form will cause when applied to development within this area, an amendment is proposed to ensure it applies consistently	
Alternative solution	See Attachment A

20. Council decisions relating to Panel report entitled “Report to Auckland Council Hearing Topic 023 (Significant ecological areas and vegetation management), July 2016”

Panel recommendations accepted:

- 20.1 The Council has accepted all the recommendations of the Panel contained in the Panel report for Hearing Topic 023 (Significant ecological areas), as they relate to the content of the PAUP, and also the associated recommendations as they appear in the plan and the maps.

Panel recommendations rejected: none.

21. Council decisions relating to Panel report entitled “Report to Auckland Council Hearing Topic 024 (Genetically Modified organisms), July 2016”

Panel recommendations accepted:

- 21.1 The Council has accepted all the recommendations of the Panel contained in the Panel report for Hearing Topic 024 (Genetically modified organisms), as they relate to the content of the PAUP, and also the associated recommendations as they appear in the plan and the maps.

Panel recommendations rejected: none.

22. Council decisions relating to Panel report entitled “Report to Auckland Council Hearing Topic 025 (Trees), July 2016”

Panel recommendations accepted:

22.1 The Council has accepted all the recommendations of the Panel contained in the Panel report for Hearing Topics 025 (Trees), 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 22.2.

Panel recommendations rejected:

22.2 The Council has rejected the Panel recommendations in relation to Hearing Topic 025 (Trees) as listed below, with accompanying reasons, alternative solutions and section 32AA evaluation (where necessary):

(a) The deletion of scheduled items from the Schedule of Notable Trees which do not comply with section 76(4A) – (4D) of the Resource Management Act 1991

Reasons	
(i) 85 of the trees recommended to be deleted have the required information which was inadvertently left out of the PAUP	
Alternative solution	See Attachment A

(b) The deletion of 18 scheduled items from the Schedule of Notable Trees with no explanation or reasoning.

Reasons	
(i) This appears to be an error as the deletion of these trees is not supported by evidence and no reasons have been given by the Panel.	
Alternative solution	See Attachment A

- (c) **The trimming of up to 20 per cent of a notable tree’s live growth as a permitted activity, subject to complying with specific standards.**

Reasons	
(i) Increasing as a permitted activity, the trimming of up to 20 percent of a notable tree’s live growth may have adverse effects on the health and viability of notable trees.	
Alternative solution	See Attachment A

23. Council decisions relating to Panel report entitled “Report to Auckland Council Hearing Topic 027 (Artworks, signs and temporary activities), July 2016”

Panel recommendations accepted:

- 23.1 The Council has accepted all the recommendations of the Panel contained in the Panel report for Hearing Topic 027 (Artworks, signs and temporary activities), as they relate to the content of the PAUP, and also the associated recommendations as they appear in the plan and the maps.

Panel recommendations rejected: none.

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.

Reasons	
(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.	
Alternative solution	See Attachment A

- (b) **Changing the activity status of landfills in the Future Urban zone from a Non-complying activity to a Discretionary activity.**

Reasons	
(i) Landfills create significant long term adverse effects over a wide area, potentially irreversible changes and require detailed and careful management and should be assessed as a Non-complying activity.	
(ii) Changing the recommended Discretionary activity status to Non-complying activity status is consistent with the relevant objectives and the consistent management of this activity across the PAUP.	
Alternative solution	See Attachment A

25. Council decisions relating to Panel report entitled “Report to Auckland Council Hearing Topic 031 (Historic heritage), July 2016”

Panel recommendations accepted:

- 25.1 The Council has accepted all the recommendations of the Panel as contained in the Panel report for Hearing Topic 031 (Historic heritage), as they relate to the content of the PAUP, and also the associated recommendations as they appear in the plan and the maps.

Panel recommendations rejected: none.

26. Council decisions relating to Panel report entitled “Report to Auckland Council Hearing Topic 032 (Schedule of historic heritage), July 2016”

Panel recommendations accepted:

26.1 The Council has accepted all the recommendations of the Panel contained in the Panel report for Hearing Topic 032 (Schedule of historic heritage), 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 26.2.

Panel recommendations rejected:

26.2 The Council has rejected the Panel recommendations in relation to Hearing Topic 032 (Schedule of historic heritage) as listed below, with accompanying reasons, alternative solutions and section 32AA evaluation (where necessary):

(a) The deletion of the Symonds Street flats, 44 Symonds Street, City Centre from the schedule

Reasons	
(i) Heritage experts agree that the Symonds Street flats have outstanding national value and warrant remaining scheduled as a Category A place.	
(ii) Inclusion of the Symonds Street flats in the Schedule of Historic Heritage as a Category A place will not place undue burden on the ability to use and develop the site, particularly given its national heritage significance.	
(iii) Transferable development rights may be utilised to transfer ‘lost’ development capacity to other landholdings in the CBD, and future development of this site can be appropriately considered through the resource consent process.	
(iv) Structural reports concluded ‘...that much of the concrete was sound and did not display cracking or spalling of sufficient magnitude to compromise the structural integrity or potential longevity of the building.’	
Alternative solution	See Attachment A

27. Council decisions relating to Panel report entitled “Report to Auckland Council Hearing Topic 033/034 (General coastal marine zone), July 2016”

Panel recommendations accepted:

27.1 The Council has accepted all the recommendations of the Panel contained in the Panel reports for Hearing Topic 033/034 (General coastal marine 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 27.2.

Panel recommendations rejected:

27.2 The Council has rejected the Panel recommendations in relation to Hearing Topic 033/034 (General coastal marine zone) as listed below, with accompanying reasons, alternative solutions and section 32AA evaluation (where necessary):

(a) Amendments to the activity table for identifying which standards apply to the discharges of hull bio-fouling organisms.

Reasons	
(i) All of the listed bio-fouling Permitted activities must now meet every standard. This does not recognise that different combinations of controls should be applied to different risk-based scenarios.	
(ii) This creates an unworkable situation that fails to meet the purposes the PAUP is trying to achieve (i.e. “encouraging” low-risk in-water cleaning, but imposing increasingly onerous standards as the level of cleaning risk increases).	
(iii) Overly onerous requirements (i.e. capture all material to 50 microns) are now applied to low risk hull cleaning.	
(iv) The controls are unworkable for higher risk bio-fouling as they are required to use gentle, non-abrasive methods.	
Alternative solution	See Attachment A

- (b) **Including in the definition of marine and port facilities the reference to ‘sea walls’**

Reasons	
(i) It creates confusion and uncertainty to include seawalls in two terms which are used in different rows of activities tables.	
(ii) In the Minor Port zone, Port precinct and Gabador Place precinct these have a different activity status (Permitted and Restricted Discretionary).	
(iii) The Panel accepted other proposals to explicitly include hard protection structures in these areas but also included seawalls in the definition of marine and port facilities. They should be only within the definition of hard protection structures.	
Alternative solution	See Attachment A

28. Council decisions relating to Panel report entitled “Report to Auckland Council Hearing Topic 038 (Contaminated land), July 2016”

Panel recommendations accepted:

28.1 The Council has accepted all the recommendations of the Panel contained in the Panel report for Hearing Topic 038 (Contaminated land), 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 28.2.

Panel recommendations rejected:

28.2 The Council has rejected the Panel recommendations in relation to Hearing Topic 038 (Contaminated land), as listed below, with accompanying reasons, alternative solutions and section 32AA evaluation (where necessary):

(a) The inclusion of contaminated land in accidental discovery control provisions

Reasons	
(i) Contaminated land is not sensitive material that requires inspection from Heritage New Zealand and/or Mana Whenua representatives.	
(ii) Inclusion of contaminated land in the accidental discovery control has created an overlap between responses to the discovery of human remains and kōiwi, archaeological sites, Māori cultural artefacts/taonga, protected New Zealand objects as defined in the Protected Objects Act 1975, and lava caves, and the management of discharges from contaminated land.	
Alternative solution	See Attachment A

(b) Changes to rules for discharges of contaminants from disturbing soil on land containing elevated levels of contaminants

Reasons	
(i) The Panel's recommended Permitted activity standard will allow very large amounts of contaminated soil disturbance on large sites with no contaminant discharge controls. This may lead to significant adverse effects from discharges to the environment and ineffective management of contaminated land.	
(ii) It will also mean small amounts of soil disturbance on small sites that are very unlikely to have more than minor adverse effects will require discharge consents.	
Alternative solution	See Attachment A
Section 32AA evaluation	See Attachment B

(c) The deletion of the definition of land containing elevated levels of contaminants

Reasons	
(i) Land containing elevated levels of contaminants is a unique definition that is necessary for the use and interpretation of the rules.	
(ii) The definition recognises that discharges from land with low levels of contamination above background levels do not need to be subject to expert assessment and oversight through regulations in the PAUP.	
Alternative solution	See Attachment A

29. Council decisions relating to Panel report entitled “Report to Auckland Council Hearing Topic 039 (Hazardous substances and industrial and trade activities), July 2016”

Panel recommendations accepted:

29.1 The Council has accepted all the recommendations of the Panel contained in the Panel report for Hearing Topic 039 (Hazardous substances and industrial and trade activities), 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 29.2.

Panel recommendations rejected:

29.2 The Council has rejected the Panel recommendations in relation to Hearing Topic 039 (Hazardous substances and industrial and trade activities), as listed below, with accompanying reasons, alternative solutions and section 32AA evaluation (where necessary):

(a) Amendments to the definition of clean fill material which removes differentiation between clean fill and managed fills

Reasons	
(i) The changes recommended by the Panel significantly undermine the effectiveness and differentiation between ‘cleanfill’ and ‘managed fill’ material which may result in issues and ambiguity in the determining human health and environmental risks.	
Alternative solution	See Attachment A

30. Council decisions relating to Panel report entitled “Report to Auckland Council Hearing Topic 040 (Lighting, noise and vibration), July 2016”

Panel recommendations accepted:

30.1 The Council has accepted all the recommendations of the Panel contained in the Panel report for Hearing Topic 040 (Lightening, noise and vibration), as they relate to the content of the PAUP, and also the associated recommendations as they appear in the plan and the maps.

Panel recommendations rejected: none.

31. Council decisions relating to Panel report entitled “Report to Auckland Council Hearing topic 041 (Earthworks and minerals), July 2016”

Panel recommendations accepted:

31.1 The Council has accepted all the recommendations of the Panel contained in the Panel report for Hearing Topic 041 (Earthworks and minerals), 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 31.2.

Panel recommendations rejected:

31.2 The Council has rejected the Panel recommendations in relation to Hearing Topic 041 (Earthworks and minerals), as listed below, with accompanying reasons, alternative solutions and section 32AA evaluation (where necessary):

(a) The deletion of kauri dieback provisions

Reasons	
(i) It is internationally recognised that pathogens responsible for kauri dieback are spread by movement of soil. It is important that there are clear standards for development and earthworks around kauri trees, and a mechanism for the Council to manage the spread of the disease.	
Alternative solution	See Attachment A

32. Council decisions relating to Panel report entitled “Report to Auckland Council Hearing Topic 042 (Infrastructure), July 2016”

Panel recommendations accepted:

32.1 The Council has accepted all the recommendations of the Panel contained in the Panel report for Hearing Topic 042 (Infrastructure), 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 32.2.

Panel recommendations rejected:

32.2 The Council has rejected the Panel recommendations in relation to Hearing Topic 042 (Infrastructure), as listed below, with accompanying reasons, alternative solutions and section 32AA evaluation (where necessary):

(a) Increase the extent of the National Grid Corridor overlay, as it relates to the area 32m each side of 110kv lines and 37m each side of the centerline of 220kv lines

Reasons	
(i) The appropriate corridor width to give effect to Policy 11 of the National Policy Statement on Electricity Transmission 2008 (NPSET) is as notified in the PAUP, being 24m (12m either side of the transmission lines centreline), which enables control of activities sensitive to the lines, access to the national grid infrastructure for operation, maintenance and upgrade purposes and compliance with the relevant clearances required under the NZECP 34:2001.	
(ii) There is insufficient evidential basis to identify and assess the potential development implications associated with the broader corridor.	
Alternative solution	See Attachment A

(b) No objective to manage the adverse effects of infrastructure in the District Plan provisions for infrastructure

Reasons	
(i) An objective seeking to manage the adverse effects of infrastructure at a District Plan level is necessary to give effect to the Regional Policy Statement.	
Alternative solution	See Attachment A

(c) The tagging of the infrastructure objectives and policies as regional coastal provisions

Reasons	
(i) The Auckland-wide infrastructure objectives and policies are not Regional Coastal Plan provisions.	
Alternative solution	See Attachment A

(d) Electric vehicle charging stations should be Permitted activities in roads

Reasons	
(i) Allowing electric vehicle charging stations as a Permitted activity on arterial roads would remove the ability to manage their location and ensure the efficient use of arterial roads provision.	
Alternative solution	See Attachment A

(e) Deletion of the standards for minor infrastructure upgrading in the standards for activities in roads

Reasons	
(i) There are no recommended standards for minor infrastructure upgrading within roads and unformed roads. This results in an unworkable provision.	
Alternative solution	See Attachment A

- (f) **No default activity status for minor infrastructure upgrading where an upgrade to an existing network utility exceeds the specified standard**

Reasons	
(i) Any upgrade works or activities beyond the specified standards for minor infrastructure upgrading should be treated as equivalent to a new application for the same activity.	
Alternative solution	See Attachment A

- (g) **Increasing the permitted threshold for the trimming and alteration of trees in streets and public open spaces subject to meeting specific standards including an agreed tree management plan**

Reasons	
(i) While the increase in the permitted threshold is accepted, the requirement for an agreed tree management plan introduces an element of discretion and should be deleted.	
Alternative solution	See Attachment A

- (h) **Extending standards on vegetation removal within a Significant Ecological Area to roads**

Reasons	
(i) The Panel recommendations do not sufficiently recognise that roads run through many Significant Ecological Areas and the works required to maintain, repair and renew those roads	
Alternative solution	See Attachment A

(i) The inclusion of standards relating to earthworks (filling) within a floodplain associated with road works

Reasons	
<p>(i) The Panel recommendations do not sufficiently recognise the function roads perform as drainage systems for stormwater management and flood management. Standards for earthworks (including filling) within a 100 year AEP flood plain should exclude road network activities, as roads are also stormwater management systems.</p>	
Alternative solution	See Attachment A

(j) The inclusion of standards relating to earthworks (filling) within overland flow paths associated with road work

Reasons	
<p>(i) The Panel's recommendations do not sufficiently recognise the function roads perform as drainage systems for stormwater management and flood management.</p>	
<p>(ii) Standards for earthworks (including filling) within overland flow paths should exclude road network activities, as roads are also stormwater management systems and overland flow paths. This would not prevent a network discharge consent being required for alternative stormwater discharges.</p>	
Alternative solution	See Attachment A

(k) Specific limitations on earthworks within overlays for road network activities

Reasons	
(i) The Panel's recommendations do not sufficiently recognise the overall area that roads cover	
(ii) Earthworks area and volume limits are insufficient for routine road network activities within the road, including maintenance of water tables, renewal of road and resealing.	
Alternative solution	See Attachment A

33. Council decisions relating to Panel report entitled “Report to Auckland Council Hearing Topic 043/044 (Transport), July 2016”

Panel recommendations accepted:

33.1 The Council has accepted all the recommendations of the Panel contained in the Panel reports for Hearing Topic 043/044 (Transport), 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 33.2.

Panel recommendations rejected:

33.2 The Council has rejected the Panel recommendations in relation to Hearing Topic 043/044 (Transport), as listed below, with accompanying reasons, alternative solutions and section 32AA evaluation (where necessary):

- (a) **Amendment of the parking rates for the Metropolitan Centre, Town Centre, Local Centre, Mixed Use and Terrace Housing and Apartment Buildings zones to remove maximum and minimum parking rates for all activities within these zones with the exception of retail and commercial service activities.**

Reasons	
(i) Not including minimum parking rates for retail and commercial service activities would result in a more efficient use of land, better urban design outcomes and greater support for the public transport network.	
(ii) Including maximum parking rates would result in better management of oversupply of parking and associated adverse effects on the transport network (e.g. congestion).	
(iii) Including maximum parking rates would result in better urban design and amenity outcomes.	
Alternative solution	See Attachment A
Section 32AA evaluation	See Attachment B

- (b) **Parking rates for residential and non-residential activities in the City Centre zone of 1:125m² for non-residential activities within a proposed ‘Outer core’ parking area while applying a rate of 1:200m² within a proposed ‘Inner core’ parking area. A maximum rate of 1.5 car parks per dwelling (regardless of dwelling size) is proposed for residential activities.**

Reasons	
(i) The Panel’s recommendations will provide more accessory parking and residential parking in the City Centre zone, which is an already congested road network with high levels of public transport accessibility.	
(ii) The Panel’s recommendations are higher than the rates currently applied and are considered to be less efficient and effective in achieving transport objectives around managing travel demand in the City Centre.	
Alternative solution	See Attachment A
Section 32AA evaluation	See Attachment B

34. Council decisions relating to Panel report entitled “Report to Auckland Council Hearing Topic 045 (Airports), July 2016”

Panel recommendations accepted:

- 34.1 The Council has accepted all the recommendations of the Panel contained in the Panel report for Hearing Topic 045 (Airports), as they relate to the content of the PAUP, and also the associated recommendations as they appear in the plan and the maps.

Panel recommendations rejected: none.

35. Council decisions relating to Panel report entitled “Report to Auckland Council Hearing Topic 046/047/048/049 (Water quality and quantity, lakes, rivers and streams, aquifers and ground water and discharges of stormwater and wastewater), July 2016”

Panel recommendations accepted:

35.1 The Council has accepted all the recommendations of the Panel contained in the Panel reports for Hearing Topic 046/047/048/049 (Water quality and quantity, lakes, rivers and streams, aquifers and ground water and discharges of stormwater and wastewater), 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 35.2.

Panel recommendations rejected:

35.2 The Council has rejected the Panel recommendations in relation to Hearing Topic 046/047/048/049 (Water quality and quantity, lakes, rivers and streams, aquifers and ground water and discharges of stormwater and wastewater), as listed below, with accompanying reasons, alternative solutions and section 32AA evaluation (where necessary):

(a) Inserting a permitted activity land use rule for stormwater runoff into the stormwater network and combined sewer network.

Reasons	
(i)	The recommended rule allows stormwater to be discharged to the combined sewer without control. The policy position that has been recommended by the Panel (consistent with council’s case position) is that land use should be required to avoid increasing discharges to the combined network unless they are minor and there is no practicable alternative.
(ii)	Diverting more stormwater to the combined sewer network will reduce the capacity of the combined sewer network and the Mangere Wastewater Treatment Plant. It may lead to an increase in combined sewer overflows, despite current initiatives undertaken by Watercare Services, with resulting adverse effects on the community and the environment.
Alternative solution	See Attachment A
Section 32AA evaluation	See Attachment B

- (b) **Amending to a Permitted activity status for sites that do not discharge to a stream or discharge below RL 2m in a Stormwater Management Areas Flow (SMAF).**

Reasons	
(i) This blanket reclassification has resulted in a situation where a Restricted Discretionary consent would still need to be obtained, but due to site or discharge circumstances, no stormwater management or mitigation would be required.	
(ii) This situation is not considered to be efficient or effective and will require consents to be obtained when there is no mitigation or environmental benefit.	
Alternative solution	See Attachment A

- (c) **Amending the activity status for roads within a Stormwater Management Areas Flow (SMAF).**

Reasons	
(i) It is not efficient to require a Discretionary Activity resource consent where the required standard of mitigation is met.	
Alternative solution	See Attachment A

- (d) **Deleting the default activity status for roads/motorways within a Stormwater Management Areas Flow (SMAF).**

Reasons	
(i) It is more appropriate to include a default activity status for roads/motorways that is consistent with other activities.	
Alternative solution	See Attachment A

- (e) **Amending the general standards in E10.6.11 and associated rules in E10.6.3.1 to refer to “site” which, as defined, does not include a road.**

Reasons	
(i) A minor change is required to clarify the intention of the rules in respect of a road/motorway to reduce confusion regarding the application of the rules to roads and motorways.	
Alternative solution	See Attachment A

- (f) **Amending the hydrology mitigation requirements for some roading projects.**

Reasons	
(i) To recognise the Panel’s recommendation that certain roading projects may have difficulty in meeting hydrology mitigation requirements, the hydrology mitigation requirement in Rule E8.6.4.1 specifying volume reduction and temporary storage should be removed and replaced with a reference to Table E10.6.3.1.1 Hydrology mitigation requirements.	
Alternative solution	See Attachment A

- (g) **Deleting the definition of “redevelopment of a road”.**

Reasons	
(i) Reinserting the definition of “redevelopment of a road” in line with the amended rules provides for the ongoing routine maintenance, repair and resurfacing of roads.	
Alternative solution	See Attachment A

36. Council decisions relating to Panel report entitled “Report to Auckland Council Hearing Topic 050-054 (City centre and business zones), July 2016”

Panel recommendations accepted:

36.1 The Council has accepted all the recommendations of the Panel contained in the Panel reports for Hearing Topic 050-054 (City centre and business zones), 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 36.2.

Panel recommendations rejected:

36.2 The Council has rejected the Panel recommendations in relation to Hearing Topic 050-054 (City centre and business zones) as listed below, with accompanying reasons, alternative solutions and section 32AA evaluation (where necessary):

- (a) **Wynyard Precinct – the deletion of framework plans has resulted in a consequential amendment to the height and gross floor area controls in the Wynyard Precinct.**

Reasons	
(i) The recommended deletion of the post-framework plan height and site intensity provisions significantly reduces the development potential of Wynyard Precinct expressly enabled in the notified PAUP and may potentially result in the inefficient use of this City Centre land and public infrastructure	
(ii) The recommended deletion of all assessment criteria previously relating to framework plans results in a disconnect between the objectives and policies, and the rules of the Precinct	
(iii) The recommendation will prevent the development of sites fronting Jellicoe Street for non-marine uses (i.e. apartments and retail) contrary to the Wynyard Quarter Urban Design Strategy and the objectives and policies for Wynyard Precinct.	
(iv) The recommended changes to provisions were not sought by any submitter to the Wynyard Precinct.	
Alternative solution	See Attachment A
Section 32AA evaluation	See Attachment B

- (b) **Queen Street Valley Precinct – the deletion of the pre – 1940 building demolition control from the Queen Street Valley Precinct.**

Reasons	
(i) The maintenance and enhancement of the pre-1940 buildings in the Queen Street Valley Precinct is integral to maintaining its special character	
(ii) The retention and protection of special character buildings constructed prior to 1940 maintains the integrity and coherence of the built form and architecture, and the streetscape within this area.	
(iii) The pre-1940 trigger and its application was determined as a result of survey work.	
Alternative solution	See Attachment A

- (c) **The deletion of the minimum dwelling size standard in the City Centre and business zones.**

Reasons	
(i) The Building Act does not address social or design quality effects associated with small dwellings. It is therefore necessary to manage these through the District Plan	
(ii) Intensive living environments require internal living spaces which are functional and which provide for amenity to meet the day- to-day needs of residents.	
(iii) This will assist to maintain the social wellbeing of the community, support social cohesion and thereby support further intensification within urban environments as these areas become desirable places to live.	
Alternative solution	See Attachment A

- (d) **The application of a Height in Relation to Boundary control within the Mixed Use Zone and between the Mixed Use Zone and the General Business Zone.**

Reasons	
<p>(i) an internal Height in Relation to Boundary control in the Mixed Use zone is not considered appropriate as:</p> <ul style="list-style-type: none"> • it could unduly constrain development on Mixed Use zone sites; • other controls protect the amenity of adjoining Mixed Use zoned sites; and • no other business zones have an internal height in relation to boundary control. 	
<p>(ii) In addition, it is considered unnecessary to provide a Height in Relation to Boundary control on sites in the Mixed Use zone in favour of adjacent General Business zone sites. The anticipated amenity in the Mixed Use zone is higher than that anticipated in the General Business zone so it is unnecessary to 'protect' General Business zoned sites from the potential effects of sites zoned Mixed Use.</p>	
Alternative solution	See Attachment A

- (e) **A recession plane indicator diagram which is inconsistent with the Height in Relation to Boundary controls in all business zones**

Reasons	
<p>(i) This appears to be a technical error. While the diagrams are similar, the Panel's recommended diagram shows a 55 degree and 35 degree notation shown for the north and south boundaries respectively. These recession planes are not reflected in the Panel's recommended provisions, as shown in Table H.6.2.1 in each business zone. Consequently, the diagram and tables are inconsistent, which will lead to confusion and potential error.</p>	
<p>(ii) In addition, the diagram has been included in the General Business zone, which does not contain an orientation-based rule. It should therefore be deleted from the General Business zone.</p>	
Alternative solution	See Attachment A

- (f) **The deletion of specific standards to manage development within natural hazards areas within the Port Precinct.**

Reasons	
(i) The lack of bespoke port provisions result in them being unworkable in relation to enabling the port activities to take place within natural hazard areas in the Port precinct.	
Alternative solution	See Attachment A

37. Council decisions relating to Panel report entitled “Report to Auckland Council Hearing Topic 055 (Social facilities), July 2016”

Panel recommendations accepted:

- 37.1 The Council has accepted all the recommendations of the Panel contained in the Panel report for Hearing Topic 055 (Social facilities), as they relate to the content of the PAUP, and also the associated recommendations as they appear in the plan and the maps.

Panel recommendations rejected: none.

38. Council decisions relating to Panel report entitled “Report to Auckland Council Hearing Topic 056,057 (Rural zones), July 2016”

Panel recommendations accepted:

- 38.1 The Council has accepted all the recommendations of the Panel contained in the Panel reports for Hearing Topics 056, 057 (Rural zones), as they relate to the content of the PAUP, and also the associated recommendations as they appear in the plan and the maps.

Panel recommendations rejected: none.

39. Council decisions relating to Panel report entitled “Report to Auckland Council Hearing Topic 058 (Open space), July 2016”

Panel recommendations accepted:

39.1 The Council has accepted all the recommendations of the Panel contained in the Panel report for Hearing Topic 058 (Open space), 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 39.2.

Panel recommendations rejected:

39.2 The Council has rejected the Panel recommendations in relation to Hearing Topic 058 (Open space) as listed below, with accompanying reasons, alternative solutions and section 32AA evaluation (where necessary):

(a) Amending the activity status for new buildings and additions, and the height and gross floor area standards for the Open Space zones

Reasons	
(i) The recommendation does not appropriately balance the need to use public open space effectively (and manage pressure to use open spaces as population increases), with the need to manage impacts on neighbours.	
(ii) The recommendation imposes a single approach across all Open Space zones and does not appropriately recognise the values and purpose of each zone.	
Alternative solution	See Attachment A
Section 32AA evaluation	See Attachment B

40. Council decisions relating to Panel report entitled “Report to Auckland Council Hearing Topic 059 to 063 (Residential zones), July 2016”

Panel recommendations accepted:

40.1 The Council has accepted all the recommendations of the Panel contained in the Panel reports for Hearing Topic 059 - 063 (Residential zones), 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 40.2.

Panel recommendations rejected:

40.2 The Council has rejected the Panel recommendations in relation to Hearing Topic 059 to 063 (Residential zones) as listed below, with accompanying reasons, alternative solutions and section 32AA evaluation (where necessary):

(a) That Integrated Residential Developments are provided for as a Restricted Discretionary activity within the Single House Zone

Reasons	
(i) The assessment of this intensity of development in the Single House zone as a Restricted Discretionary activity is contrary to the stated purpose and associated objectives and policies of the zone.	
(ii) A full assessment as a Discretionary Activity is a more appropriate approach for the assessment of Integrated Residential Developments in the Single House zone.	
Alternative solution	See Attachment A

(b) **Amending the threshold for requiring resource consent from three or more dwellings to five or more dwellings in the Mixed Housing Suburban and Mixed Housing Urban zones**

Reasons	
<p>(i) The Panel’s recommended controls manage the bulk and location of buildings to provide for privacy, daylight access, and ratio of buildings to open space. However, the recommended development controls do not manage quality residential outcomes such as:</p> <ul style="list-style-type: none"> • amenity and safety of the street or public open spaces • the quality of building appearance, including modulation and articulation (e.g. the avoidance of large blank walls facing the street, parks or neighbouring properties) • the interrelationship between a number of amenity attributes including safety, daylight, sunlight, privacy, functionality, and visual amenity associated with multi-unit development 	
<p>(ii) Submitters who presented evidence at the hearing supported the two dwelling permitted threshold (i.e. resource consent required for three or more dwellings). These submitters included a broad cross-section of community groups and developers (Auckland 2040, Housing NZ, Property Council, Fletcher Residential, Herne Bay Residents Association, Todd Property and Ockham developments).</p>	
<p>(iii) No evidence was provided at the hearing stating that requiring a resource consent for three or four dwellings would be a disincentive to development.</p>	
<p>(iv) There is a high risk that permitting four dwellings without resource consent will result in poor design outcomes, particularly at the street interface.</p>	
Alternative solution	See Attachment A
Section 32AA evaluation	See Attachment B

(c) **The deletion of the minimum dwelling size standard.**

Reasons	
(i) In the Residential zones it is considered that the minimum dwelling size standard should still be applied to developments of three or more dwelling units	
(ii) The Building Act does not address social or design quality effects associated with small dwellings. It is therefore necessary to manage these through the District Plan	
(iii) Living environments associated with three or more dwelling units require internal living spaces which are functional and which provide for amenity to meet the day- to-day needs of residents	
(iv) This will assist to maintain the social wellbeing of the community, support social cohesion and thereby support further intensification within urban environments as these areas become desirable places to live	
Alternative solution	See Attachment A

(d) **Amending the Height in Relation to Boundary Controls in the Mixed Housing Suburban, Mixed Housing Urban and Terrace Housing and Apartment Building zones.**

Reasons	
(i) The Alternative Height in Relation to Boundary Rule is more enabling than the Height in Relation to Boundary control and should be assessed as a Restricted Discretionary Activity.	
Alternative solution	See Attachment A

- (e) **Amendments to apply the Height in Relation to Boundary Control and the Alternative Height in Relation to Boundary Control to the front boundary within the Terrace Housing and Apartment Building zone. The Height in Relation to Boundary adjoining lower intensity zones is recommended to apply to the front boundary within the Mixed Housing Urban and Terrace Housing and Apartment Building zones.**

Reasons	
(i) Applying the Height in Relation to Boundary Control and the Alternative Height and Relation to Boundary Control to the road boundary will result in the upper floors of buildings being set back from the street, which is the part of the site most able to absorb the effects of additional building bulk and where outlook is available.	
Alternative solution	See Attachment A

- (f) **The deletion of a standard relating to reticulated water supply and wastewater network capacity and moving the matter to assessment criteria.**

Reasons	
(i) The recommended assessment criteria relating to on site wastewater systems appears to be a drafting error, as this is applied to zones that do not rely on on-site wastewater systems.	
(ii) The criteria as drafted could create issues for Watercare as some applicants may think they can build septic tank systems within serviced urban areas, contrary to legislation.	
(iii) It is important to allow for an assessment of wastewater network capacity for multi-unit developments.	
Alternative solution	See Attachment A

(g) **The deletion of the definition of building coverage.**

Reasons	
(i) The definition of building coverage in the PAUP clarified that eaves of buildings are not included in the calculation of building coverage. The deletion of the definition would result in the inclusion of eaves in the coverage calculation which may discourage the provision of eaves.	
Alternative solution	See Attachment A

(h) **The deletion of the front fence rule and deleting policies relating to streetscape from the Single House, Mixed Housing Suburban, Mixed Housing Urban and Terrace House and Apartment Building zones.**

Reasons	
(i) Permitting front fences up to 2.5m will result in poor streetscape outcomes.	
(ii) This matter is not addressed in the Panel report and may be a drafting error given that the amenity of the street is still included in the residential zone objectives.	
Alternative solution	See Attachment A

41. Council decisions relating to Panel report entitled “Report to Auckland Council Hearing Topic 064 (Subdivision – urban), July 2016”

Panel recommendations accepted:

- 41.1 The Council has accepted all the recommendations of the Panel contained in the Panel report for Hearing Topic 064 (Subdivision - urban), as they relate to the content of the PAUP, and also the associated recommendations as they appear in the plan and the maps.

Panel recommendations rejected: none.

42. Council decisions relating to Panel report entitled “Report to Auckland Council Hearing Topic 064 (Subdivision – rural), July 2016”

Panel recommendations accepted:

- 42.1 The Council has accepted all the recommendations of the Panel contained in the Panel report for Hearing Topic 064 (Subdivision - rural), 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 42.2.

Panel recommendations rejected:

- 42.2 The Council has rejected the Panel recommendations in relation to Hearing Topic 064 (Subdivision – rural) as listed below, with accompanying reasons, alternative solutions and section 32AA evaluation (where necessary):

(a) **The inclusion of objectives, policies and rules that enable sporadic and scattered rural subdivision**

Reasons	
(i) The Panel's recommended provisions will enable inappropriate subdivision of the rural area through a proliferation of rural-residential lots across the production focussed rural zones (resulting in loss of rural production, reverse sensitivity, rural character and amenity and potential additional demands on infrastructure in remote locations).	
(ii) The provisions undermine the Auckland Plan's strategic direction for the rural areas.	
(iii) The provisions do not support the concept of the compact city that inherently has as a benefit the retention and protection of rural areas (rather than their subdivision for rural-residential uses).	
(iv) The provisions do not make it clear that the focus of rural lifestyle living is the Countryside Living zone.	
Alternative solution	See Attachment A

(b) **The inclusion of provisions that allow for minimal environmental benefits to be accepted in exchange for rural-residential subdivision**

Reasons	
(i) The provisions would enable potentially inappropriate subdivision of the rural area with the minimal environmental gains.	
(ii) The provisions enable subdivision of sites with Significant Ecological Area (SEA) factors as opposed to identified SEAs. The SEA factors are not suitable to be used for rural subdivision assessment as they: <ul style="list-style-type: none"> • Were made for a different purpose (assessing significance for vegetation protection – not for assessing whether the ecological value of an area would mitigate rural subdivision). • Were designed to be applied in a single, comprehensive manner across the region, not in isolation on a case by case basis. Site by site assessment in isolation will result in over-estimation of the significance of sites. 	

(iii) The provisions will enable a potentially significant increase in the number of rural-residential lots that can be generated (particularly in relation to wetland and revegetation planting subdivision).	
Alternative solution	See Attachment A

(c) **Absence in recommending specific site sizes for Countryside Living subdivision in the Caldwell's Road area in Whitford.**

Reasons	
(i) The minimum site size for the Caldwell's Road area was agreed with the submitter (Camperdown Holdings Limited) during the hearings process as an appropriate alternative mechanism to a Precinct.	
(ii) The Panel's report is silent on this matter and it may be an omission.	
Alternative solution	See Attachment A

43. Council decisions relating to Panel report entitled “Report to Auckland Council Hearing Topic 065 (Definitions), July 2016”

Panel recommendations accepted:

43.1 The Council has accepted all the recommendations of the Panel contained in the Panel report for Hearing Topic 065 (Definitions), 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 43.2.

Panel recommendations rejected:

43.2 The Council has rejected the Panel recommendations in relation to Hearing Topic 065 (Definitions), as listed below, with accompanying reasons, alternative solutions and section 32AA evaluation (where necessary):

- (a) **Amendment to the definition of ‘Height’ makes the structures exempted from the definition subject to width and height limits that are unworkable for some structures.**

Reasons	
(i) The Panel’s recommended amendment to the definition of Height makes the structures exempted from the definition subject to width and height limits that are unworkable for some structures.	
Alternative solution	See Attachment A

44. Council decisions relating to Panel report entitled “Report to Auckland Council Hearing Topic 074 (Designations), July 2016”

Panel recommendations accepted:

44.1 The Council has accepted all the recommendations of the Panel on designations contained in the Panel reports for Hearing Topic 045 – Airports and Hearing Topic 074 – Designations (dated May and July 2016), as they relate to the content of the PAUP, and also the associated recommendations as they appear in the plan and the maps.

The specific decisions made by the Council on designations are set out below. These must be read in conjunction with Attachment E Part 1, Part 2 and Part 3 to this decisions report. The Council:

- (a) accepts the Panel’s recommendations in the Introductory Designations Report set out in Attachment E Part 1, including the Independent Hearings Panel’s recommended amendments to the explanatory text in the PAUP relating to designations, together with the further amendment to the explanatory text set out in Attachment E Part 1 (to ensure the correct map colours are referred to).
- (b) accepts the Independent Hearings Panel’s recommendations on Auckland Council designations set out in the Specific Designation Reports listed in Attachment E Part 2.
- (c) accepts the Independent Hearings Panel’s recommendations on the designations of other requiring authorities set out in the Specific Designation Reports listed in Attachment E Part 3, with the minor typographical corrections to the Independent Hearings Panel’s recommendation on Counties Power designation R3008 noted in Attachment E Part 3, and adopts them as the Council’s recommendations to those requiring authorities.

Panel recommendations rejected: none.

45. Council decisions relating to Panel report entitled “Report to Auckland Council Hearing Topic 075 (Waitakere ranges), July 2016”

Panel recommendations accepted:

45.1 The Council has accepted all the recommendations of the Panel contained in the Panel report for Hearing Topic 075 (Waitakere Ranges), 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 45.2.

Panel recommendations rejected:

45.2 The Council has rejected the Panel recommendations in relation to Hearing Topic 075 (Waitakere Ranges) as listed below, with accompanying reasons, alternative solutions and section 32AA evaluation (where necessary):

- (a) **Double-tagging [rp/dp] the activity tables in the Rural – Waitakere Ranges Foothills zone and the Rural – Waitakere Ranges zone sites.**

Reasons	
(i) As a result of the Panel’s recommendations, the activity tables for both of the recommended new zones is now a Regional Plan rule or an unspecific part of the activity table is a Regional Plan rule, which leads to uncertain interpretation.	
(ii) Activities tagged as “rp” but which do not relate to functions of a regional council are arguably ultra vires	
(iii) Tagging the entire activity table will result in significant consequences for landowners generally and requiring authorities in particular.	
Alternative solution	See Attachment A

46. Council decisions relating to Panel report entitled “Report to Auckland Council Hearing Topic 076 (Major recreation facility zone and precincts), July 2016”

Panel recommendations accepted:

- 46.1 The Council has accepted all the recommendations of the Panel contained in the Panel report for Hearing Topic 076 (Major recreation facility zone and precincts), as they relate to the content of the PAUP, and also the associated recommendations as they appear in the plan and the maps.

Panel recommendations rejected: none.

47. Council decisions relating to Panel report entitled “Report to Auckland Council Hearing Topic 077 (Sustainable design), July 2016”

Panel recommendations accepted:

- 47.1 The Council has accepted all the recommendations of the Panel contained in the Panel report for Hearing Topic 077 (Sustainable design), as they relate to the content of the PAUP, and also the associated recommendations as they appear in the plan and the maps.

Panel recommendations rejected: none.

48. Council decisions relating to Panel report entitled “Report to Auckland Council Hearing Topic 080 (Rezoning and precincts (general) and 081 Rezoning and precincts (Geographic areas) and 016 and 017 - Rural urban boundary and Annexures 1 – 6, July 2016 – (recommendations in the SOUTH)”

Panel recommendations accepted:

- 48.1 The Council has accepted all the recommendations of the Panel contained in the Panel reports for Hearing Topic 080 (Rezoning and precincts (general) and 081 Rezoning and precincts (Geographic areas) and 016 and 017 - Rural urban boundary and Annexures 1 – 6, July 2016 – (recommendations in the SOUTH), 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 48.2.

Panel recommendations rejected:

- 48.2 The Council has rejected the Panel recommendations in relation to Hearing Topic 080 (Rezoning and precincts (general) and 081 Rezoning and precincts (Geographic areas) and 016 and 017 - Rural urban boundary and Annexures 1 – 6, July 2016 – (recommendations in the SOUTH) as listed below, with accompanying reasons, alternative solutions and section 32AA evaluation (where necessary):

(a) **Removal of the Rural Urban Boundary at Crater Hill and Pukaki Peninsula, Puhinui**

Reasons	
<p>(i) The Crater Hill area is not suitable for urban development because it lies within the Outstanding Natural Feature (ONF) overlay, it is a significant geological feature and has significant cultural heritage and landscape value to Mana Whenua. It also contains prime soils.</p>	
<p>(ii) The Pukaki Peninsula is not suitable for urban development because it has significant cultural heritage and landscape value to Mana Whenua, lies partly within the ONF overlay for Pukaki Crater, and contains significant areas of elite soils, all of which would be extensively compromised by urban development.</p>	
<p>(iii) Part of the Pukaki Peninsula is under the proposed High Aircraft Noise Area (HANA) and Moderate Aircraft Noise Area (MANA) for the future northern runway as proposed by Auckland International Airport. These noise areas restrict the establishment of urban activities sensitive to aircraft noise such as dwellings.</p>	
Alternative solution	See Attachment A

49. Council decisions relating to Panel report entitled “Report to Auckland Council Hearing Topic 080 Rezoning and precincts (General), and 081 Rezoning and precincts (Geographic areas) and 016 and 017 - Rural urban boundary and Annexures 1 – 6, July 2016 – (recommendations in the WEST)”

Panel recommendations accepted:

49.1 The Council has accepted all the recommendations of the Panel contained in the Panel reports for Hearing Topic 080 Rezoning and precincts (General), and 081 Rezoning and precincts (Geographic areas) and 016 and 017 - Rural urban boundary and Annexures 1 – 6, July 2016 – (recommendations in the WEST), 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 49.2.

Panel recommendations rejected:

49.2 The Council has rejected the Panel recommendations in relation to Hearing Topic 080 Rezoning and precincts (General), and 081 Rezoning and precincts (Geographic areas) and 016 and 017 - Rural urban boundary and Annexures 1 – 6, July 2016 – (recommendations in the WEST) as listed below, with accompanying reasons, alternative solutions and section 32AA evaluation (where necessary):

(a) No mechanisms within the Redhills precinct relating to the provision of transport infrastructure

Reasons	
(i) While the urban zoning and the creation of a precinct is accepted, the specific provisions relating to transport infrastructure provision need to be revised, and associated text amended to clarify the transport requirements for Redhills, both within the area and in the context of the wider transport networks	
Alternative solution	See Attachment A

- (b) **No indicative roading pattern required to achieve an effective transport network in the Westgate Precinct.**

Reasons	
(i) While the Council supports the removal of sub-precinct F, its removal has had the effect of deleting the indicative roading pattern for this part of Westgate.	
(ii) The indicative roading pattern is vital to achieve an efficient and effective transport network, and should therefore be re-included in the precinct.	
(iii) As a consequence, text in the precinct requires amendment to correctly reference the re-instated indicative roads.	
Alternative solution	See Attachment A

50. Council decisions relating to Panel report entitled “Report to Auckland Council Hearing Topic 080 Rezoning and precincts (General), and 081 Rezoning and precincts (Geographic areas) and 016 and 017 - Rural urban boundary and Annexures 1 – 6, July 2016 – (recommendations in RODNEY)”

Panel recommendations accepted:

50.1 The Council has accepted all the recommendations of the Panel contained in the Panel reports for Hearing Topic 080 Rezoning and precincts (General), and 081 Rezoning and precincts (Geographic areas) and 016 and 017 - Rural urban boundary and Annexures 1 – 6, July 2016 – (recommendations in RODNEY), 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 50.2.

Panel recommendations rejected:

50.2 The Council has rejected the Panel recommendations in relation to Hearing Topic 080 Rezoning and precincts (General), and 081 Rezoning and precincts (Geographic areas) and 016 and 017 - Rural urban boundary and Annexures 1 – 6, July 2016 – (recommendations in RODNEY) as listed below, with accompanying reasons, alternative solutions and section 32AA evaluation (where necessary):

(a) No mechanisms within the new Wainui precinct for the provision of transport infrastructure.

Reasons	
<p>(i) The specific provisions should be amended to clarify that wider transport network upgrades and staged development may be necessary. The principal reason that these amendments are required is that the evidence presented by the Council to the Panel demonstrates the Wainui precinct has transport infrastructure constraints including the need to connect to an already at or very near capacity transport network. A range of significant projects, including upgrades to State Highway 1 that are currently unplanned and unfunded, may be required to service development within the precinct.</p>	
Alternative solution	See Attachment A

(b) **The rezoning of the Kumeu Showgrounds from Mixed Rural to Countryside Living.**

Reasons	
(i) The resulting change in underlying zoning has resulted in many activities provided for under the Kumeu District Agricultural and Horticultural Society Act, which align with the objectives of the Society, being given a more restrictive activity status. This undermines the objectives of both the precinct and the Society.	
(ii) The Society was the only submitter on the precinct. The Society sought inclusion of the precinct to provide for the activities enabled by the Act.	
Alternative solution	See Attachment A

(c) **The application of the Large Lot zone at 47-61 Dawson Road, Snells Beach**

Reasons	
(i) The land at 47-61 Dawson Road has very recently been rezoned to Medium Intensity Residential in the Operative Auckland Council District Plan (Rodney Section) as part of Private Plan Change 179.	
(ii) The Medium Intensity Residential in the Operative Auckland Council District Plan (Rodney Section) is most directly equivalent to the Single House zone.	
(iii) Any wastewater and stormwater management issues and urban design and landscaping matters can be adequately addressed by the Single House zone and Auckland-wide standards.	
Alternative solution	See Attachment A

51. Council decisions relating to Panel report entitled “Report to Auckland Council Hearing Topic 080 Rezoning and precincts (General), and 081 Rezoning and precincts (Geographic areas) and 016 and 017 - Rural urban boundary and Annexures 1 – 6, July 2016 – (recommendations in the NORTH)”

Panel recommendations accepted:

51.1 The Council has accepted all the recommendations of the Panel contained in the Panel reports for Hearing Topic 080 Rezoning and precincts (General), and 081 Rezoning and precincts (Geographic areas) and 016 and 017 - Rural urban boundary and Annexures 1 – 6, July 2016 – (recommendations in the NORTH), 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 51.2.

Panel recommendations rejected:

51.2 The Council has rejected the Panel recommendations in relation to Hearing Topic 080 Rezoning and precincts (General), and 081 Rezoning and precincts (Geographic areas) and 016 and 017 - Rural urban boundary and Annexures 1 – 6, July 2016 (recommendations in the NORTH) as listed below, with accompanying reasons, alternative solutions and section 32AA evaluation (where necessary):

(a) The deletion of the Akoranga precinct and reliance upon the Auckland University of Technology (AUT) designation (Designation 6010)

Reasons
(i) The removal of the precinct removes important enabling aspects and controls that were important to the ongoing use of the site.
(ii) The inclusion of the precinct will ensure integrated development of the precinct, particularly in the instance that the land is not needed by Auckland University of Technology.
(iii) The precinct provides for a range of activities within the site, including complementary tertiary activities which are not accessory to tertiary education and, therefore, are not provided for by the designation. It also enables additional building height which is important to support the development within the precinct.
(iv) The provisions proposed to be included in the precinct will enable potential adverse effects on the amenity and function of nearby town centres of Northcote and Takapuna and on the local road network to be

considered through more directive assessment enabled by the inclusion of the precinct.	
Alternative solution	See Attachment A
Section 32AA evaluation	See Attachment B

- (b) **The deletion of the Takapuna 2 precinct and reliance upon the provisions of the underlying zones (Terraced House and Apartment Buildings and Business – Metropolitan)**

Reasons	
(i) Deletion of the precinct means that less intensive development is provided for, contrary to the intent of the Panel's recommendation to provide for intensification around the Takapuna metropolitan centre.	
(ii) It is also contrary to the recommended provisions of the RPS, and is inconsistent with the application of Height Variation Controls across the rest of the Terrace Housing and Apartment Building zone surrounding the Takapuna Metropolitan Centre.	
Alternative solution	See Attachment A

(c) **The extension of the Rural Urban Boundary north of the Vaughans Road ridgeline into the Okura catchment at a location east of Okura village**

Reasons	
	(i) The Okura catchment drains into the Okura Estuary which forms part of the Long Bay-Okura Marine Reserve. Stormwater contaminants from urbanisation are likely to result in adverse effects on indigenous biological diversity within the Long Bay-Okura Marine Reserve.
	(ii) Policy 11 of the New Zealand Coastal Policy Statement 2010 (NZCPS) requires adverse effects of activities on areas set aside for full or partial protection of indigenous biological diversity under other legislation, such as the Long Bay-Okura Marine Reserve, to be avoided. Moving the Rural Urban Boundary from its notified position into the Okura catchment and the proposed urban development will not give effect to the NZCPS.
	(iii) Including the Okura Holdings Limited land within the Rural Urban Boundary and the proposed urban development is likely to result in adverse effects on the water quality, ecology and hydrology of the streams and rivers on the Okura Holdings Limited land. This is unlikely to give effect to the provisions of the National Policy Statement for Freshwater Management 2014.
	(iv) The Vaughans Road ridgeline is a strong landscape feature and is the boundary between two catchments. Retaining the Rural Urban Boundary in this location therefore gives better effect to the PAUP regional policy statement than relocating the Rural Urban Boundary into the Okura catchment as recommended by the Independent Hearings Panel.
	(v) Substantial upgrades to wider transport network would be required to service urban development within the Okura precinct. The recommended Okura Precinct does not include appropriate provisions to address transportation infrastructure requirements, the provisions of open space and the extent of sub-precincts.
Alternative solution	See Attachment A

- (d) **The application of a new precinct to the land north of Vaughans Road, Okura and rezoning of approximately 130ha of land from Countryside Living to Mixed Housing Suburban, Large Lot, Open Space Conservation and Open Space Informal Recreation zones for the reasons outlined in c) above.**

- (e) **The rezoning of approximately 30ha of land from Countryside Living to Future Urban zone on land to the north of Vaughans Road/east of Okura Village for the reasons outlined in c) above.**

Consequential Amendments

- (f) **As a consequential change amend Table E39.6.5.2.1 Minimum and minimum average net site areas, to include a minimum net site area and average net site area without transferable rural site subdivision, of 4ha to land known as Okura East**

Reasons	
(i) For amending Table E39.6.5.2.1 Minimum and minimum average net site areas, and adding the Control: Subdivision Variation Control - Rural, Okura East Countryside Living – if the Countryside Living zone is to be applied instead of Independent Hearings Panel recommended "live" zoning and Future Urban zoning, the minimum 4ha site control for Okura East needs to be included in the plan to carry over the Operative Auckland Council District Plan: North Shore Section Countryside Living minimum site sizes. This is in line with the approach the Independent Hearings Panel has taken for other Countryside Living zoned areas.	
Alternative solution	See Attachment A

- (g) **As a consequential change add the Control: Subdivision Variation Control - Rural, Okura East Countryside Living to the land know as Okura East for the reason outlined in f) above.**

52. Council decisions relating to Panel report entitled “Report to Auckland Council Hearing Topic 080 Rezoning and precincts (General), and 081 Rezoning and precincts (Geographic areas) and 016 and 017 - Rural urban boundary and Annexures 1 – 6, July 2016 – (recommendations in CENTRAL)”

Panel recommendations accepted:

- 52.1 The Council has accepted all the recommendations of the Panel contained in the Panel reports for Hearing Topic 080 Rezoning and precincts (General), and 081 Rezoning and precincts (Geographic areas) and 016 and 017 - Rural urban boundary and Annexures 1 – 6, July 2016 – (recommendations in CENTRAL), 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 52.2.

Panel recommendations rejected:

- 52.2 The Council has rejected the Panel recommendations in relation to Hearing Topic 080 Rezoning and precincts (General), and 081 Rezoning and precincts (Geographic areas) and 016 and 017 - Rural urban boundary and Annexures 1 – 6, July 2016 (recommendations in CENTRAL) as listed below, with accompanying reasons, alternative solutions and section 32AA evaluation (where necessary):

(a) **Deletion of the Sylvia Park precinct and reliance on the underlying Metropolitan Centre zone**

Reasons	
(i) Sylvia Park has undergone a recent plan change which incorporates the most up to date provisions that provide for the ongoing development and operation of the site as well as site-specific development and land-use standards. A number of provisions in the precinct are more enabling and cannot be controlled by overlays.	
(ii) Removing the precinct provisions removes the delivery of three separate height areas that provide a more granular approach to bulk on the site.	
(iii) Removing the precinct provisions also removes specific information requirements.	
(iv) In removing the precinct, Appendix 11.2.2 Sylvia Park is also deleted and this contains statutory provisions that form an interrelated and fundamental part of the precinct.	
(v) Retaining the precinct will ensure a better overall outcome for the long-term development of Sylvia Park.	
Alternative solution	See Attachment A

Topic 043-044

E27 Transport

E27. Transport

E27.1. Background

To support and manage the effects on the operation.....

The approach to parking provided with an activity or development is outlined below:

- there is no requirement for activities or development to provide parking in the following zones and locations:
 - the Business – City Centre Zone; ~~and~~
 - Centre Fringe Office Control as shown on the planning maps for office activities; and
 - Business – Metropolitan Centre Zone; Business – Town Centre Zone, Business – Local Centre Zone and Business – Mixed Use Zone (with the exception of identified non-urban town and local centres

instead, a maximum limit has been set on the amount of parking that can be provided on a site in these areas;

- there is no requirement or limit for activities or development excluding office ~~and retail~~ to provide parking in the following zones and locations:
 - ~~Business – Metropolitan Centre Zone; Business – Town Centre Zone, Business – Local Centre Zone and Business – Mixed Use Zone (with the exception of identified non-urban town and local centres);~~
 - Centre Fringe Office Control as shown on the planning maps;
 - Residential – Terrace Housing and Apartment Buildings Zone; and
 - Residential – Mixed Housing Urban Zone (for studio and one-bedroom dwellings)

this approach supports intensification and public transport and recognises that for most of these areas, access to the public transport network will provide an alternative means of travel to private vehicles;

- in all other areas,

E27.2. Objectives....

E27.3. Policies...

Parking

(3) Manage the number, location.....

(6) ~~Provide for flexible on-site parking by not-~~ Limiting the supply of on-site parking or requiring parking for subdivision, use and development (excluding office and retail activities) in the Business – Metropolitan Centre Zone, Business – Town Centre Zone, Business – Local Centre Zone, and Business – Mixed Use Zone (with the exception of non-urban town and local centres), ~~Centre Fringe Office Control area, Residential – Terrace Housing and Apartment Buildings Zone and Residential – Mixed Housing Urban Zone (studio and one bedroom dwellings).~~

(7) Provide for flexible on-site parking by not limiting or requiring parking for subdivision, use and development (excluding office) in the Centre Fringe Office Control area, Residential – Terrace Housing and Apartment Buildings Zone and Residential – Mixed Housing Urban Zone (studio and one bedroom dwellings).

(8) Require all other.....

E27.4. Standards

E27.4.2 Number of parking and loading spaces

Table E27.6.2.1 Maximum parking rates for the Business – City Centre Zone

Activity/site			Business – City Centre Zone maximum rate
(T1)	Dwellings	<u>Dwellings</u> <u><75m² GFA</u>	<u>0.7 per dwelling</u>
<u>(T12)</u>		<u>Dwellings</u> <u>≥75 and < 90m² GFA</u>	<u>1.4 per dwelling</u>
<u>(T13)</u>		<u>Dwellings</u> <u>≥90m² GFA</u>	<u>1.7 per dwelling</u>
<u>(T14)</u>		<u>Visitor spaces</u>	<u>0.2 per dwelling</u>
<u>(T15)</u> (T12)	All other activities	Inner core as shown on the Parking Variation Control planning maps	1:200m ² GFA
(T13)		Outer core as shown on the Parking Variation Control planning maps	1: 125m ² GFA

Table E27.6.2.3 Parking rates - area 1

Activity			Applies to zones and locations specified in Standard E27.6.2(4)	
			Minimum rate	Maximum rate
(T16) <u>(T18)</u>	Offices		No minimum	1 per 30 m ² GFA
(T17) <u>(T19)</u>	Retail	Food and beverage (excluding taverns)	A minimum of 1 per 30m ² GFA and outdoor seating area <u>No minimum</u>	No maximum <u>1 per 10m² GFA and outdoor seating area</u>
(T18)		Supermarkets	A minimum of 1 per 30m ² GFA	No maximum
(T19) <u>(T20)</u>		All other retail (including taverns)	<u>No minimum</u>	No maximum <u>1 per 20m² GFA</u>
<u>(T21)</u>	<u>Entertainment facilities and community facilities</u> <u>Provided that, for places of worship, the “facility” shall be the primary place of assembly</u>		<u>No minimum</u>	<u>0.2 per person the facility is designed to accommodate</u>

Activity		Applies to zones and locations specified in Standard E27.6.2(4)		
		Minimum rate	Maximum rate	
	<u>(ancillary spaces such as prayer rooms, meeting rooms and lobby spaces may be disregarded)</u>			
(T22)	<u>Emergency services</u>		<u>No minimum</u>	<u>1 car parking space per employee on site plus one per emergency service appliance based at the facility</u>
(T23)	<u>Care centres</u>		<u>No minimum</u>	<u>0.10 per child or other person (other than employees) plus 0.5 per FTE (full time equivalent) employee</u>
(T24)	<u>Education facilities</u>	<u>Primary and secondary</u>	<u>No minimum</u>	<u>0.5 per FTE employee plus 1 visitor space per classroom</u>
(T25)		<u>Tertiary</u>	<u>No minimum</u>	<u>0.5 per FTE employee plus 0.25 per EFT (equivalent full time) student the facility is designed to accommodate</u>
(T26)	<u>Medical facilities</u>	<u>Hospital</u>	<u>No minimum</u>	<u>1 per 40 m² GFA</u>
(T27)		<u>Healthcare facilities</u>	<u>No minimum</u>	<u>1 per 20 m² GFA</u>
(T20)	<u>Commercial services</u>		<u>A minimum of 1 per 30m² GFA</u>	<u>No maximum</u>
(T28)	<u>Residential</u>	<u>All other activities All dwellings in the Terrace Housing & Apartment Buildings zone</u>	<u>No minimum</u>	<u>No maximum</u>
(T29)		<u>Dwellings – studio or 1 bedroom</u>	<u>No minimum</u>	<u>1 per dwelling</u>
(T30)		<u>Dwellings – two or more bedrooms</u>	<u>No minimum</u>	<u>2 per dwelling</u>
(T31)		<u>Visitor spaces</u>	<u>No minimum</u>	<u>0.2 per dwelling</u>
(T32)		<u>Retirement villages</u>	<u>No minimum</u>	<u>1 per unit / apartment plus</u>

Activity		Applies to zones and locations specified in Standard E27.6.2(4)	
		Minimum rate	Maximum rate
			<u>0.2 visitor space per unit / apartment plus 0.3 per bed for rest home beds</u>
<u>(T33)</u>	<u>Supported residential care</u>	<u>No minimum</u>	<u>0.3 per bed</u>
<u>(T34)</u>	<u>Visitor accommodation</u>	<u>No minimum</u>	<u>1 per unit. or, where accommodation is not provided in the form of units, 0.3 per bedroom</u>
<u>(T35)</u>	<u>Boarding houses</u>	<u>No minimum</u>	<u>0.5 per bedroom</u>
<u>(T21)</u> <u>(T36)</u>	<u>All other activities</u>	<u>No minimum</u>	<u>1 per 20 m² GFA</u>

~~(5) The minimum parking requirements in Table E27.6.2.3 do not apply in any of the following circumstances:~~

~~(a) where the activity is located within the D17 Historic Heritage Overlay or~~

~~(b) where the activity is located within the D18 Special Character Areas Overlay — Residential and Business; or~~

~~(c) where the activity involves a change in use from;~~

~~(i) one retail activity to another; or~~

~~(ii) one commercial service to another; or~~

~~(iii) one retail activity to a commercial service or vice versa; or~~

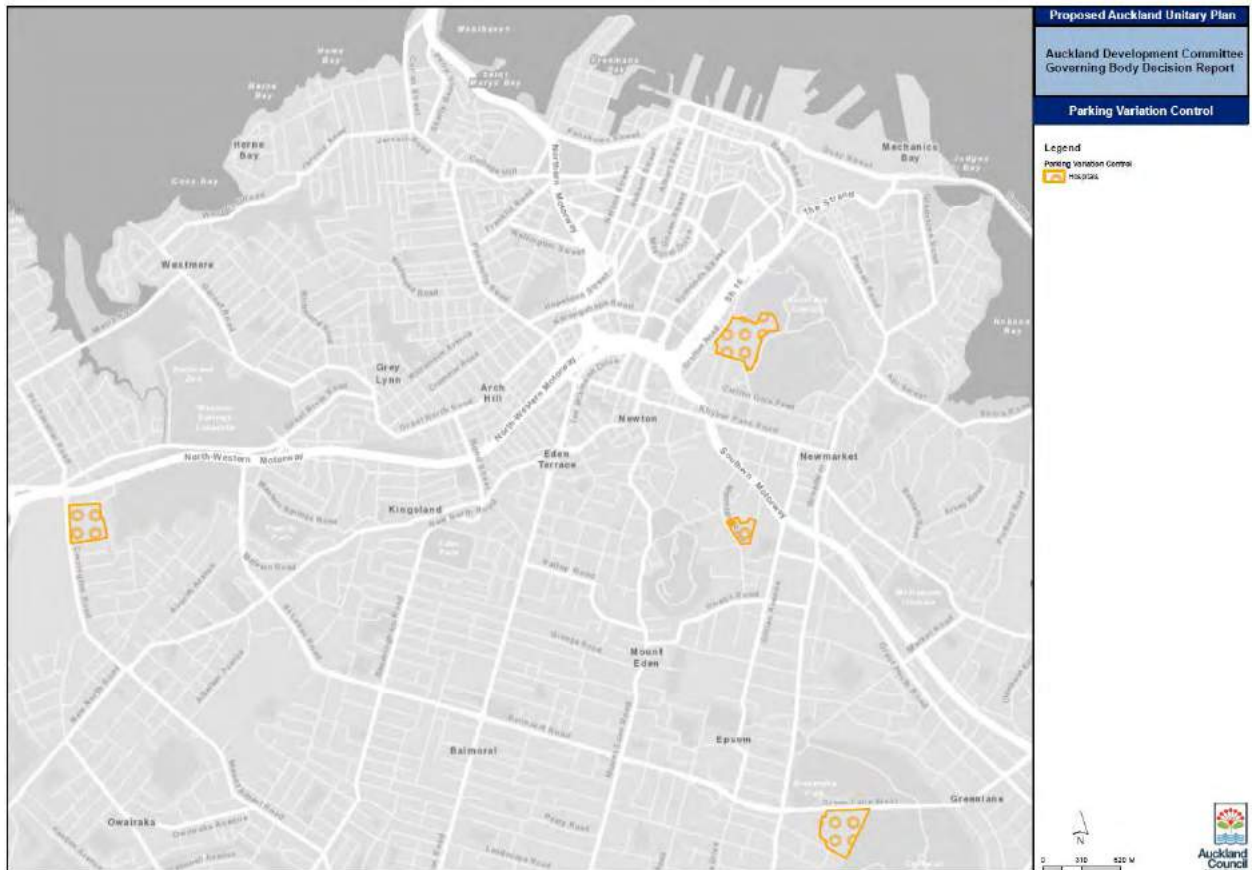
~~(d) where the activity does not involve either:~~

~~(i) the construction of a new building not exceeding 100 m²; or~~

~~(ii) an addition not exceeding 100m² GFA to an existing building.~~

~~(6) (5) Table E27.6.2.4 sets out the parking rates which apply to the Business – Neighbourhood Centre Zone and all other zones and areas not specified in Table E27.6.2.1, Table E27.6.2.2 and Table E27.6.2.3.~~

Topic Number	Topic Name	Change requested to planning maps
Topic 043 and 044	Transport	Remove Parking Variation (Inner and Outer Core) Controls on City Centre Zone. The changes apply across the City Centre zone – see map. Parking Variation (Hospital) Control is retained, see below.



**LIST OF NAMES AND ADDRESSES OF PERSONS SERVED
WITH A COPY OF THIS NOTICE**

Auckland Council at unitaryplan@aucklandcouncil.govt.nz.

COPY OF THE RELEVANT SUBMISSION

In the matter of: Submission on proposed plan under s 123 of the Local Government Act (Auckland Transitional Provisions) Act 2010 and under cl 6 of Schedule 1 of the Resource Management Act 1991 – Proposed Auckland Unitary Plan – 30 September 2013

And: **Auckland Council**

Local Authority

And: **Tram Lease Ltd, Viaduct Harbour Holdings Ltd & Viaduct Harbour Management Ltd**

Submitters

Submission on proposal for unitary plan

Dated: 28 February 2014



Form 5

SUBMISSION ON PROPOSAL FOR UNITARY PLAN

Local Government Act (Auckland Transitional Provisions) Act 2010, Section 123; and Clause 6, Schedule 1, Resource Management Act 1991

To: Auckland Council

Submitters: Tram Lease Ltd, Viaduct Harbour Holdings Ltd & Viaduct Harbour Management Ltd

1 This is a submission on the following proposed plan (**plan**):

1.1 Proposed Auckland Unitary Plan (30 September 2013).

Commitment to sustainable environmental outcomes

2 This submission is made by Tram Lease Ltd, Viaduct Harbour Holdings Ltd & Viaduct Harbour Management Ltd (**submitters**):

2.1 The submitters are freehold owners with a long-term investment interest in a range of sites (**sites**) in Auckland, including:

(a) 19.5ha of land in the Auckland Isthmus.

(b) 7.8ha of land in Viaduct Harbour Precinct.

(c) 7.8ha of land in Wynyard Quarter, south of Pakenham Street.

(d) Exclusive water space management rights in Viaduct Harbour and Westhaven Properties Marina.

2.2 The submitters are experienced and responsible corporate citizens with a track record of making positive contributions to resource management issues via plan submissions. They are also amongst the most experienced managers of leasehold portfolios nationally and internationally, and are highly skilled in urban regeneration and renewal.

2.3 In particular, the submitters have made significant contributions to the Auckland economy by providing the catalyst for over \$1.3 billion of development investment in the architecturally acclaimed and award winning Viaduct Harbour Precinct and Wynyard Quarter by focusing on plan provisions that:

(a) Enable excellence in urban design;

(b) Enhance amenity values and environmental quality;

(c) Encourage public transport usage;

(d) Increase land availability (via urban intensification) for commercial and residential activities; and

(e) Create significant employment opportunities.

2.4 The sites owned by the submitters are:

(a) Strategically placed along rail and road corridors across the Auckland Isthmus and in the City Centre.

(b) Well served by existing public transport services (rail and bus), and within easy walking distance from rail stations and bus stops.

(c) Within easy walking distance of shops, other services, and local amenities.

(d) Well connected with other centres in Auckland.

2.5 Subject to appropriate zoning and overlay provisions, the sites are capable of delivering the significant environmental, intensification and economic objectives sought by the plan. In particular, the specific sites focused on in this submission were deliberately selected because they have the potential due to their location to promote the sustainable management of natural and physical resources and to give effect to the objectives and policies in the plan.

2.6 The sites (due to their strategic locations) also present a unique opportunity to give effect to the Auckland Plan directives. This submission therefore seeks to rezone certain sites, and make key amendments to specific plan provisions, in a way that will assist positively in securing these objectives during the plan period.

2.7 As a result, the sites require a careful and balanced planning response that will allow them to be used in the most efficient and effective way.

2.8 This submission has been informed throughout by nationally respected expert analysis from: Andrew Anderson (architecture), Clinton Bird (urban design), Gerard Bird (site contamination), Michael Foster (planning), Zoltan Moricz (land supply), John Schellekens (valuation), Grant Smith (traffic), Paul Gunn (asset management), John White (marina operation), and Adam Wild (conservation). All of the experts are acknowledged leaders in their fields.

Decisions sought

3 The specific provisions of the plan that this submission relates to are:

3.1 The whole plan.

- 4 The submission **supports** the plan in relevant part and **opposes** the plan in relevant part.
- 5 The reasons for the submission are given in Appendix A and C. Overall, the plan provisions opposed by the submitters will not promote sustainable management, are not the most efficient or effective way of achieving sustainable management or giving effect to the objectives and policies in the plan, will not provide opportunities for economic growth or employment, and will render interests in adversely affected land incapable of reasonable use: contrary to RMA s 5, s 32, s 85 and s 185.
- 6 The submitters seek the following decisions from the local authority:
- 6.1 The specific amendments listed in Appendix A.
- 6.2 The general amendments listed in Appendix B.
- 6.3 The site zoning or rezoning shown on the maps in Appendix D.
- 6.4 The retention of all other plan provisions included in the notified version of the plan (30 September 2013) that are not listed or referred to in Appendices A, B and D, but only in so far as retention of such provisions is not inconsistent with the decisions sought by this submission.
- 6.5 Such alternative, consequential or further relief as may be required to give effect to this submission.
- 7 The submitters could not gain any advantage in trade competition through this submission.
- 8 The submitters wish to be **heard** in support of this submission. They are happy to provide further clarification of any issues raised in the submission, should the local authority consider that helpful.
- 9 The submitters agree to participate in mediation or other alternative dispute resolution of this submission.

Trevor Daya Winterbottom

Trevor Daya-Winterbottom

Counsel for Tram Lease Ltd, Viaduct Harbour Holdings Ltd & Viaduct Harbour Management Ltd

28 February 2014

Address for service: PO Box 75-945 Manurewa 2243

Telephone: 0275 182 196

Email: daya.winterbottom@xtra.co.nz

Contact person: Trevor Daya-Winterbottom

Reader's guide

- 1 This submission is divided into the following parts:
- 2 The submission (**Form 5**) that summarises the overall decisions sought by the submitters.
- 3 **Appendix A** that lists by reference to 26 sites the site specific plan provisions opposed or supported by the submitters.¹ For each site the submission identifies the resource management issues, the specific plan provisions sought to be amended or retained, the reasons for the submission, and the decisions sought from the local authority.
- 4 **Appendix B** that lists the decisions sought from the local authority in relation to the general plan provisions opposed or supported by the submitters.
- 5 **Appendix C** that lists the general reasons for the submission.
- 6 **Appendix D** that contains maps showing sites locations, rezoning required, and the indicative area that could be considered by the local authority for any wider rezoning that may be considered appropriate.

¹ The specific relief sought in the feedback made about the consultation draft of the plan (March 2013) regarding Sites 11 and 12 is not pursued in this submission. The Light Industry zoning for Sites 11 and 12 is considered appropriate. But for continuity the original site numbering of the sites referred to in the submission is retained.

Appendix A

Specific amendments

Site 1: **47 Parnell Rise, Parnell** (Map 1)

- 1 *Issues:* discretionary activity status of historic heritage place extent, provision for offices and retail as permitted activities, green building requirements, frontage controls, 16.5m maximum permitted building height, and building setback at upper floors.
- 2 *Specific provisions:*
 - 2.1 Part 3 Regional and District Rules, Chapter I, Rules 3.4.2, 3.4.4, 3.4.8 (2), 3.4.8 (3); Chapter J, Rule 2.1 Activity Table; and Urban Map 32.
- 3 *Reasons for submission:*
 - 3.1 The specific provisions referred to above are **opposed** (except Rule 3.4.8 (2)). Mixed Use zoning and Rule 3.4.8 (2) are **supported**. The specific reasons for the submission include:
 - 3.2 The site is located near the intersection of two major transportation corridors (Stanley Street and Parnell Rise), it is just outside the boundary of the City Centre zone, it is within easy walking distance of the Queen Street valley, the University, the Quay Park Precinct, Fraser Park and the Domain. It is also a short distance to and from the regional motorway network.
 - 3.3 In terms of public transport, the distance from the site to the closest rail station is 0.6km, and it is well served by several bus services routed along Parnell Rise.
 - 3.4 The maximum permitted building height should be up to 35m. A 35m high building on this site would punctuate this key central area gateway/node.
 - 3.5 The activity status regarding the Heritage Overlay and pre-1944 Building Demolition Control is unduly restrictive.
 - 3.6 Reasonable (highest and best) use of this site will include: mixed use zoning, no restriction on permitted office and retail GFA, maximum permitted building height of up to 35m, and 100% site coverage by buildings.
- 4 *Decision sought:*
 - 4.1 Amend the plan (Chapter I, Rule 3.4.2) to provide for a maximum permitted building height of up to 35m for sites in the Mixed Use zone, and delete all storey controls.
 - 4.2 Without prejudice to the above relief, amend the plan (Chapter I, Rule 3.4.4 and Table 3.3) to provide for a minimum 6m building

setback at upper floors from front boundary from 19m or 4 storeys for sites in the Mixed Use zone.

- 4.3 Amend Heritage Overlay (Historic Heritage Place Extent: ID1913 Parnell Truss Bridge) and pre-1944 Building Demolition Control (Urban Map 32: Historic Heritage), and Chapter J, Rule 2.1, activity class by providing for demolition as a restricted discretionary activity.
- 4.4 Retain the Mixed Use zoning (Urban Map 32: Zones) for this site as per the notified (30 September 2013) version of the plan.

Site 2: 53-61 Parnell Rise, Parnell (Map 1)

- 5 *Issues:* provision for offices and retail as permitted activities, green building requirements, frontage controls, 16.5m maximum permitted building height, building setback at upper floors.

- 6 *Specific provisions:*

- 6.1 Part 3, Chapter I, Rules 3.4.2, 3.4.4, 3.4.8 (2), and 3.4.8 (3).

- 7 *Reasons for submission:*

- 7.1 The specific provisions referred to above are **opposed** (except Rule 3.4.8(2)). Mixed Use zoning and Rule 3.4.8 (2) are **supported**. The specific reasons for the submission include:
 - 7.2 The site is near the intersection of two major transportation corridors (Stanley Street and Parnell Rise), it is just outside the boundary of the City Centre zone, it is within easy walking distance of the Queen Street valley, the University, the Quay Park Precinct, Fraser Park and the Domain. It is also a short distance to and from the regional motorway network.
 - 7.3 In terms of public transport, the distance from the site to the closest rail station is 0.6km, and it is well served by several bus services routed along Parnell Rise.
 - 7.4 The maximum permitted building height should be 35m. A 35m high building on this site would punctuate this key central area gateway/node.
 - 7.5 A certificate of compliance (deemed resource consent) has been granted by Council for demolition of the building at 57-61 Parnell Road, and resource consent has been granted for works within the scheduled site surrounds under the operative District Plan.
 - 7.6 Reasonable (highest and best) use of this site will include: mixed use zoning, no restriction on permitted office and retail GFA, maximum permitted building height of 35m, and 100% site coverage by buildings.

- 8 *Decision sought:*

- 8.1 Amend the plan (Chapter I, Rule 3.4.2) to provide for a maximum permitted building height of up to 35m for sites in the Mixed Use zone, and delete all storey controls.
- 8.2 Without prejudice to the above relief, amend the plan (Chapter I, Rule 3.4.4 and Table 3.3) to provide for a minimum 6m building setback at upper floors from front boundary from 19m or 4 storeys for sites in the Mixed Use zone.
- 8.3 Amend Rule 3.6 to provide an exemption from the Pre-1944 Building Demolition Controls regarding buildings or structures where a certificate of compliance (deemed resource consent) has been granted for demolition, and amend or delete the Heritage Overlay Pre-1944 Demolition Control (Urban Map 32) accordingly.
- 8.4 Retain the Mixed Use zoning (Urban Map 32: Zones) for this site as per the notified (30 September 2013) version of the plan.

*Site 3: **511 Parnell Road, Parnell** (Map 3)*

- 9 *Issues:* provision for offices and retail as permitted activities, green building requirements, frontage controls, 16.5m maximum permitted building height, and designation ID 6300.
- 10 *Specific provisions:*
 - 10.1 Urban Map 32 Mixed Use Zone; Part 3, Chapter I, Rule 3.4.2; Urban Map 32 Historic Heritage Overlay: Pre-1944 Demolition Control; Designation ID 6300 North Auckland Rail Line (tunnel).
- 11 *Reasons for submission:*
 - 11.1 Part 3, Chapter I, Rule 3.4.2 is **opposed**. Urban Map 32 Mixed Use Zone is **supported**. The specific reasons for the submission include:
 - 11.2 The site is located on a highly pedestrianised corner and major entrance to the Auckland Domain. In particular, the site is on a major public transportation route, within very easy walking distance of Parnell, Newmarket, the Domain, Newmarket Park and Thomas Bloodworth Park. Mixed Use zoning would be more appropriate.
 - 11.3 In terms of public transport, the distance from the site to the closest rail station is 0.7km, and it is well served by bus routes along Parnell Road.
 - 11.4 A maximum permitted height of 16.5m is considered too low.
 - 11.5 Designation ID 6300 North Auckland Rail Line (tunnel) should be removed from the land surface as it may affect both redevelopment of the existing building or the subject site, and render the submitters interest in the site incapable of reasonable

use. The subterranean tunnel designation may remain in situ. The designation is rolled over by the plan.

- 11.6 A certificate of compliance (deemed resource consent) has been granted by Council for demolition of the building at 511 Parnell Road, and resource consent has been granted for works within the dripline of street trees under the operative District Plan.
- 11.7 Reasonable (highest and best) use of this site will include: mixed use zoning, no restriction on permitted office and retail GFA at ground, provision for residential above ground, maximum permitted building height of up to 35m, and 100% site coverage by buildings.

12 *Decision sought:*

- 12.1 Amend the plan (Chapter I, Rule 3.4.2) to provide for a maximum permitted building height of up to 35m for sites in the Mixed Use zone, and delete all storey controls.
- 12.2 Without prejudice to the above relief, amend the plan (Chapter I, Rule 3.4.4 and Table 3.3) to provide for a minimum 6m building setback at upper floors from front boundary from 19m or 4 storeys for sites in the Mixed Use zone.
- 12.3 Amend Rule 3.6 to provide an exemption from the Pre-1944 Building Demolition Controls regarding buildings or structures where a certificate of compliance (deemed resource consent) has been granted for demolition, and amend or delete the Heritage Overlay Pre-1944 Demolition Control (Urban Map 32: Historic Heritage) accordingly.
- 12.4 Delete (in part) Designation ID 6300 North Auckland Rail Line (tunnel) by removing it from the land surface only of the subject site.
- 12.5 Retain the Mixed Use zoning (Urban Map 32: Zones) for this site as per the notified (30 September 2013) version of the plan.

Site 4: 127-133 Manukau Road, Epsom (Map 4)

- 13 *Issues:* provision for offices and retail as permitted activities, green building requirements, frontage controls, 16.5m maximum permitted building height, building setback at upper floors.

14 *Specific provisions:*

- 14.1 Urban Map 32 Mixed Use Zone; and Part 3, Chapter I, Rule 3.4.2.

15 *Reasons for submission:*

- 15.1 Part 3, Chapter I, Rule 3.4.2 is **opposed**. Map 32 Mixed Use Zone is **supported**. The specific reasons for the submission include:

- 15.2 The site is located alongside a major public transportation corridor, within such easy walking distance of Newmarket (a Metropolitan Centre) and adjoining the proposed Mixed Housing zone of generally high quality residential development to the zone's immediate west.
- 15.3 In terms of public transport, the distance from the site to the closest rail station is 0.9km, and it is well served by several bus services routed along Manukau Road with the closest bus stop being 100m away from the site.
- 15.4 In a Mixed Use zone, the plan would enable a maximum permitted building height of 16.5m. However, this maximum building height should be amended to achieve the local authority's objective of Auckland becoming a high quality compact city and to enable high quality, generous, flexible, adaptable and sustainable commercial office floor to floor heights. This would result in a maximum permitted building height of up to 35m for this site.
- 15.5 Reasonable (highest and best) use of this site will include: mixed use zoning, no restriction on permitted GFA for office or residential or food and beverage activities, maximum permitted building height of up to 35m, and 100% site coverage by buildings.
- 16 *Decision sought:*
- 16.1 Amend the plan (Chapter I, Rule 3.4.2) to provide for a maximum permitted building height of up to 35m for sites in the Mixed Use zone, and delete all storey controls.
- 16.2 Without prejudice to the above relief, amend the plan (Chapter I, Rule 3.4.4 and Table 3.3) to provide for a minimum 6m building setback at upper floors from front boundary from 19m or 4 storeys for sites in the Mixed Use zone.
- 16.3 Retain the Mixed Use zoning (Urban Map 32: Zones) for this site as per the notified (30 September 2013) version of the plan.
- Site 5: **58 Market Road, Epsom** (Map 5)*
- 17 *Issues:* provision for offices and retail as permitted activities, green building requirements, frontage controls, 16.5m maximum permitted building height, and building setback at upper floors.
- 18 *Specific provisions:*
- 18.1 Map 32 Terraced Housing and Apartment Zone, Heritage Overlay, Pre 1944 Building Demolition Control; Part 3, Chapter I, Rules 1.9.2, 1.9.4, 3.4.4, 1.9.22, 3.4.8 (2), 1.9.7, 1.9.8, 1.9.9.
- 19 *Reasons for submission:*

- 19.1 The specific provisions referred to above are **opposed** (except Rule 3.4.8(2)). Rule 3.4.8 (2) is **supported**. The specific reasons for the submission include:
- 19.2 The site is almost immediately alongside the Remuera Railway Station, very near the Great South Road public bus transportation route, within very easy walking distance of the shops clustered around the intersection of Great South Road and Market Road, and within relatively easy walking distance of the Mt St John, Mt Hobson and Remuera Bowling Club recreational areas.
- 19.3 In terms of public transport, the distance from the site to the closest rail station is 0.04km, and it is well served by several bus services routed along Gt South Road with the closest bus stop being approximately 130m away from the site.
- 19.4 A Mixed Use zone would enable a building to contain, for example, commercial/retail activity in a podium at street level with a residential tower above. In particular, the site's prominence and contextual setting suggests that the site should be zoned Mixed Use and be enabled to accommodate a significant GFA. From an urban design perspective this would be the most sensible outcome given the local authority's objective of Auckland becoming a high quality compact city.
- 19.5 Reasonable (highest and best) use of this site will include: Mixed Use zoning, no restriction on permitted office GFA, maximum permitted building height of up to 35m, and 100% site coverage by buildings.

20 *Decision sought:*

- 20.1 Amend the plan (Urban Map 32: Zones) by rezoning this site from the Terrace Housing and Apartment Building zone to the Mixed Use zone as shown on Map 5B **attached**.
- 20.2 Amend the plan (Chapter I, Rule 3.4.2) to provide for a maximum permitted building height of up to 35m for sites in the Mixed Use zone, and delete all storey controls.
- 20.3 Without prejudice to the above relief, amend the plan (Chapter I, Rule 3.4.4 and Table 3.3) to provide for a minimum 6m building setback at upper floors from front boundary from 19m or 4 storeys for sites in the Mixed Use zone.

*Site 6: **19-23 Kalmia Street, Ellerslie** (Map 6)*

- 21 *Issues:* provision for offices and retail as permitted activities, green building requirements, frontage controls, 20m maximum permitted building height, and site coverage.

22 *Specific provisions:*

22.1 Urban Map 40 Light Industrial zone; and Part 3, Chapter I, Rules 3.5.1, 3.5.3 and 3.5.4.

23 *Reasons for submission:*

23.1 The specific provisions referred to above are **opposed**. The specific reasons for the submission include:

23.2 The site is within very easy walking distance to all the services and facilities of the Ellerslie town centre. There is a range of activities occurring within the immediate area including residential, retail, food and beverage, office and light industry activities.

23.3 In terms of public transport, the distance from the site to the closest rail station is 0.1km, and it is well served by several bus services routed along Main Highway with the closest bus stops being within 100m-200m from the site.

23.4 The site (and both sides of Kalmia Street between the main Ellerslie Highway and Great South Road) should be rezoned Mixed Use.

(a) It makes no urban design sense whatsoever to provide for light industrial activity on this site.

(b) The site should be zoned Mixed Use as shown on Map 6B attached. In a Mixed Use zone, the Plan would enable a maximum permitted building height of 16.5m. However, this maximum building height should be amended to achieve the local authority's objective of Auckland becoming a high quality compact city and to enable high quality, generous, flexible, adaptable and sustainable commercial office floor to floor heights. This would result in a building in a suitably intensive 'Mixed Use' zone for this site having a 35m maximum permitted building height.

23.5 Rule 3.5.3.1 provides for a maximum impervious area of 80% in the Light Industry zone. Given the relatively narrow dimension of the site between the Kalmia Street frontage and the Railway line, and the desirability of providing a continuous definition to the street edge in this urban setting, it is considered that the maximum impervious area should be 100%.

23.6 Reasonable (highest and best) use of this site will include: mixed use zoning, no restriction on permitted GFA for office or residential or food and beverage activities, maximum permitted building height of 35m, and 100% site coverage by buildings.

24 *Decision sought:*

24.1 Amend the plan (Urban Map 40: Zones) by rezoning this site from the Light Industry zone to the Mixed Use zone as shown on Map 6B **attached**.

24.2 Amend the plan (Chapter I, Rule 3.4.2) to provide for a maximum permitted building height of up to 35m for sites in the Mixed Use zone, and delete all storey controls.

24.3 Without prejudice to the above relief, amend the plan (Chapter I, Rule 3.4.4 and Table 3.3) to provide for a minimum 6m building setback at upper floors from front boundary from 19m or 4 storeys for sites in the Mixed Use zone.

Site 7: 63-95 Ireland Road, Panmure (Map 7)

25 *Issues:* provision for offices and retail activities, green building requirements, frontage controls, and 16.5m maximum permitted building height.

26 *Specific provisions:*

26.1 Urban Map 41; and Part 3, Chapter I, Rules 3.4.2 and 3.4.8 (2).

27 *Reasons for submission:*

27.1 Urban Map 41; and Part 3, Chapter I, Rule 3.4.2 are **opposed** (Rule 3.4.8 (2) is **supported**). The specific reasons for the submission include:

27.2 The site is within easy walking distance to Panmure town centre, and local amenities e.g. Panmure Basin.

27.3 In terms of public transport, the distance from the site to the closest rail station is 0.04km, and it is well served by several bus services routed along Mt Wellington Highway with the closest bus stops being 350m away from the site via the overbridge.

27.4 Reasonable (highest and best) use of this site will include: mixed use zoning, no restriction on permitted GFA for office or residential activities, maximum permitted building height of up to 35m, and 100% site coverage by buildings.

28 *Decision sought:*

28.1 Amend the plan (Chapter I, Rule 3.4.2) to provide for a maximum permitted building height of up to 35m for sites in the Mixed Use zone, and delete all storey controls.

28.2 Without prejudice to the above relief, amend the plan (Chapter I, Rule 3.4.4 and Table 3.3) to provide for a minimum 6m building setback at upper floors from front boundary from 19m or 4 storeys for sites in the Mixed Use zone.

Site 8: 1-7 Sylvia Park Road, Mt Wellington (Map 8)

29 *Issues:* provision for offices and retail activities, green building requirements, and 20m maximum permitted building height.

30 *Specific provisions:*

30.1 Urban Map 41 Light Industrial; Part 3, Chapter I, Rules 3.4.2, 3.5.1, 3.5.2, 3.5.3 and 3.5.4.

31 *Reasons for submission:*

31.1 The specific provisions are **opposed**. The specific reasons for the submission include:

31.2 This site and much of the southern side of Sylvia Park Road is opposite the very attractive and high quality Pacific Rise Office Park/Campus and Mutukaroa/Hamlins Hill Regional Park. This high amenity landscape character should be extended to both sides of Sylvia Park Road. The site also has excellent direct connections to the State Highway One Motorway, via the Mt Wellington interchange, and is a short drive to Sylvia Park metro centre (0.7km). It is also highly visible from Mt Wellington Highway.

31.3 In terms of public transport, the distance from the site to the closest rail station is 0.7km, and it is well served by several bus services routed along Gt South Road, Sylvia Park Road and Mt Wellington Road with the closest bus stops being 100m-500m away from the site.

31.4 This site is zoned Light Industry. This zoning makes general commercial offices a non-complying activity. It is considered that this site should be rezoned General Business where commercial offices > 500m² are a permitted activity. This is consistent with, and a logical extension of the General Business zoning directly opposite across the road.

31.5 The Light Industry zone sets a maximum permitted building height of 20m.

(a) Such an outcome would not result in the highest and best use of such a highly accessible site in a highly attractive gateway setting opposite its road frontage, nor would it contribute to the local authority's objective of Auckland becoming a high quality compact city.

(b) It is considered that the maximum building height for this site and the whole of the southern side of Sylvia Park Road should be 31m.

31.6 Reasonable (highest and best) use of this site will include: general business use zoning, no restriction on permitted retail (e.g. showrooms) GFA, maximum permitted building height of 31m, and 100% site coverage by buildings.

32 *Decision sought:*

- 32.1 Amend the plan (Urban Map 41: Zones) by rezoning this site from the Light Industry zone to the General Business zone as shown on Map 8B **attached**.
- 32.2 Amend the plan (Chapter I, Rule 3.4.2) to provide for a maximum permitted building height of 31m for sites in the General Business zone, and delete all storey controls.
- 32.3 Without prejudice to the above relief, amend the plan (Chapter I, Rule 3.4.4 and Table 3.3) to provide for a minimum 6m building setback at upper floors from front boundary from 19m or 4 storeys for sites in the General Business zone.

*Site 9: **13-21 Sylvia Park Road, Mt Wellington** (Map 9)*

- 33 *Issues:* provision for offices and retail as permitted activities, green building requirements, frontage controls, and 20m maximum permitted building height.
- 34 *Specific provisions:*
 - 34.1 Urban Map 41 Light Industrial; and Part 3, Chapter I, Rules 3.4.2, 3.5.1, 3.5.3 and 3.5.4.
- 35 *Reasons for submission:*
 - 35.1 The specific provisions referred to above are **opposed**. The specific reasons for the submission include:
 - 35.2 The site is opposite an attractive, small commercial office/service development and Mutukaroa/Hamlins Hill Regional Park. To the immediate west of the site is a wetlands area that extends to the edge the Mangere Inlet. This high amenity landscape character should be acknowledged by the zoning of the site. The site also has excellent direct connections to the State Highway One Motorway, via the Mt Wellington interchange and Great South Road, is a short drive to Sylvia Park, and is located in close proximity to existing industry. It is also highly visible from Great South Road.
 - 35.3 In terms of public transport, the distance from the site to the closest rail station is 0.7km, and it is well served by several bus services routed along Gt South Road, Sylvia Park Road and Mt Wellington Road with the closest bus stops being 100m-500m away from the site.
 - 35.4 This site is zoned Light Industry. This makes general commercial offices a non-complying activity. It is considered that this site and the entire southern side of Sylvia Park Road should be rezoned Mixed Use wherein commercial offices > 500m² is a permitted activity.
 - 35.5 The Light Industry zone sets a maximum permitted building height of 20m.

- (a) Such an outcome would not result in the highest and best use of such a highly accessible site in a highly attractive setting opposite its road frontage, nor would it contribute to the local authority's objective of Auckland becoming a high quality compact city.
- (b) It is considered that the maximum building height for this site and the whole of the southern side of Sylvia Park Road should be up to 35m.

35.6 Reasonable (highest and best) use of this site will include: mixed use zoning, no restriction on permitted GFA for office or retail (e.g. showrooms) or residential or food and beverage activities, industrial activities as permitted (transitional) activities, maximum permitted building height of up to 35m, and 100% site coverage by buildings.

36 *Decision sought:*

- 36.1 Amend the plan (Urban Map 41: Zones) by rezoning this site from the Light Industry zone to the Mixed Use zone as shown on Map 9B **attached**.
- 36.2 Amend the plan (Chapter I, Rule 3.4.2) to provide for a maximum permitted building height of up to 35m for sites in the Mixed Use zone, and delete all storey controls.
- 36.3 Without prejudice to the above relief, amend the plan (Chapter I, Rule 3.4.4 and Table 3.3) to provide for a minimum 6m building setback at upper floors from front boundary from 19m or 4 storeys for sites in the Mixed Use zone.

Site 10: 7 Felix Street, Penrose (Map 10)

37 *Issues:* provision for offices and retail as permitted activities, green building requirements, frontage controls, 20m maximum permitted building height, and protected trees.

38 *Specific provisions:*

- 38.1 Urban Map 40; Part 3, Chapter I, Rule 3.5.1; Appendix 3.4 Schedule of Notable Trees.

39 *Reasons for submission:*

- 39.1 The specific provisions referred to above are **opposed**. The specific reasons for the submission include:
- 39.2 The site is directly opposite a substantial area of land bordering the north-western side of Felix Street that is zone Mixed Housing. Not far from the south-western end of the Felix Street is a residential area zoned Terraced Housing and Apartment Buildings.

- 39.3 In terms of public transport, the distance from the site to the closest rail station is 0.3km, and it is relatively well served by several bus services routed along Mt Smart Road and Station Road with the closest bus stops being 600m away from the site.
- 39.4 This site and the entire south-eastern side of Felix Street is zoned Light Industry. This zoning makes commercial offices and residential non-complying activities. It is considered that this site should be zoned Mixed Use.
- 39.5 The plan identifies 6 notable trees on this site for protection in perpetuity. However, out of the 6 trees identified only one tree (Tree 4 Pohutukawa) satisfies the local authority's minimum criteria (36 points or more) for protection.
- 39.6 Reasonable (highest and best) use of this site will include: mixed use zoning, no restriction on permitted GFA for office or residential or food and beverage activities, industrial activities as permitted (transitional) activities, maximum permitted building height of up to 35m, no protected trees (except Tree 4), and 100% site coverage by buildings.

40 *Decision sought:*

- 40.1 Amend the plan (Urban Map 40: Zones) by rezoning this site from the Light Industry zone to the Mixed Use zone as shown on Map 10B attached.
- 40.2 Amend the plan (Chapter I, Rule 3.4.2) to provide for a maximum permitted building height of up to 35m for sites in the Mixed Use zone, and delete all storey controls.
- 40.3 Without prejudice to the above relief, amend the plan (Chapter I, Rule 3.4.4 and Table 3.3) to provide for a minimum 6m building setback at upper floors from front boundary from 19m or 4 storeys for sites in the Mixed Use zone.
- 40.4 Delete all protected trees on this site from Appendix 3.4 Schedule of Notable Trees, except for Tree 4 Pohutukawa that should be protected under the rules.

*Site 13: **43 Galway Street, Onehunga** (Map 13)*

- 41 *Issues:* provision for offices and retail as permitted activities, green building requirements, frontage controls, 10m maximum permitted building height, and designation ID 9446.

42 *Specific provisions:*

- 42.1 Urban Map 40; Part 3, Chapter I, Rule 3.5.1; Designation ID 9446.

43 *Reasons for submission:*

- 43.1 The specific provisions referred to above are **opposed**. The specific reasons for the submission include:
- 43.2 The site is within easy walking distance of the Onehunga town centre to the west. The opposite side of Galway Street is zoned Town Centre and the northern side of the rail corridor is Mixed Use. A range of activities occur in the surrounding area including residential, commercial, industrial and manufacturing activities.
- 43.3 In terms of public transport, the distance from the site to the closest rail station is 0.2km, and it is well served by several bus services routed along Onehunga Mall with the closest bus stops being 250m away from the site.
- 43.4 This site (on the south-eastern corner of the intersection of Galway and Princes Streets) is zoned Light Industry. Given the surrounding zoning, and given that residential and office activities are non-complying activities in a Light Industry zone, this zoning is considered inappropriate. It should be rezoned Mixed Use.
- (a) The land on the opposite (western) side of Galway Street site is zoned (Onehunga) Town Centre. The land on the opposite (northern) side of Princes Street) is zoned Mixed Use. The land diagonally opposite the site (on the north-western corner of the intersection of Galway and Princes Streets) is zoned Terraced Housing and Apartment Buildings. It is considered entirely inappropriate to zone land Light Industry when it is bordered by zones identified as Town Centre, Mixed Use, and Terraced Housing and Apartment Buildings.
- (b) Given the local authority's policy of providing for intensification along public transportation corridors it makes no sense whatsoever to zone this land Light Industry, and undermining its highest and best use as a site on which residential activity and commercial office activity > 500m² should be a permitted activity.
- 43.5 Designation ID 9446 for water supply purposes is (in part) located on part of the site. As a result it may adversely affect redevelopment of the site, and render the submitters interest in the site incapable of reasonable use.
- 43.6 Reasonable (highest and best) use of this site will include: mixed use zoning, no restriction on permitted GFA for office or retail or residential or food and beverage activities, industrial activities as permitted (transitional) activities, maximum permitted building height of up to 35m, and 100% site coverage by buildings.

44 *Decision sought:*

- 44.1 Amend the plan (Urban Map 40: Zones) by rezoning this site from the Light Industry zone to the Mixed Use zone as shown on Map 13B **attached**.

- 44.2 Amend the plan (Chapter I, Rule 3.4.2) to provide for a maximum permitted building height of up to 35m for sites in the Mixed Use zone, and delete all storey controls.
- 44.3 Without prejudice to the above relief, amend the plan (Chapter I, Rule 3.4.4 and Table 3.3) to provide for a minimum 6m building setback at upper floors from front boundary from 19m or 4 storeys for sites in the Mixed Use zone.
- 44.4 Delete (in part) Designation ID 9446 by removing the designation from the site.

Site 14: 265-271 West Coast Road, Glen Eden (Map 14)

- 45 *Issues:* key retail frontage controls, green building requirements, 24.5m maximum permitted building height, and parking, loading and access.
- 46 *Specific provisions:*
 - 46.1 Urban Map 38 Built Environment: Key Retail Frontage; Urban Map 38 Additional Height Controls.
- 47 *Reasons for submission:*
 - 47.1 The specific provisions referred to above are **opposed**. The specific reasons for the submission include:
 - 47.2 The site is located in close proximity to the Glen Eden town centre, and there are potentially very attractive higher level north-facing views over the nearby vast green open space of Waikumete Cemetery.
 - 47.3 In terms of public transport, the distance from the site to the closest rail station is 0.1km, and it is well served by several bus services routed along West Coast Road.
 - 47.4 The additional height controls (Urban Map 38) impose a 24.5m maximum permitted building height limit on this site. Given the significant area of land given over to retail activity, there does not seem any logical reason why the height limit should not be increased to 35m.
 - 47.5 The key retail frontage controls (Urban Map 38) should be deleted from this site. Currently Glen Eden appears to be very over-supplied with retail services. The retail area of the town centre is far too spread out and many shops appear to be marginal to say the least. The history of urban design provides very satisfactory design and development precedents for commercial or residential activity at ground level to create attractive and high amenity street edges.
 - 47.6 Reasonable (highest and best) use of this site will include: town centre zoning, no restriction on permitted office GFA, maximum permitted building height of 31m, industrial activities as

permitted (transitional) activities, and 100% site coverage by buildings.

48 *Decision sought:*

48.1 Amend the plan (Urban Map 38: Built Environment) by deleting the Built Environment Overlay (Key Retail Frontage) as it applies to this site.

48.2 Amend the plan (Urban Map 38: Additional Height Controls) to provide for a maximum permitted building height of 31m for sites in the Town Centre zone, and delete all storey controls (Chapter I, Rule 3.4.2.3).

48.3 Retain the Town Centre zoning (Urban Map 38: Zones) for this site as per the notified (30 September 2013) version of the plan.

Site 15: 293 West Coast Road, Glen Eden (Map 15)

49 *Issues:* provision for offices and retail as permitted activities, green building requirements, frontage controls, 20m maximum permitted building height.

50 *Specific provisions:*

50.1 Urban Map 38 Light Industry Zone; Part 3, Chapter I, Rule 3.5.1.

51 *Reasons for submission:*

51.1 The specific provisions referred to above are **opposed**. The specific reasons for the submission include:

51.2 The site is located in relatively close proximity to the Glen Eden town centre, and has a high profile location on a major arterial opposite residential activities.

51.3 In terms of public transport, the distance from the site to the closest rail station is 0.1km, and it is well served by several bus services with the closest bus stops being 100m away from the site.

51.4 This site is zoned Light Industry. Given its location, it is considered that a more appropriate zoning for the site is Mixed Use.

51.5 Reasonable (highest and best) use of this site will include: mixed use zoning, no restriction on permitted GFA for office or retail or residential or food and beverage activities, industrial activities as permitted (transitional) activities, maximum permitted building height of up to 35m, and 100% site coverage by buildings.

52 *Decision sought:*

- 52.1 Amend the plan (Urban Map 38: Zones) by rezoning this site from the Light Industry zone to the Mixed Use zone as shown on Map 15B attached.
- 52.2 Amend the plan (Chapter I, Rule 3.4.2) to provide for a maximum permitted building height of up to 35m for sites in the Mixed Use zone, and delete all storey controls.
- 52.3 Without prejudice to the above relief, amend the plan (Chapter I, Rule 3.4.4 and Table 3.3) to provide for a minimum 6m building setback at upper floors from front boundary from 19m or 4 storeys for sites in the Mixed Use zone.

Site 16: 953-975 New North Road, Mt Albert (Map 16)

- 53 *Issues:* provision for offices and retail as permitted activities, green building requirements, frontage controls, 16.5m maximum permitted building height, and volcanic viewshaft controls.
- 54 *Specific provisions:*
 - 54.1 Urban Map 31 Natural Heritage: Volcanic Viewshaft (A13), Part 3, Chapter I, Table 3.1 and Rules 3.4.2 and 3.4.8.2.
- 55 *Reasons for submission:*
 - 55.1 The specific provisions referred to above are **opposed** (except Rule 3.4.8.2 which is **supported**). The specific reasons for the submission include:
 - 55.2 The site is located close to the Mt Albert town centre shops, within reasonably easy walking distance of the Harbutt Reserve and Anderson Park recreational areas and with potentially attractive views of the Mt Albert - Owairaka Domain.
 - 55.3 In terms of public transport, the distance from the site to the closest rail station is 0.1km, and it is well served by several bus services.
 - 55.4 This site is zoned Mixed Use (955-975 New North Road) and Town Centre (953 New North Road). The site should be rezoned Town Centre.
 - 55.5 A maximum building height of 16.5m is considered too low given the site's location. As a result, it is considered that this height limit does not optimize the opportunity offered by this site to realize local authority's objective for Auckland to become a high quality compact city.
 - 55.6 Volcanic viewshaft A13 lacks credibility given the viewing point and the distance or length of the viewshaft.
 - 55.7 Reasonable (highest and best) use of this site will include: mixed use zoning, no restriction on permitted office GFA or food and

beverage (including supermarket) activities, maximum permitted building height of up to 35m, and 100% site coverage by buildings.

56 *Decision sought:*

- 56.1 Amend the plan (Urban Map 31: Zones) by rezoning this site from the Mixed Use zone to the Town Centre zone.
- 56.2 Amend the plan (Urban Map 31: Additional Height Controls) to provide for a maximum permitted building height of 31m for sites in the Town Centre zone, and delete all storey controls (Chapter I, Rule 3.4.2.3).
- 56.3 Retain the Mixed Use zoning and the Town Centre zoning (Urban Map 31: Zones) for this site as per the notified (30 September 2013) version of the plan.
- 56.4 Delete the volcanic viewshaft (A13) from the plan; or amend the plan (Chapter J, Rule 6.3 and Urban Map 31: Natural Heritage) and the GIS viewer to provide for a minimum 35m (above ground at the site) floor of the volcanic viewshaft.

*Site 17A: **947 New North Road, Mt Albert** (Map 17)*

57 *Issues:* 16.5m maximum permitted building height, green building requirements, frontage controls, and volcanic viewshaft controls.

58 *Specific provisions:*

- 58.1 Urban Map 31 Natural Heritage: Volcanic Viewshaft (A13); and Part 3, Chapter I, Table 3.1, Rules 3.4.2 and 3.4.8.2.

59 *Reasons for submission:*

- 59.1 The specific provisions referred to above are **opposed** (except Rule 3.4.8.2 which is **supported**). The specific reasons for the submission include:
- 59.2 The site is 2-3 minutes walk of the Mt Albert Town Centre.
- 59.3 In terms of public transport, the distance from the site to the closest rail station is 0.1km, and it is well served by several bus services.
- 59.4 Volcanic viewshaft A13 lacks credibility given the viewing point and the distance or length of the viewshaft. Effectively, the viewshaft controls make all development exceeding 7m (single storey) non-complying.
- 59.5 Reasonable (highest and best) use of this site will include: town centre zoning, no restriction on permitted GFA for office or retail or food and beverage activities, 31m maximum permitted building height and 100% site coverage by buildings.

60 *Decision sought:*

- 60.1 Amend the plan (Urban Map 31: Additional Height Controls) to provide for a maximum permitted building height of 31m for sites in the Town Centre zone, and delete all storey controls (Chapter I, Rule 3.4.2.3).
- 60.2 Retain the Town Centre zoning (Urban Map 31: Zones) for this site as per the notified (30 September 2013) version of the plan.
- 60.3 Delete the volcanic viewshaft (A13) from the plan; or amend the plan (Chapter J, Rule 6.3 and Urban Map 31: Natural Heritage) and the GIS viewer to provide for a minimum 35m (above ground at the site) floor of the volcanic viewshaft.

Site 17B: 945A New North Road, Mt Albert (Map 17)

61 *Issues:* 16.5m maximum permitted building height, green building requirements, frontage controls, and volcanic viewshaft controls.

62 *Specific provisions:*

- 62.1 Urban Map 31 Additional Height Controls; Urban Map 31 Natural Heritage: Volcanic Viewshaft (A13); and Part 3, Chapter I, Rule 3.4.2.

63 *Reasons for submission:*

- 63.1 The specific provisions referred to above are **opposed**. The specific reasons for the submission include:
- 63.2 The site is located in close proximity to the Mt Albert Town Centre, including the shopping centre and railway station.
- 63.3 In terms of public transport, the distance from the site to the closest rail station is 0.1km, and it is well served by several bus services.
- 63.4 Given the local authority's policy of providing for intensification along public transportation corridors, a more intensive use of this site would seem appropriate.
- 63.5 Volcanic viewshaft A13 lacks credibility given the viewing point and the distance or length of the viewshaft. Effectively, the viewshaft controls make all development exceeding 7m (single storey) non-complying.
- 63.6 Reasonable (highest and best) use of this site will include: Town Centre zoning, no restriction on permitted GFA for office or retail or residential or food and beverage activities, maximum permitted building height of 31m and 100% site coverage by buildings.

64 *Decision sought:*

- 64.1 Amend the plan (Urban Map 31: Additional Height Controls) to provide for a maximum permitted building height of 31m for sites in the Town Centre zone, and delete all storey controls (Chapter I, Rule 3.4.2.3).
- 64.2 Retain the Town Centre zoning (Urban Map 31: Zones) for this site as per the notified (30 September 2013) version of the plan.
- 64.3 Delete the volcanic viewshaft (A13) from the plan; or amend the plan (Chapter J, Rule 6.3 and Urban Map 31: Natural Heritage) and the GIS viewer to provide for a minimum 35m (above ground at the site) floor of the volcanic viewshaft.

Site 18: 941-943 New North Road, Mt Albert (Map 17)

- 65 *Issues:* 16.5m maximum permitted building height, green building requirements, frontage controls, and volcanic viewshaft controls.
- 66 *Specific provisions:*
 - 66.1 Urban Map 31 Natural Heritage: Volcanic Viewshaft (A13).
- 67 *Reasons for submission:*
 - 67.1 The specific provisions referred to above are **opposed**. The specific reasons for the submission include:
 - 67.2 The site is located in the heart of the Mt Albert shopping centre.
 - 67.3 In terms of public transport, the distance from the site to the closest rail station is 0.1km, and it is well served by several bus services.
 - 67.4 Volcanic viewshaft A13 lacks credibility given the viewing point and the distance or length of the viewshaft. Effectively, the viewshaft controls make all development exceeding 7m (single storey) non-complying.
 - 67.5 Reasonable (highest and best) use of this site will include: town centre zoning, no restriction on permitted GFA for office or retail or residential or food and beverage activities, maximum permitted building height of 31m and 100% site coverage by buildings.
- 68 *Decision sought:*
 - 68.1 Amend the plan (Urban Map 31: Additional Height Controls) to provide for a maximum permitted building height of 31m for sites in the Town Centre zone, and delete all storey controls (Chapter I, Rule 3.4.2.3).
 - 68.2 Retain the Town Centre zoning (Urban Map 31: Zones) for this site as per the notified (30 September 2013) version of the plan.

68.3 Delete the volcanic viewshaft (A13) from the plan; or amend the plan (Chapter J, Rule 6.3 and Urban Map 31: Natural Heritage) and the GIS viewer to provide for a minimum 35m (above ground at the site) floor of the volcanic viewshaft.

Site 19: 915-927 New North Road, Mt Albert (Map 19)

69 *Issues:* maximum permitted building height, green building requirements, frontage controls, volcanic viewshaft controls, and parking, loading and access.

70 *Specific provisions:*

70.1 Urban Map 31 Natural Heritage: Volcanic Viewshaft (A13).

71 *Reasons for submission:*

71.1 The specific provisions referred to above are **opposed**. The specific reasons for the submission include:

71.2 The site is located in the heart of the Mt Albert shopping centre.

71.3 In terms of public transport, the distance from the site to the closest rail station is 0.1km, and it is well served by several bus services.

71.4 Volcanic viewshaft A13 lacks credibility given the viewing point and the distance or length of the viewshaft. Effectively, the viewshaft controls make all development exceeding 7m (single storey) non-complying.

71.5 Reasonable (highest and best) use of this site will include: town centre zoning, no restriction on permitted GFA for office or retail or residential or food and beverage activities, maximum permitted building height of 31m and 100% site coverage by buildings.

72 *Decision sought:*

72.1 Amend the plan (Urban Map 31: Additional Height Controls) to provide for a maximum permitted building height of 31m for sites in the Town Centre zone, and delete all storey controls (Chapter I, Rule 3.4.2.3).

72.2 Retain the Town Centre zoning (Urban Map 31: Zones) for this site as per the notified (30 September 2013) version of the plan.

72.3 Delete the volcanic viewshaft (A13) from the plan; or amend the plan (Chapter J, Rule 6.3 and Urban Map 31: Natural Heritage) and the GIS viewer to provide for a minimum 35m (above ground at the site) floor of the volcanic viewshaft.

Site 20: 22B Willcott Street, Mt Albert (Map 17)

- 73 *Issues:* provision for offices and retail as permitted activities, green building requirements, frontage controls, 16.5m maximum permitted building height, and volcanic viewshaft controls.
- 74 Specific provisions:
- 74.1 Part 3, Chapter I, Table 3.1 and Rule 3.4.2.
- 75 *Reasons for submission:*
- 75.1 The specific provisions referred to above are **opposed** in relevant part. The specific reasons for the submission include:
- 75.2 The site is located in close proximity to the Mt Albert town centre.
- 75.3 In terms of public transport, the distance from the site to the closest rail station is 0.1km, and it is well served by several bus services routed along New North Road.
- 75.4 This site is zoned Mixed Use. This zoning is considered appropriate.
- 75.5 Volcanic viewshaft A13 lacks credibility given the viewing point and the distance or length of the viewshaft. Effectively, the viewshaft controls make all development exceeding 7m (single storey) non-complying.
- 75.6 Urban Map 31: Historic Heritage identifies the site as being a site and place of value to Mana Whenua, but the submitters are not aware of any evidence of customary authority being exercised over this site. The site has been developed for many years and has been extensively modified. As a result, the cultural impact assessment provisions (Chapter G, Rule 2.7.4) will be unduly onerous and inappropriate.
- 75.7 Reasonable (highest and best) use of this site will include: mixed use zoning, no restriction on permitted GFA for office or retail activities, maximum permitted building height of up to 35m, and 100% site coverage by buildings.
- 76 *Decision sought:*
- 76.1 Amend the plan (Chapter I, Rule 3.4.2) to provide for a maximum permitted building height of up to 35m for sites in the Mixed Use zone, and delete all storey controls.
- 76.2 Without prejudice to the above relief, amend the plan (Chapter I, Rule 3.4.4 and Table 3.3) to provide for a minimum 6m building setback at upper floors from front boundary from 19m or 4 storeys for sites in the Mixed Use zone.
- 76.3 Retain the Mixed Use zoning (Urban Map 31: Zones) for this site as per the notified (30 September 2013) version of the plan.

- 76.4 Delete the volcanic viewshaft (A13) from the plan; or amend the plan (Chapter J, Rule 6.3 and Urban Map 31: Natural Heritage) and the GIS viewer to provide for a minimum 35m (above ground at the site) floor of the volcanic viewshaft.
- 76.5 Delete the historic heritage overlay (Urban Map 31: Historic Heritage) that identifies the site as being a site and place of value to Mana Whenua.

*Site 21: **632 New North Road, Mt Albert** (Map 21)*

- 77 *Issues:* provision for offices and retail as permitted activities, green building requirements, frontage controls, and 16.5m maximum permitted building height.
- 78 *Specific provisions:*
- 78.1 Part 3, Chapter I, Table 3.1 and Rule 3.4.2.
- 79 *Reasons for submission:*
- 79.1 The specific provisions referred to above are **opposed** in relevant part. The specific reasons for the submission include:
- 79.2 The site is located in close proximity to the Morningside town centre, Kingsland village, parks and reserves, and St Lukes shopping mall.
- 79.3 In terms of public transport, the distance from the site to the closest rail station is 0.1km, and it is well served by several bus services with the closest bus stops being 100m away from the site.
- 79.4 This site is zoned Mixed Use. This zoning is considered appropriate.
- 79.5 The height of a building on this site is restricted to 16.5m or 4 storeys. Given the site location, this height limit is considered too low and would not optimise the opportunity for the site to contribute towards local authority's objective of Auckland becoming a high quality compact city and its policy of intensifying development along public transportation corridors.
- 79.6 Reasonable (highest and best) use of this site will include: mixed use zoning, no restriction on permitted office or retail GFA, maximum permitted building height of up to 35m, and 100% site coverage by buildings.
- 80 *Decision sought:*
- 80.1 Amend the plan (Chapter I, Rule 3.4.2) to provide for a maximum permitted building height of up to 35m for sites in the Mixed Use zone, and delete all storey controls.

80.2 Without prejudice to the above relief, amend the plan (Chapter I, Rule 3.4.4 and Table 3.3) to provide for a minimum 6m building setback at upper floors from front boundary from 19m or 4 storeys for sites in the Mixed Use zone.

80.3 Retain the Mixed Use zoning (Urban Map 31: Zones) for this site as per the notified (30 September 2013) version of the plan.

Site 22: 1 Gordon Road, Morningside (Map 21)

81 *Issues:* provision for offices and retail as permitted activities, green building requirements, frontage controls, and 16.5m maximum permitted building height.

82 *Specific provisions:*

82.1 Part 3, Chapter I, Table 3.1 and Rule 3.4.2.

83 *Reasons for submission:*

83.1 The specific provisions referred to above are **opposed** in relevant part. The specific reasons for the submission include:

83.2 The site is located in close proximity to the Morningside town centre, Kingsland village, parks and reserves, and St Lukes shopping mall.

83.3 In terms of public transport, the distance from the site to the closest rail station is 0.1km, and it is well served by several bus services with the closest bus stops being 300m away from the site.

83.4 This site is zoned Mixed Use. This zoning is considered appropriate.

83.5 The height of a building on this site is restricted to 16.5m or 4 storeys. Given the site location, this height limit is considered too low and would not optimise the opportunity for the site to contribute towards the local authority's objective of Auckland becoming a high quality compact city and its policy of intensifying development along public transportation corridors.

83.6 Reasonable (highest and best) use of this site will include: mixed use zoning, no restriction on permitted office GFA, maximum permitted building height of up to 35m, and 100% site coverage by buildings.

84 *Decision sought:*

84.1 Amend the plan (Chapter I, Rule 3.4.2) to provide for a maximum permitted building height of up to 35m for sites in the Mixed Use zone, and delete all storey controls.

84.2 Without prejudice to the above relief, amend the plan (Chapter I, Rule 3.4.4 and Table 3.3) to provide for a minimum 6m building setback at upper floors from front boundary from 19m or 4 storeys for sites in the Mixed Use zone.

84.3 Retain the Mixed Use zoning (Urban Map 31: Zones) for this site as per the notified (30 September 2013) version of the plan.

*Site 23: **32-36 Normanby Road, Mt Eden** (Map 23)*

85 *Issues:* provision for offices and retail as permitted activities, green building requirements, frontage controls, 16.5m maximum permitted building height, and parking, loading and access.

86 *Specific provisions:*

86.1 Part 3, Chapter I, Table 3.1 and Rule 3.4.2.

87 *Reasons for submission:*

87.1 The specific provisions referred to above are **opposed** in relevant part. The specific reasons for the submission include:

87.2 The site is located relatively close to Newmarket, Newton, Mt Eden village, and the CBD; and with relatively easy access to the Mangawhau/Mt Eden recreational reserve.

87.3 In terms of public transport, the distance from the site to the closest rail station is 0.3km, and it is well served by several bus services routed along Mt Eden Road with the closest bus stops being 370m away from the site.

87.4 This site is zoned Mixed Use. This zoning is considered appropriate.

87.5 The height of a building on this site is restricted to 16.5m or 4 storeys. Given the site location, this height limit is considered too low and would not optimise the opportunity for the site to contribute towards the local authority's objective of Auckland becoming a high quality compact city and its policy of intensifying development along public transportation corridors.

87.6 Reasonable (highest and best) use of this site will include: mixed use zoning, no restriction on permitted office GFA, and maximum permitted building height of up to 35m.

88 *Decision sought:*

88.1 Amend the plan (Chapter I, Rule 3.4.2) to provide for a maximum permitted building height of up to 35m for sites in the Mixed Use zone, and delete all storey controls.

88.2 Without prejudice to the above relief, amend the plan (Chapter I, Rule 3.4.4 and Table 3.3) to provide for a minimum 6m building

setback at upper floors from front boundary from 19m or 4 storeys for sites in the Mixed Use zone.

- 88.3 Retain the Mixed Use zoning (Urban Map 32: Zones) for this site as per the notified version (30 September 2013) of the plan.

*Site 24A: **Broadway, Newmarket: Remuera – Balm** (Map 24)*

- 89 *Issues:* frontage controls, green building requirements, maximum permitted building height, and volcanic viewshaft controls.

- 90 *Specific provisions:*

90.1 Urban Map 32 Additional Height Controls.

- 91 *Reasons for submission:*

91.1 The specific provisions referred to above are **opposed** in relevant part. The specific reasons for the submission include:

91.2 The site is well served by public train and bus transport, and is also well connected to the regional and National motorway network. This is a Metropolitan Centre with the highest and least restrictive zoning outside the CBD. It is a prime and logical site for a higher level of intensification.

91.3 The site is zoned Metropolitan Centre. The zoning is considered appropriate.

91.4 Given the site location and Metropolitan Centre status it is considered that building to the maximum height of 32.5m ought to be a Permitted Activity on 100% of the site.

91.5 Providing for a maximum permitted building height of 32.5m is generally consistent with the volcanic viewshaft controls in the operative Isthmus district plan. Accordingly, the volcanic viewshaft controls in the plan should either be consistent with a 32.5m maximum permitted building height being achieved on the site, or the relevant operative district plan provisions should be retained. However, the proposed volcanic viewshaft T7 is not supported by any evidence of probative value and should be deleted.

91.6 Applying floor area controls to the site is not consistent with the purpose of the Metropolitan Centre zone, and the basic floor area control and bonus floor area control should be deleted.

91.7 A certificate of compliance (deemed resource consent) has been granted by Council for demolition of all buildings on the subject site under the operative District Plan.

91.8 Reasonable (highest and best) use of this site will include: metropolitan centre zoning, no FAR controls, maximum permitted building height of 32.5m, and 100% site coverage by buildings.

92 *Decision sought:*

- 92.1 Amend the plan (Map 32) to provide for a maximum permitted building height of 32.5m, and amend the volcanic viewshaft restriction accordingly by deleting the volcanic viewshaft (T7) from the plan and amending the plan (Chapter J, Rule 6.3 and Urban Map 32: Natural Heritage) and the GIS viewer to provide for a minimum 32.5m (above ground at the site) floor of the volcanic viewshaft.
- 92.2 Delete Rules 2.11.1.1 and 2.11.1.2 and the basic floor area ratio and bonus floor area controls.

*Site 24B: **Broadway, Newmarket: Balm – Mahuru** (Map 24)*

93 *Issues:* maximum permitted building height, green building requirements, frontage controls, designation ID 6727 height restriction, and volcanic viewshaft controls.

94 *Specific provisions:*

- 94.1 Urban Map 32 Infrastructure: Designation ID 6727 Newmarket Viaduct; Urban Map 32 Additional Height Controls.

95 *Reasons for submission:*

- 95.1 The specific provisions referred to above are **opposed** in relevant part. The specific reasons for the submission include:
- 95.2 The site is well served by public train and bus transport, and is also well connected to the regional and National motorway network. This is a Metropolitan Centre with the highest and least restrictive zoning outside the CBD.
- 95.3 The site is zoned Metropolitan Centre. The zoning is considered appropriate, subject to service lane clarification
- 95.4 Given the site location and its Metropolitan Centre status it is considered that building to the maximum height of 32.5m ought to be a Permitted Activity on 100% of the site.
- 95.5 Providing for a maximum permitted building height of 32.5m is generally consistent with the volcanic viewshaft controls in the operative Isthmus district plan. Accordingly, the volcanic viewshaft controls in the plan should either be consistent with a 32.5m maximum permitted building height being achieved on the site, or the relevant operative district plan provisions should be retained. However, the proposed volcanic viewshaft T7 is not supported by any evidence of probative value and should be deleted.
- 95.6 Applying floor area controls to the site is not consistent with the purpose of the Metropolitan Centre zone, and the basic floor area control and bonus floor area control should be deleted.

95.7 Designation ID 6727 NZTA Viaduct assigns part of the site a maximum building height of 12.2m. It is considered that this designation is inappropriate and should be deleted.

- (a) The maximum building height limit of 12.2m will reduce the urban form in this part of Newmarket to that of a suburban (not Metropolitan) scale.
- (b) The contrast in scale and height of the Newmarket Viaduct and the buildings adjoining it will result in the Viaduct dominating its built context. If the designation were removed or significantly reduced in extent, the Viaduct would sit more comfortably and less dominantly amongst its neighbouring buildings.
- (c) Motorists using the Newmarket Viaduct will be denied the traditionally urban and dynamic experience of passing through (rather than above) a Metropolitan Centre.
- (d) In particular, NZTA has undertaken to review the designation on completion of the viaduct, and affected landowners can legitimately expect the this review will proceed as the new viaduct alignment has moved to the west away from the site.
- (e) The designation is not necessary either generally or (inter alia) for fire, safety or maintenance purposes.

95.8 A certificate of compliance (deemed resource consent) has been granted by Council for demolition of all buildings on the subject site under the operative District Plan, except 352 Broadway and 45-55 Nuffield Street which are not comprised in the subject site.

95.9 Reasonable (highest and best) use of this site will include: metropolitan centre zoning, no FAR controls, maximum permitted building height of 32.5m, and 100% site coverage by buildings.

96 *Decision sought:*

96.1 Amend the plan by deleting in relevant part the Infrastructure Overlay (Designation ID6727 NZTA Viaduct) in so far as it affects the site.

96.2 Amend the plan (Map 32) to provide for a maximum permitted building height of 32.5m, and amend the volcanic viewshaft restriction accordingly by deleting the volcanic viewshaft (T7) from the plan and amending the plan (Chapter J, Rule 6.3 and Urban Map 32: Natural Heritage) and the GIS viewer to provide for a minimum 32.5m (above ground at the site) floor of the volcanic viewshaft.

96.3 Delete Rules 2.11.1.1 and 2.11.1.2 and the basic floor area ratio and bonus floor area controls.

Site 25: 2-38 Nuffield Street, Newmarket (Map 24)

- 97 *Issues:* rezone part of the site from Mixed Use to Metropolitan Centre, green building requirements, frontage controls, maximum permitted building height, designation ID 6727 height restriction, and volcanic viewshaft controls.
- 98 *Specific provisions:*
- 98.1 Map 32 Infrastructure: Designation ID 6727 Newmarket Viaduct; Map 32 Additional Height Controls.
- 99 *Reasons for submission:*
- 99.1 The specific provisions referred to above are **opposed** in relevant part. The specific reasons for the submission include:
- 99.2 The site is well served by public train and bus transport, and is also well connected to the regional and National motorway network. This is a Metropolitan Centre with the highest and least restrictive zoning outside the CBD.
- 99.3 The site is zoned in part as Metropolitan Centre and Business (Mixed Use). The Metropolitan Centre zoning is considered appropriate, however it should be extended to cover also the part of the site that is currently zoned Mixed Use. Given that the site is in single ownership it represents a significant opportunity to realise the full potential of an intensified Metropolitan Centre development.
- 99.4 Given the site location and its Metropolitan Centre status it is considered that building to the maximum height of 32.5m ought to be a Permitted Activity on 100% of the site.
- 99.5 However, in the Mixed Use zone a maximum permitted building height of up to 24.5m applies. This is considered too low for a site that is so well served by train and bus public transport and so well connected to the regional and national motorway network.
- 99.6 Providing for a maximum permitted building height of 32.5m is generally consistent with the volcanic viewshaft controls in the operative Isthmus district plan. Accordingly, the volcanic viewshaft controls in the plan should either be consistent with a 32.5m maximum permitted building height being achieved on the site, or the relevant operative district plan provisions should be retained. However, the proposed volcanic viewshaft T7 is not supported by any evidence of probative value and should be deleted.
- 99.7 Applying floor area controls to the site is not consistent with the purpose of the Metropolitan Centre zone, and the basic floor area control and bonus floor area control should be deleted.
- 99.8 The Part 7 Designation ID 6727 NZTA Viaduct assigns the sites a maximum building height of 12.2m. It is considered that this designation is inappropriate and should be deleted.

- (a) The maximum building height limit of 12.2m will reduce the urban form in this part of Newmarket to that of a suburban (not Metropolitan) scale.
- (b) The contrast in scale and height of the Newmarket Viaduct and the buildings adjoining it will result in the Viaduct dominating its built context. If the designation were removed or significantly reduced in extent, the Viaduct would sit more comfortably and less dominantly amongst its neighbouring buildings.
- (c) Motorists using the Newmarket Viaduct will be denied the traditionally urban and dynamic experience of passing through (rather than above) a Metropolitan Centre.
- (d) In particular, NZTA has undertaken to review the designation on completion of the viaduct, and affected landowners can legitimately expect this review will proceed as the new viaduct alignment has moved to the west away from the site.
- (e) The designation is not necessary either generally or (inter alia) for fire, safety or maintenance purposes.

99.9 Reasonable (highest and best) use of this site will include: metropolitan centre zoning, no FAR controls, maximum permitted building height of 32.5m, and 100% site coverage by buildings.

100 *Decision sought:*

100.1 Amend the plan by rezoning the site from the Mixed Use zone to the Metropolitan Centre zone, and for consistency also rezoning the balance of the eastern side of Mahuru Street to the junction with St Marks Road.

100.2 Amend the plan by deleting in relevant part the Infrastructure Overlay (Designation ID6727 NZTA Viaduct) in so far as it affects the site.

100.3 Amend the plan (Map 32) to provide for a maximum permitted building height of 32.5m, and amend the volcanic viewshaft restriction accordingly by deleting the volcanic viewshaft (T7) from the plan and amending the plan (Chapter J, Rule 6.3 and Urban Map 32: Natural Heritage) and the GIS viewer to provide for a minimum 32.5m (above ground at the site) floor of the volcanic viewshaft.

100.4 Delete Rules 2.11.1.1 and 2.11.1.2 and the basic floor area ratio and bonus floor area controls.

*Site 26: **Other sites:** (Maps 26A to 26I)*

101 Other sites where similar decisions are sought regarding the general amendments listed in Appendix D include:

101.1 Light Industry zoned sites:

(a) Site 26D: **3a Clemow Drive, Mt Wellington.**

(i) Additional site specific relief:

Amend the plan by rezoning the site from the Light Industry zone to the Mixed Use zone.

(b) Site 26E: **575 Great South Road, Penrose:**

(i) Additional site specific relief:

Amend the plan by rezoning the site from the Light Industry zone to the Mixed Use zone.

Amend the plan by deleting Infrastructure Overlay Part 7 so far as it relates to this site and withdraw Designation ID1619 road widening.

(c) Site 26H: **10 Maurice Road, Penrose.**

(i) Additional site specific relief:

Amend the plan by rezoning the site from the Light Industry zone to the Mixed Use zone.

101.2 Terraced Housing and Apartment Building zoned sites:

(a) Site 26B: **15 Sarawia Street, Newmarket.**

(i) Additional site specific relief:

Amend the plan by rezoning part of the site from the Terrace Housing and Apartment Building zone to the Mixed Use zone, consistent with the balance of the site.

101.3 *Reasons:* Where Mixed Use zoning is being sought for the above sites it is because such zoning provides for a much wider range of land uses longer term, and more importantly recognises the key advantage of close proximity to the public transport (rail) corridor. Intensification along such corridors will significantly assist the compact city vision contained in the Auckland Plan. It is accepted that such rezonings may have wider implications for other zoned land in the vicinity of these sites, nonetheless intensification along public transport corridors has to be a firm priority in terms of selecting the most appropriate, efficient and effective way of giving effect to the objectives and policies in the plan.

Site 27: Viaduct Harbour Precinct (Map 27)

102 Issues: maximum permitted building height, green building requirements, activity status of discharges into Viaduct Harbour, and reinstatement of certain operative plan provisions.

103 *Specific provisions:*

103.1 Part 3, Chapter I, Rule 4.4.29 and Table 6.1.7; Chapter K, Rules 3.3.11.3.1, 3.3.11.3.2, Precinct Plans: Viaduct Harbour Precinct 2 and 3.

104 *Reasons for submission:*

104.1 The specific provisions referred to above are **opposed** in relevant part. The specific reasons for the submission include:

104.2 The precinct is located along the water's edge of the CBD, it is well served by bus routes using Fanshawe Street, is within a short walking distance of Britomart rail station and the ferry terminal, and is in close proximity to the State highway network.

104.3 101-115 Customs Street West, maximum permitted height:

- (a) This is probably the last remaining site in the Viaduct Harbour Precinct to be developed. It is considered essential that its future development optimises the urban design opportunities to maintain and enhance the character and amenity of the Precinct.
- (b) It is considered that the site's central city location and outstanding harbourside setting, all within very easy walking distance of the Britomart Train Station, major city wide bus routes, and easily accessible recreational harbourside, plaza and park facilities, makes it an ideal candidate to contribute to the local authority's objective of Auckland becoming a high quality compact city.
- (c) The prominent location of the site on a corner of land seemingly 'projecting into' the Viaduct Harbour water space, the fact that a building on this site could punctuate the western end of the view along Customs Street West, and the site's potential to contain and define the north-eastern corner of the public open space of Waitemata Plaza, presents a unique 52m landmark building opportunity.
- (d) Since the relatively recent completion of the Viaduct Harbour sub-precinct development, several commentators have expressed the view that, with the benefit of hindsight, the area is somewhat 'undercooked' height-wise and that the building heights are all too uniform. The development of this last remaining site presents a unique opportunity to go some way towards addressing this criticism.

104.4 204 Quay Street:

- (a) A maximum permitted building height of 24m for 204 Quay Street will be appropriate in terms of context with adjoining sites in Sturdee Street that are also zoned 24m.
- (b) Identifying 204 Quay Street as a scheduled historic heritage place is not appropriate and is not consistent with the operative Central Area Plan. There has been no material change in circumstances since the Central Area Plan became operative in 2004 that would justify or support the scheduling of the entirety of these buildings or this site as a historic heritage place. Likewise scheduling the entirety of these buildings or this site is not supported by any evidence of probative value. The buildings and site should therefore be deleted from the schedule and the planning maps should be amended accordingly.

104.5 Other Precinct provisions:

- (a) Under the operative plan all sites in the Viaduct Harbour Precinct have the benefit of a 2m roof bonus in addition to the specified maximum permitted building height. This provision should be reinstated to reflect the fact that existing buildings in the Precinct (e.g. Vodafone) were constructed in accordance with this control.
- (b) Discharges in Viaduct Harbour: Water quality in Viaduct Harbour has been significantly improved since 1996 due almost exclusively to private investment in the dredging the harbour bed, reclaiming land around the Lighter Basin, constructing new seawalls and maintaining existing seawalls. As a result, Viaduct Harbour has become a world class marina with a high level of marine and terrestrial amenity values and environmental quality. There is therefore a strong interest in maintaining and enhancing water clarity and quality in Viaduct Harbour by requiring restricted discretionary activity resource consent for discharges in the harbour.
- (c) Bridge construction and use: Viaduct Harbour is a semi-enclosed waterspace with only one navigable entry and exit point. As a result careful and detailed provisions were included in Plan Change 3 by consent order to avoid any adverse effect on navigation or marine vessel traffic entering or exiting the harbour by requiring discretionary activity resource consent for use of the existing bridge or construction and use of any replacement bridge.
- (d) Maintenance and upgrading of seawalls: Under the agreements pertaining to the former America's Cup Village resource consents, the seawalls surrounding Viaduct Harbour are either privately owned or are maintained by public authorities from funds supplied by freehold landowners. For these reasons, and given the acknowledged international success of Viaduct Harbour as a world class working marina, it is essential that seawalls surrounding the harbour can be maintained, upgraded and repaired in a timely way. Providing for these activities as

permitted activities reflects the operative plan framework and provides a simplified and streamlined way of achieving these objectives.

- (e) The sole and exclusive management rights regarding the waterspace in Viaduct Harbour and Westhaven Properties Marina is vested in the submitters (including VHML), pursuant to a deemed coastal occupation permit. The management rights were granted specifically to provide for the establishment and continued operation of a world-class marina. Necessary aspects of the marina operation include dredging the seabed for navigation and other purposes, and placing structures (e.g. moorings and pontoons) in the coastal occupation area. Given that these rights are established and will be lawfully ongoing during the plan period, it will not be appropriate to apply the cultural impact assessment provisions to existing or proposed activities in the coastal environment or the coastal marine area related to management of the waterspace for (inter alia) marina purposes. Activities within the coastal occupation area should therefore be exempt from these provisions.
- (f) The precinct has been fully developed in accordance with the relevant parking ratios in the operative Central Area Plan, as a result these provisions should be retained in the proposed plan.
- (g) Urban Map 26: Natural Resources identifies the Precinct as being subject to likely natural hazards (coastal inundation). However, the Precinct is bounded along the coastal edge by seawalls that are approximately 1.3m above MHWS. Consequently, inundation is unlikely and these controls should not apply to the Precinct.

104.6 Resource consent has been granted by Council for demolition of the Old City Markets building, and works within the dripline of street trees, under the operative District Plan.

104.7 Reasonable (highest and best) use of this site will include: mixed use zoning, maximum permitted building heights of up to 52m, restricted discretionary activity discharges into Viaduct Harbour, revised temporary activity provisions, a 1:105m² parking ratio, and 100% site coverage by buildings.

105 *Decision sought:*

105.1 Amend the plan to provide for:

- (a) 101-115 Customs Street West: a maximum permitted building height of 52m comprising:
 - (i) A general maximum permitted building height of 17m (regarding 100% of the site area).

- (ii) An additional maximum permitted building height (regarding 50% of the site area) of 35m.
 - (iii) Amend Precinct Plan 2 accordingly.
- (b) 204 Quay Street: a maximum permitted building height of 24m, and amend Precinct Plan 2 accordingly.
 - (c) A 2m roof bonus applying to all sites in the Precinct as per the operative district plan, and amend Rule 3.3.11.3.1 and Precinct Plan 2 accordingly.
- 105.2 Amend Precinct Plan 3 to provide for site intensity regarding 101-115 Customs Street West of 11:1.
- 105.3 Amend Rule 4.4.29 as follows: The ground floor of a new building must have a finished floor to floor height of 4m for a minimum depth of 6m where it adjoins a street or public open space.
- 105.4 Amend Table 6.1.7 so far as it relates to discharges into Viaduct Harbour by reclassifying the activity status from permitted to restricted discretionary, and requiring service on and limited notification of persons exercising sole and exclusive waterspace management rights pertaining to any part of Viaduct Harbour.
- 105.5 Reinstate certain rules from the operative plan or reflect settlement agreement or consent order provisions regarding:
- (a) Bridge construction and use (i.e. as a discretionary activity) as amended by Plan Change 3 (CMA).
 - (b) Maintenance and upgrading of seawalls as permitted activities as per the relevant operative district plan.
 - (c) Parking standards (maximum permitted parking spaces: 1:105m² GFA) as per the relevant operative district plan.
- 105.6 Amend the General Provisions (Rule G.2.7.4) to exempt parts of the CMA that are subject to deemed coastal occupation permits and the adjacent coastal environment from the requirement to provide cultural impact assessments for existing or proposed activities (e.g. dredging and structures) that will be carried on in the area covered by the permit.
- 105.7 Delete the scheduled historic heritage place status for 204 Quay Street, and delete all references to this site as a scheduled historic heritage place from Rule J.2, Appendix 9 and Urban Map 26: Historic Heritage.
- 105.8 Amend Urban Map 26: Natural Resources and delete other related plan provisions that identify the Precinct as being subject to likely natural hazards (coastal inundation).

105.9 Retain all other provisions pertaining to Viaduct Harbour Precinct included in the notified version of the plan (30 September 2013), but only in so far as such provisions are not inconsistent with the decisions sought regarding the Precinct in this submission.

Site 28: Wynyard Quarter (Map 28)

106 *Issues:* character building GFA transfer rule, marine at ground restrictions, protecting public open space amenity values, and reinstatement and restatement of certain operative plan provisions.

107 *Specific provisions:*

107.1 Part 3, Chapter K: Wynyard Quarter, Rules 3.3.14; and Infrastructure Overlay: Part 7 Designation (ID1572 road widening, Auckland Transport).

108 *Reasons for submission:*

108.1 The specific provisions referred to above are **opposed** in relevant part. The specific reasons for the submission include:

108.2 The southern part of the Quarter is located along the water's edge of the CBD, it is well served by bus routes using Fanshawe Street, is within reasonable walking distance of Britomart rail station and the ferry terminal, and is in close proximity to the State highway network. Provision is also made in the operative plan to protect the site for a future underground rail station.

108.3 Character plans for identified character buildings:

- (a) A more pragmatic approach would recognise that leasehold premises are normally subject to covenants requiring building maintenance. As a result, a requirement for preparation of a "character" plan should be relaxed and only required when either the land reverts to the freehold owner on expiry of the lease and any renewals, or the when tenant seeks to undertake external alterations or additions to the existing character building.

108.4 Marine at ground restrictions:

- (a) Building site 6, Quarter Area B: In Quarter Area B, the marine at ground restriction regarding Building site 6 included in the approved IDP (December 2012) should be deleted as this control is likely to have an adverse effect on leasing ground floor space and result in it being vacant for prolonged periods, and from an urban design perspective fails to provide an appropriate activating use along this important street frontage opposite the Linear Park. Deleting the marine at ground zoning from Building site 6 will also reflect the resource consent granted for the approved IDP pertaining to part of the land owned by the submitters in Quarter Areas A and B.

108.5 Other quarter provisions:

- (a) To avoid trade competition by lessees seeking to protect commercial positions against freehold landowners in advance of lease renewals or rent reviews, the requirement for written approval from lessees in relation to Framework Plan consenting should be deleted.
- (b) The Plan Change 4 provisions regarding bridge construction and use should be retained to avoid adverse effects on the Viaduct Harbour waterspace.
- (c) The lapse periods for the designations in Quarter Areas A and B for public open space and road widening purposes (Designations ID 508, ID 511, ID 1571, ID 1572, and ID 1573) should be limited to coincide with undertakings given in the settlement documents pertaining to the Plan Change 4 appeals regarding commencement of works by 2017.
- (d) Generally, amending the plan to reflect the resource consent granted for the approved IDP pertaining to certain sites in Quarter Areas A and B owned by the submitters.
- (e) The sole and exclusive management rights regarding the waterspace in Viaduct Harbour and Westhaven Properties Marina is vested in the submitters (including VHML), pursuant to a deemed coastal occupation permit. The management rights were granted specifically to provide for the establishment and continued operation of a world-class marina. Necessary aspects of the marina operation include dredging the seabed for navigation and other purposes, and placing structures (e.g. moorings and pontoons) in the coastal occupation area. Given that these rights are established and will be lawfully ongoing during the plan period, it will not be appropriate to apply the cultural impact assessment provisions to existing or proposed activities in the coastal environment or the coastal marine area related to management of the waterspace for (inter alia) marina purposes. Activities within the coastal occupation area should therefore be exempt from these provisions.
- (f) Urban Map 26: Natural Resources identifies the Quarter as being subject to likely natural hazards (coastal inundation). However, the Quarter is bounded along the coastal edge by seawalls that are approximately 1.3m above MHWS. Consequently, inundation is unlikely and these controls should not apply to the Quarter.

108.6 Reasonable (highest and best) use of this site will include: postponing the requirement for character plans until sites revert to freehold owners or tenants seek to make exterior alterations, deleting the marine at ground restriction on Building site 6 in Quarter Area B, substituting the transitional marine at ground zoning on Sailors Corner site with marine at ground zoning in perpetuity, retaining Plan Change 4 controls on bridge

construction and use, and limiting the lapse period of designations.

109 *Decision sought:*

109.1 Amend the plan by:

- (a) Relaxing the requirement for conservation plans in relation to leasehold land by deferring the need to prepare a character plan until either the land reverts to the freehold owner, or the tenant seeks to undertake external alterations or additions to the existing building.
- (b) Deleting the requirement for lessee written approval or notification in relation to Framework Plan or IDP applications or amendments (Rule 3.3.14.5.6 and Precinct Plan 7).
- (c) Deleting marine at ground restrictions from Building site 6 in Quarter Area B (Rule 3.3.14.5.6 and Precinct Plan 7).
- (d) Retaining the relevant Plan Change 3 and Plan Change 4 provisions regarding bridge construction and use (i.e. by providing inter alia for these activities as discretionary activities).
- (e) Retaining (inter alia) the Plan Change 4 explanations that refer to Sub-precinct B (North Gaunt), the template for Site Travel Management Plans, the Wynyard Quarter Transport Plan, and the methodology for monitoring traffic conditions set out in Annexure 18, by amending Section 3.14 of the plan accordingly and including copies of the documents in the relevant appendix to the plan.
- (f) Limiting the lapse period for all road widening and public open space designations in the Quarter Areas A and B (Designations ID 508, ID 511, ID 1571, ID 1572, and ID 1573) to the period expiring on 31 December 2017.
- (g) Amend the General Provisions (Rule G.2.7.4) to exempt parts of the CMA that are subject to deemed coastal occupation permits and the adjacent coastal environment from the requirement to provide cultural impact assessments for existing or proposed activities (e.g. dredging and structures) that will be carried on in the area covered by the permit.
- (h) Amend Urban Map 26: Natural Resources and delete other related plan provisions that identify the Quarter as being subject to likely natural hazards (coastal inundation).
- (i) Generally, amending the plan to reflect the resource consent granted for the approved Integrated Development Plan (IDP) pertaining to certain sites in Quarter Areas A and B owned by the submitters:

- (i) Amending Rule 3.3.14.3 to provide that any approved IDP that has been granted resource consent should be deemed to be an approved Framework Plan.
- (ii) Reducing the maximum permitted office GFA for Quarter Area A from 98,000m² to 93,000m², and increasing the maximum permitted office GFA for Quarter Area B from 69,300m² to 74,300m² (Rule 3.3.14.4.2.1).
- (iii) Reducing the total office GFA for Quarter Area A from 110,000m² to 105,000m², and increasing the total office GFA for Quarter Area B from 84,000m² to 89,000m² (Rule 3.3.14.4.2.2).
- (iv) Amending Rule 3.3.14.4.3.2 to allow office GFA transfer between Quarter Areas A and B.
- (v) Amending Rule 3.3.14.5.1 and Precinct Plan 5 to provide for the maximum allowed building heights approved by the approved IDP, namely, 35m for Building sites 9, 11, 12, 13, 15 and 16, and 39m for Building site 6.
- (vi) Amending the Table in Rule 3.3.14.7.2.2a)ii) to aggregate the vehicle trips per hour for Quarter Areas A and B (i.e. 1068 trips).

Appendix B

General amendments

- 1 Amend the following rules to provide that resource consent for a restricted discretionary activity will be required for any application to infringe these rules, and that such applications will be considered without public or limited notification or the need to obtain written approval from affected persons:
 - 1.1 Part 3, Chapter I, Rule 3.1 regarding activities in the Mixed Use, Light Industry zones not provided for as permitted activities.
 - 1.2 Part 3, Chapter J, Rule 2.1 regarding the Historic Character and Historic Heritage Overlays that affect sites in the Metropolitan Centre, Mixed Use and Light Industry zones not provided for as permitted activities.
 - 1.3 Part 3, Chapter J, Rule 6.3 regarding the Volcanic Viewshaft Overlays that affect sites in the Metropolitan Centre, Town Centre, Mixed Use, Light Industry zones not provided for as permitted activities.

General amendments applying specifically to sites zoned as Mixed Use or sought to be rezoned as Mixed Use

- 4 Amend Part 3, Chapter I, Rule 3.1 to provide for Retail activities up to 500m² GFA as permitted activities in the Mixed Use zone.
- 5 Amend Part 3, Chapter I, Rule 3.1 to provide for Commercial (office) activities over 500m² GFA as permitted activities in the Mixed Use zone.

General amendments applying specifically to sites zoned as:

a) Light Industry; or

b) General Business or sought to be zoned as General Business

- 6 Amend Part 3, Chapter I, Rule 3.1 to provide for Retail activities up to 500m² GFA as permitted activities in the zone.
- 7 Amend Part 3, Chapter I, Rule 3.1 to provide for Commercial (office) activities up to 500m² GFA as permitted activities on sites in the zone.
- 8 Amend Part 3, Chapter I, Rule 3.1 to provide for Commercial (office) activities over 500m² as restricted discretionary activities in the zone.

General amendments applying to sites zoned or sought to be zoned for office activities in particular, and regarding green building requirements generally

- 9 Amend Part 3, Chapter H, Rule 6.4.2.2 Offices as follows to provide for a more flexible range of certifications for new commercial buildings that should be available in the Plan to drive better Green outcomes:

- 17.1 A new building with a GFA of 5,000m² or greater and where 80 per cent or more of the GFA is to be used as an office, must be designed and constructed to comply with any one of the following certifications:
- (a) A simplified NZGBC BASE (Building A Sustainable Environment) Certification or equivalent; or
 - (b) Living Building Challenge V2.1; or
 - (c) Net Zero Energy; or
 - (d) A NABERSNZ Energy Rating of 5 Stars out of 6 available; or
 - (e) Green Star Certification, subject to there being reduced Certification Costs.
- 10 Amend all other relevant plan provisions pertaining to green building requirements by deleting standard driven provisions, and substituting them with outcome driven provisions that include a menu based approach similar to the above. All plan rules should be subject to viability testing at resource consent application stage.
- General amendments regarding frontage controls pertaining to the Key Retail Frontage and General Commercial Frontage notations, and the Mixed Use, Business Park, Metropolitan Centre and Town Centre zones**
- 11 Part 3, Chapter I, Rule 3.4.9 Glazing sets out the glazing requirements for properties that are subject to the Key Retail Frontages and General Commercial Frontage notations. In addition to those specifically identified sites, glazing requirements also apply to the Mixed Use, Business Park, Metropolitan Centre and Town Centre zones where:
- 11.1 The property fronts a street or public open space, and 60% of the width and 75% of the height of the building must be glazed.
 - 11.2 The side or rear boundary fronts a public open space, and 30% of the width and 75% of the height of the building must be glazed.
- 12 The frontage controls also apply to sites in the General Business zone where the ground floor of a building must be glazed for at least 50% of building width and 75% of building height where the building fronts a street or public open space.
- 13 These controls are consider to be overly onerous and should not apply to frontages that are not identified by a specific notation. Glazing requirements should be reserved for identified pedestrian streets only (i.e. those that already have such notations unless otherwise amended by this submission).
- 14 Amend the plan by deleting all such notations that are not expressly supported by this submission.

General and specific amendments applying to the Auckland-wide rules: Rule 1.2.3.2 Parking, loading and access

- 25 *General:* Delete all changes to parking ratios or standards proposed by the Auckland-wide rules: Rule 1.2.3.2 Parking, loading and access, pertaining to the sites listed or referred to in this submission; and reinstate the relevant provisions from the operative plans.
- 26 *Site 14:*
- 26.1 The Key Retail Frontage on the West Coast Road frontage be pulled back 10m at its western end to enable vehicular access to the site (generally opposite Glendale Road); and
- 26.2 In order to acknowledge the existing access to the site, that:
- (a) The Key Retail Frontage overlay on the Glenview Road frontage be pulled back 16m from its northern extent; and
- (b) The Vehicle Access Restriction (level crossing) be pulled back 16m from its southern extent.
- 27 *Site 19:*
- 27.1 In order to acknowledge and provide for the existing carpark access on 915 New North Road, and to acknowledge that 915 New North Road does not have frontage to Ballast Lane at the rear, that the existing access to 915 New North Road be excluded from the Key Retail Frontage.
- 28 *Site 23:*
- 28.1 In order to acknowledge that the site has just one frontage to Normanby Road, and has an existing access to that frontage, it is recommended that the Vehicle Access Restriction (Level Crossing) overlay be shortened at its southern end by 25m, to enable permitted access to the site to be retained.
- 29 *Reasons:* Absent these site specific amendments, vehicle access to these sites would require non-complying activity resource consent (the most restrictive activity category under the RMA) and effectively preclude vehicle access and render Sites 14, 19 and 23 "land locked".

Appendix C

General reasons for the submission

Reasons pertaining to the sites sought to be rezoned or where key provisions are sought to the amended regarding adequacy of RMA s 32 analysis & RMA s 85 rendering land incapable of reasonable use

- 1 The plan provisions (opposed by this submission) pertaining to the sites are not the most appropriate way to achieve either the RMA statutory purpose (sustainable management) or the objectives in the plan. These provisions are not supported by any evidence of probative value, as a result the RMA s 32 analysis is inadequate.
- 2 There are other reasonably practicable (preferred) options for achieving the RMA statutory purpose and the plan objectives, that will be the most appropriate way to achieve these matters in relation to the sites that are identified in this submission.
- 3 The plan provisions as sought to be changed by this submission are likely to result in more anticipated economic growth and employment opportunities and increased land availability for commercial and residential activities, than would otherwise occur under the proposed provisions included in the plan.
- 4 Failure to provide for reasonable use of the sites as sought by this submission will render the submitters interest in the land incapable of reasonable use.

Reasons regarding general office relief in particular, and regarding green building requirements generally

- 5 The plan approach to green building requirements is standard driven and is not focused on outcomes. An outcome based approach that results in a menu based approach is required for pragmatic and practical reasons.
- 6 For some building types (e.g. residential) compliance costs could typically be as high as 20% of total construction costs, and the viability of imposing these requirements has not been tested, and may conflict with other broad objectives in the plan e.g. housing land availability, that have not been reconciled.
- 7 Overall, the plan approach lacks context and is relatively unsophisticated, e.g. for some building types on some sites green star buildings could make commercial sense but on other sites the requirements would not be viable. As a minimum the plan rules should all be subject to viability testing at resource consent application stage.
- 8 In particular, Part 3, Chapter H, Rule 6.4.2.2 Offices proposes that NZGBC 5 Star Certification should apply to commercial buildings over 5,000m², this is onerous and considered limiting. There are a wide range of Green tools available that achieve measurable environmental benefits. Circumstances however can vary in which these tools when applied can be proven to be neither cost effective or deliver the required outcome. The key is in utilising an appropriate tool for a given

circumstance. The NZGBC Green Star green building rating system is a measurement tool that can achieve a reasonable level of improvement however it should not be the only measure to achieving a specified or higher level of sustainability. The impact of utilising a single measurement system, is that other effective tools and environmental measures may be overlooked in the pursuit of gaining a rating rather than getting best outcomes for a project. Additionally geographic areas away from the CBD may struggle to command the returns required to cover certification costs. A range of certifications for new commercial buildings should therefore be available in the Plan to drive better outcomes.

- 9 Questionably, green building requirements should not be a feature of the plan but should be addressed nationally via other methods.

Reasons regarding sites zoned or to be rezoned Mixed Use

- 10 Part 3, Chapter I, Rule 3.4.4 states: Building setback at upper floors (6m setback from front boundary from 16.5m). The setback should occur at 19m (not 16.5m) to allow for high quality floor to floor heights in appropriate cases.
- 11 Part 3, Chapter I, Rule 3.1 makes retail activity > 450m²/site a discretionary activity. Given site location and area, this is considered too restrictive, in that retail activity on the entire ground floor (even with residential above) should be a permitted activity.
- 12 Part 3, Chapter I, Rule 3.1 makes commercial activity > 500m²/site a discretionary activity. Given site location and area, this is considered too restrictive, in that commercial activity on the entire ground floor (even with residential above) should be a permitted activity.

Reasons regarding frontage controls pertaining to the Key Retail Frontage and General Commercial Frontage notations, and the Mixed Use, Business Park, Metropolitan Centre and Town Centre zones

- 13 These controls are consider to be overly onerous and should not apply to frontages that are not identified by a specific notation. Glazing requirements should be reserved for identified pedestrian streets only (i.e. those that already have such notations unless otherwise amended by this submission).

Reasons regarding maximum permitted building height and maximum number of storeys

- 21 The plan adopts a general approach to maximum permitted building height that is not appropriate in relation to site or surrounding area context.
- 22 As a result, it is likely that a range of sites across the city will be underdeveloped, despite their location in close proximity to established public transport routes and facilities and their ability to contribute to the creation of an intensified and more compact city form.
- 23 In particular, the plan fails to provide for appropriate maximum permitted building height on these sites.

- 24 The maximum permitted building height controls in the plan, especially the maximum number of storeys allowed in relation to maximum permitted building height, will not result in high quality, adaptable buildings. For example, the standard of the building stock produced by the plan provisions is unlikely to meet recognised sustainability standards or generate the financial returns required to justify energy efficiency or green star investment.
- 25 The maximum permitted building heights sought by this submission are designed to provide flexibility and encourage the construction of premium grade, adaptable buildings, wherever practicable and viable in site and timing context.
- 26 The ability to accommodate a range of floor to floor dimensions within the maximum permitted building height envelope will therefore be critical to ensure that minimum (viable) GFA for premium grade buildings can be realised. For example, where a height of 35 metres has been sought by this submission, that permitted height will enable the development of a premium grade commercial building accommodating 8 adaptable storeys comprised of the following:
- 26.1 A high quality commercial or retail ground floor with a floor to floor dimension of 5 metres;
- 26.2 7 high quality commercial storeys above ground with floor to floor dimensions of 4 metres each; and
- 26.3 A roof of 2 metres.
- 28 All specific sites included in this submission have been the subject of careful architectural and urban design appraisal of both the site and surrounding area context (and the long-term 30-year vision required to deliver the anticipated environmental results outlined in the plan's objectives and policies), to determine the appropriate building height sought by the submission. In all cases, the maximum permitted buildings heights sought by the submission can be achieved without giving rise to any adverse environmental effects.
- 29 For clarity, the submitters have not included maximum storey controls as part of the decisions sought regarding increases in maximum permitted building height as this will be governed (within the maximum permitted building height envelope) by the range of floor to floor dimensions referred to above.
- Reasons regarding the Auckland-wide rules: Part 3, Chapter H, Rule 1.2.3.2 Parking, loading and access*
- 30 The Auckland-wide rules: Part 3, Chapter H, Rule 1.2.3.2 Parking, loading and access are not supported by any evidence of probative value, particularly in relation to draft changes to parking ratios and standards.

Appendix D

The following maps show site locations and where relevant include the site zoning or rezoning sought by the submitters: