

I hereby give notice that a hearing by commissioners will be held on:

Date: Wednesday 26 & Thursday 27 February 2025
Time: 9:30am
Meeting room: Council Chambers
Venue: Ground Floor, Auckland Town Hall
301-303 Queen Street, Auckland Central

PRIVATE PLAN CHANGE 104
HEARING REPORT
VOLUME I
79 LADIES MILE, REMUERA
FLETCHER RESIDENTIAL LIMITED

COMMISSIONERS

Chairperson David Mead
Commissioners Kim Hardy
Ina Kara-France

Patrice Baillargeon
Kaitohutohu Mataamua Whakawā
Senior Hearings Advisor

Telephone: 09 890 4692 or 027 338 5383
Email: patrice.baillargeon@aucklandcouncil.govt.nz
Website: www.aucklandcouncil.govt.nz

Note: The reports contained within this document are for consideration and should not be construed as a decision of Council. Should commissioners require further information relating to any reports, please contact the hearings advisor.

WHAT HAPPENS AT A HEARING

Te Reo Māori and Sign Language Interpretation

Any party intending to give evidence in Māori or NZ sign language should advise the hearings advisor at least ten working days before the hearing so a qualified interpreter can be arranged.

Hearing Schedule

If you would like to appear at the hearing please return the appearance form to the hearings advisor by the date requested. A schedule will be prepared approximately one week before the hearing with speaking slots for those who have returned the appearance form. If changes need to be made to the schedule the hearings advisor will advise you of the changes.

Please note: during the course of the hearing changing circumstances may mean the proposed schedule may run ahead or behind time.

Cross Examination

No cross examination by the applicant or submitters is allowed at the hearing. Only the hearing commissioners are able to ask questions of the applicant or submitters. Attendees may suggest questions to the commissioners and they will decide whether or not to ask them.

The Hearing Procedure

The usual hearing procedure is:

- **The chairperson** will introduce the commissioners and will briefly outline the hearing procedure. The Chairperson may then call upon the parties present to introduce themselves. The Chairperson is addressed as Madam Chair or Mr Chairman.
- **The applicant** will be called upon to present their case. The applicant may be represented by legal counsel or consultants and may call witnesses in support of the application. After the applicant has presented their case, members of the hearing panel may ask questions to clarify the information presented.
- **Submitters** (for and against the application) are then called upon to speak. Submitters' active participation in the hearing process is completed after the presentation of their evidence so ensure you tell the hearing panel everything you want them to know during your presentation time. Submitters may be represented by legal counsel or consultants and may call witnesses on their behalf. The hearing panel may then question each speaker.
 - Late submissions: The council officer's report will identify submissions received outside of the submission period. At the hearing, late submitters may be asked to address the panel on why their submission should be accepted. Late submitters can speak only if the hearing panel accepts the late submission.
 - Should you wish to present written evidence in support of your submission please ensure you provide the number of copies indicated in the notification letter.
- **Council Officers** will then have the opportunity to clarify their position and provide any comments based on what they have heard at the hearing.
- The applicant or their representative has the right to summarise the application and reply to matters raised by submitters. Hearing panel members may further question the applicant at this stage. The applicants reply may be provided in writing after the hearing has adjourned.
- **The chair** will outline the next steps in the process and adjourn or close the hearing.
- If adjourned the hearing panel will decide when they have enough information to make a decision and close the hearing. The hearings advisor will contact you once the hearing is closed.

Please note

- that the hearing will be audio recorded and this will be publicly available after the hearing
- catering is not provided at the hearing.

**A NOTIFIED PRIVATE PLAN CHANGE TO THE AUCKLAND UNITARY PLAN BY
FLETCHER RESIDENTIAL LIMITED**

VOLUME I	TABLE OF CONTENTS	PAGE NO.
	Reporting Officer's report	5 - 98
Appendix 1	Plan Change 104 (Private): Remuera Precinct, As Notified This attachment has not been re-produced in this agenda. The Notification materials are available here: https://www.aucklandcouncil.govt.nz/have-your-say/hearings/find-hearing/Pages/Hearing-documents.aspx?HearingId=864	99 - 100
Appendix 2	List of plan change documents and numbering on council's plan change website	101 - 104
Appendix 3	Summary of consultation undertaken including Local Board views	105 - 120
Appendix 4	Submissions and Summary of Decisions Requested	121 - 250
Appendix 5	Qualifications and experience of the s42A reporting planner	251 - 256
Appendix 6	Specialist Reporting	257 - 332
<i>Appendix 7</i>	<i>Resource Consent Approval Documents for PC104 (SEE VOLUME II)</i>	
Appendix 8	Memorandum from applicant dated 8 November 2024 and proposed changes	335 - 380
Appendix 9	Recommended Provisions	381 - 538
VOLUME II	TABLE OF CONTENTS	PAGE NO.
Appendix 7	Resource Consent Approval Documents for PC104	5 - 638

Reporting Officer: Daniel Kinnoch

Reporting on proposed Private Plan Change 104 - 79 Ladies Mile, Remuera to rezone from Special Purpose – Major Recreation Facility zone to a combination of Residential – Terrace Housing and Apartment Buildings zone and Residential – Mixed Housing Urban zone.

APPLICANT: FLETCHER RESIDENTIAL LIMITED

SUBMITTERS: VOLUME I	
Page 119	Kelsey Bergin
Page 121	Stephanie Gale
Page 123	Samuel Fielding
Page 125	Katarina Pochyba
Page 129	Vita Nova Projects Ltd
Page 131	Simon McMullen
Page 135	Ian Calhaem
Page 143	Deborah Anne Keightley
Page 147	Auckland Council (As Submitter)
Page 153	Ngaati Te Ata Waiohua
Page 155	Watercare Services Limited
Page 163	Elizabeth Leuchars
Page 165	Craig McErlane
Page I - 173	McErlane Investment Trust



Hearing Report for Proposed Private Plan Change 104: Remuera Precinct to the Auckland Unitary Plan (Operative in part)

Section 42A Hearing Report under the Resource Management Act 1991

Report to: Hearing Commissioners

Hearing Date/s: 26-27 February 2025

File No:

File Reference

Report Author Daniel Kinnoch, Consultant Planner, Auckland Council

Report Approvers Clare Wall Shaw, Team Leader, Central South, Planning and Resource Consents Department, Auckland Council

Report produced 4 December 2024

Summary of Proposed Plan Change 104 (Private): Remuera Precinct

Plan subject to change	Auckland Unitary Plan (Operative in part), 2016
Number and name of change	Proposed Plan Change 104 (Private): Remuera Precinct to the Auckland Unitary Plan
Status of Plan	Operative in part
Type of change	Private Plan Change
Clause 25 decision outcome	Accept
Parts of the Auckland Unitary Plan affected by the proposed plan change	<p>Chapter I Precincts – Central GIS Viewer/planning maps</p> <ul style="list-style-type: none"> • Unitary Plan Zones • Unitary Plan Management Layers – Precincts • Unitary Plan Management Layers – Overlays: D13 Notable Trees Overlay
Date of notification of the proposed plan change and whether it was publicly notified or limited notified	<p>25 July 2024</p> <p>Publicly notified</p>
Submissions received (excluding withdrawals)	14
Date summary of submissions notified	26 September 2024
Number of further submissions received (numbers)	Nil
Legal Effect at Notification	None
Main issues or topics emerging from all submissions	<ul style="list-style-type: none"> • Zoning and development capacity • Building height and density • Traffic and transport effects • Pedestrian access and connectivity • Infrastructure capacity (water supply, wastewater) • Interface with existing residential areas • Recreational needs • Consistency with Medium Density Residential Standards (MDRS) • Plan drafting and formatting issues • Consistency with Cultural Impact Assessment • Consistency with Auckland Unitary Plan

Contents

Hearing Report for Proposed Private Plan Change 104: Remuera Precinct to the Auckland Unitary Plan (Operative in part)	1
EXECUTIVE SUMMARY	5
1. BACKGROUND	7
2. EXISTING PLAN PROVISIONS	8
3. PROPOSED PLAN CHANGE PROVISIONS	13
4. DOCUMENTS AND TECHNICAL REPORTS PROVIDED WITH PLAN CHANGE	18
5. HEARINGS AND DECISION-MAKING CONSIDERATIONS	19
6. STATUTORY AND POLICY FRAMEWORK	21
6.1. Resource Management Act 1991	21
6.1.1. Plan change matters – regional and district plans	21
6.1.2. Resource Management Act 1991- Regional matters	23
6.1.3. Resource Management Act 1991- District matters	23
6.2. National policy statements	24
6.3. National environmental standards or regulations	25
6.4. Auckland Unitary Plan	26
6.4.1. Regional Policy Statement	26
6.4.1. Regional and District Plan provisions	28
6.4.1. Medium Density Residential Standards and Plan Change 78	34
6.5. Other relevant management plans and strategies prepared under any other Act	36
6.5.1. The Auckland Plan	36
6.5.2. Te Tāruke-ā-Tāwhiri: Auckland’s Climate Plan	38
6.5.1. Transport Emissions Reduction Pathway	39
6.5.2. Long-term Plan	41
6.5.3. Ōrākei Local Board Plan 2023	41
6.5.4. Iwi Management Plans	43
7. ASSESSMENT OF EFFECTS ON THE ENVIRONMENT	45
7.1. Positive Effects	45
7.2. Urban Design, Built Form and Landscape Visual Effects	46
7.3. Transport and Traffic Effects	48
7.4. Infrastructure Effects	50
7.4.1. Stormwater Management and Flooding	50
7.4.2. Water and Wastewater Services	51
7.5. Contamination Effects	52
7.6. Ecological Effects	53
7.7. Arboricultural Effects	54
7.8. Cultural Effects	55
7.9. Economic Effects	57
7.10. Parks and Recreation Effects	58
7.11. Archaeological and Built Heritage Effects	59
8. CONSULTATION INCLUDING LOCAL BOARD VIEWS	60
9. NOTIFICATION AND SUBMISSIONS	63
9.1. Notification details	63
10. ANALYSIS OF SUBMISSIONS	63
10.1.1. Submissions supporting PC104 in its entirety	64
10.1.2. Submissions opposing PC104 in its entirety	65

10.1.3.	Pro forma submissions supporting PC104 subject to amendment.....	66
10.1.4.	Submission by Samuel Fielding	69
10.1.5.	Submission by Simon McMullen	70
10.1.6.	Submission by Deborah Anne Keightley	72
10.1.7.	Ngāti Te Ata Waiohua submission	73
10.1.8.	Auckland Council (ACS) submission.....	74
10.1.9.	Watercare Services Limited submission.....	78
11.	RECOMMENDED CHANGES AND SECTION 32AA ANALYSIS.....	81
11.1.1.	Recommended changes within scope of submissions	81
12.	CONCLUSIONS.....	84
13.	RECOMMENDATIONS	84
14.	SIGNATORIES.....	85

Abbreviations

Abbreviations in this report include:

Abbreviation	Meaning
AEE	PC104 Assessment of environmental effects
ATR	Auckland Thoroughbred Racing Incorporated
AUP	Auckland Unitary Plan
CIA	Cultural Impact Assessment
EPA	Engineering Plan Approval
Fast-track consents, Fast-track decision	Resource consents granted for the PC104 site under the COVID-19 Recovery (Fast-track Consenting) Act 2020
HNZPT	Heritage New Zealand Pouhere Taonga
IMP	Iwi Management Plan
MDRS	Medium Density Residential Standards
MHU	Residential - Mixed Housing Urban Zone
NES	National Environmental Standards
NPS	National Policy Statement
NPS-UD	National Policy Statement on Urban Development 2020
OCP	Organochlorine Pesticides
PAHs	Polycyclic Aromatic Hydrocarbons
PC104	Proposed Plan Change 104 (Private): Remuera Precinct
PC78	Proposed Plan Change 78 Intensification
PPC	Private Plan Change
RAP	Remedial Action Plan
RMA	Resource Management Act 1991
SMP	Stormwater Management Plan
SVP	Site Validation Report
THAB	Residential - Terrace Housing and Apartment Buildings Zone
The applicant	Fletcher Residential Limited
The council	Auckland Council

Attachments

Appendix 1	Plan Change application material including clause 23 responses and provisions as notified
Appendix 2	List of plan change documents and numbering on the council's plan change website
Appendix 3	Summary of consultation undertaken including Local Board views
Appendix 4	Submissions <ul style="list-style-type: none"> • Summary of Decisions Requested • Submissions¹
Appendix 5	Qualifications and experience of the s42A reporting planner
Appendix 6	Specialist reporting
Appendix 7	Resource consent approval documents for the PC104 site under the COVID-19 Recovery (Fast-track Consenting) Act 2020 <ul style="list-style-type: none"> • Decision and conditions • Approved Plans
Appendix 8	Memorandum from applicant identifying proposed changes, dated 8 November 2024, with attached changes
Appendix 9	Recommended provisions

EXECUTIVE SUMMARY

1. Proposed Private Plan Change 104 (**PC104**) to the Auckland Unitary Plan (Operative in Part) (**AUP**) seeks to rezone approximately 6.2 hectares of land at 79 Ladies Mile, Remuera from Special Purpose - Major Recreation Facility zone with Ellerslie Racecourse Precinct provisions to a combination of Residential - Terrace Housing and Apartment Buildings (**THAB**) and Residential - Mixed Housing Urban (**MHU**) zones, and apply the Remuera Precinct provisions, within the Auckland Unitary Plan Operative in part (**AUP**).
2. The plan change seeks to enable medium to high density residential development on a site previously used as part of Ellerslie Racecourse; integrate new housing with the existing urban fabric of Remuera and Ellerslie; provide improved connections within the precinct and to surrounding areas; and create a high-quality open space network.
3. The proposed precinct includes specific rules and standards relating to building heights up to 25m in the THAB zone; the provision of public roads and pedestrian linkages; interface controls with neighbouring properties; and the integration of land use with supporting infrastructure.
4. The precinct aims to give effect to the National Policy Statement on Urban Development 2020 (**NPS-UD**) by enabling intensification in an accessible location close to public transport and amenities, while also providing statutory weight to outcomes previously consented under fast-track legislation.
5. The private plan change process set out in Part 2 of Schedule 1 of the Resource Management Act 1991 (**RMA**) was adhered to in developing PC104.
6. Following receipt of all further information PC104 was accepted for processing under Clause 25 of Schedule 1 on 17 July 2024.

¹ No further submissions were received.

7. PC104 was publicly notified on 25 July 2024 and closed for submissions on 22 August 2024. The summary of submissions was notified on 26 September 2024 and closed for further submissions on 10 October 2024.
8. Fourteen submissions were received. No further submissions were received. Key submission themes included zoning and development capacity, building height and density, traffic and transport effects, pedestrian access and connectivity, infrastructure capacity (water supply and wastewater), interface with existing residential areas, open space and amenity, consistency with MDRS, plan drafting and formatting issues, consistency with recommendations set out in a cultural impact assessment prepared by Ngāti Te Ata Waiohua, and consistency with the AUP.
9. In preparing for hearings on PC104, this hearing report has been prepared in accordance with section 42A of the RMA.
10. This report considers the issues raised by submissions on PC104. The discussion and draft recommendations in this report are intended to assist the Hearing Commissioners, the requestor and those persons or organisations that lodged submissions on PC104. The recommendations contained within this report are not the decisions of the Hearing Commissioners.
11. This report also forms part of the council's ongoing obligations, which is, to consider the appropriateness of the proposed provisions, as well as the benefits and costs of any policies, rules or other methods.
12. A report in accordance with section 32 of the RMA was prepared by the applicant as part of the private plan change request as required under clause 22(1) of Schedule 1 of the RMA. The information provided by the applicant in support of PC104 (including the Section 32 Report and an Assessment of Environmental Effects) is attached in **Appendix 1**.
13. During the preparation of this report, the applicant provided a memorandum dated 8 November 2024 proposing changes to PC104, particularly in response to Auckland Council's submission regarding MDRS incorporation and plan drafting matters. The applicant's memorandum and proposed changes are attached as **Appendix 8** to this report for information. While this information has been received, this report evaluates the notified version of PC104 and makes recommendations based on assessment of submissions. Any references to provisions in this report are to the notified version of the PPC, unless otherwise stated.
14. In accordance with the evaluation in this report, I consider that modifications to the notified provisions are necessary to better achieve the objectives of the AUP(OP) and the purpose of the RMA. Where submissions seek specific relief, I have recommended changes to address these submission points. Some recommended changes align with the applicant's proposed modifications dated 8 November 2024 where these fall within submission scope, but not all.
15. Subject to the recommended provisions in **Appendix 9**, I consider that the plan change should be approved with modifications for the reasons set out in this report. The applicant will have the opportunity to address any differences between their proposed changes and my recommendations through their evidence, as will submitters.

1. BACKGROUND

16. Proposed Private Plan Change 104 (**PC104**) to the Auckland Unitary Plan (Operative in part) (**AUP**) applies to 79 Ladies Mile, Remuera. The site is 6.2 hectares in area. The site is currently zoned Special Purpose - Major Recreation Facility zone₇ and is subject to the Ellerslie Racecourse Precinct. 10.
17. Refer to Figure 1 below for an aerial photograph of the site and surrounding area.



Figure 1 - Aerial of Plan Change site and surrounds. Site delineated with blue outline. Source: Auckland Council GeoMaps

18. The site is in single ownership – being owned by Fletcher Residential Limited (**the applicant**). The site was previously owned by the Auckland Thoroughbred Racing Incorporated (**ATR**) and used for steeplechase racing.
19. The applicant has obtained resource consents through the fast-track process set out in the COVID-19 Recovery (Fast-track Consenting) Act 2020 to construct approximately 357 residential dwellings on the site (**fast-track consents**). The consents, granted by an Expert Consenting Panel on 17 April 2023, enable a master-planned residential development on the site. The particulars of that approval are attached in **Appendix 7**.
20. As of the date of this report, the fast-track consents are being given effect to on site in terms of enabling works. Road names and future property numbering have been assigned.
21. PC104 seeks to rezone the site to a combination of MHU and THAB zones. The proposed plan change also seeks to establish the Remuera Precinct over the site. The plan change is intended to reflect the granted fast-track consents to develop the approximately 357 residential dwellings. Modifications to the Ellerslie Racecourse Precinct are also proposed to reflect the now non-use of the site for racecourse operations.

22. The proposed plan change seeks to achieve the following outcomes, as set out in the applicant's AEE and Section 32 assessment:²
- a. Provide a variety of dwelling types through a mixture of residential zones.
 - b. Ensure the outcomes of the fast-track consent are achieved.
 - c. Protect the amenity of the surrounding residential area.
 - d. Enable varying scales of development.
 - e. Create a connected neighbourhood.
 - f. Deliver high-quality hard and soft landscaping outcomes.
 - g. Improve the transport network and other infrastructure.
 - h. Ensure stormwater is managed in accordance with the approved SMP.
 - i. Establish a maximum cap of 357 dwellings within the precinct.

2. EXISTING PLAN PROVISIONS

23. The plan change area is currently zoned Special Purpose - Major Recreation Facility zone. This zone is applied to facilities within Auckland capable of hosting large-scale sports, leisure, entertainment, art, recreation, or event and cultural activities. Major recreation facilities are defined as large, multi-functional sites with an indoor visitor capacity exceeding 1,000, or the overall ability to accommodate over 10,000 visitors.³
24. The zone recognises these facilities as limited resources that contribute significantly to Auckland's social and economic well-being, and their efficient use is of resource management importance to the region.⁴
25. The Special Purpose - Major Recreation Facility Zone provisions focus on:
- a. Protecting and enabling major recreation facilities to provide for the social and economic well-being of people and communities.⁵
 - b. Avoiding, remedying, or mitigating adverse effects generated by the operation, development, redevelopment, and intensification of major recreation facilities.⁶
 - c. Protecting major recreation facilities from reverse sensitivity effects of adjacent activities.⁷
26. The zone contains general objectives and policies which guide the operation and development of current and future sites. However, each facility within this zone is also contained within a precinct, which provides additional site-specific provisions.⁸
27. Policies of the Special Purpose - Major Recreation Facility Zone include:
- a. Enabling the safe and efficient operation of primary activities within each precinct.⁹
 - b. Providing for a range of appropriate accessory and compatible activities within the precincts.¹⁰

² Section 5.1 Purpose and Detail of the Plan Change Request

³ H26.1 Background

⁴ H26.1 Background

⁵ H26.2 Objective (1)

⁶ H26.2 Objective (2)

⁷ H26.2 Objective (3)

⁸ H26.1 Background, Figure H26.1.1

⁹ H26.3 Policy (1)

¹⁰ H26.3 Policy (2)

- c. Discouraging activities that may adversely affect the function, role, or amenity of metropolitan, town or local centres, or the safe and efficient operation of the transport network.¹¹
 - d. Avoiding, remedying or mitigating the adverse effects of major recreation facilities on adjacent development.¹²
 - e. Enabling appropriate development and redevelopment of buildings while managing adverse effects at the precinct interface.¹³
 - f. Recognising the potential for major recreation facilities to give rise to reverse sensitivity effects and requiring new activities that are likely to be sensitive to these effects to manage the risk of generating reverse sensitivity effects.¹⁴
28. The zone does not contain a general activity table, standards, or assessment criteria. These are typically provided in the specific precinct provisions for each facility.
29. Following the above, the plan change area is subject to the Ellerslie Racecourse Precinct.
30. The Ellerslie Racecourse Precinct provides specific planning controls for the use of the Ellerslie Racecourse, which covers approximately 55 hectares of privately-owned land.¹⁵
31. The precinct objectives focus on:
- a. Protecting the Ellerslie Racecourse as a regionally and nationally important venue for primary activities such as horse racing, organised sports, recreation, concerts, events, markets, and exhibitions.¹⁶
 - b. Enabling a range of activities compatible with or accessory to the primary activities.¹⁷
 - c. Avoiding, remedying, or mitigating adverse effects of the racecourse's operation, while recognising that some effects may not be fully internalized due to the nature of the activities.¹⁸
32. Key policies of the Ellerslie Racecourse Precinct include:
- a. Enabling the safe and efficient operation of the racecourse for its primary activities.¹⁹
 - b. Protecting the primary activity from reverse sensitivity effects of adjacent development.²⁰
 - c. Enabling a range of accessory and compatible activities that avoid, remedy, or mitigate adverse effects and do not displace primary activities.²¹
 - d. Managing adverse effects of the racecourse's operation, considering surrounding properties' amenity.²²

¹¹ H26.3 Policy (3)

¹² H26.3 Policy (4)

¹³ H26.3 Policy (5)

¹⁴ H26.3 Policy (6)

¹⁵ I313.1 Precinct description

¹⁶ I313.2 Objective (1)

¹⁷ I313.2 Objective (2)

¹⁸ I313.2 Objective (3)

¹⁹ I313.3 Policy (1)

²⁰ I313.3 Policy (2)

²¹ I313.3 Policy (3)

²² I313.3 Policy (4)

- e. Recognising that primary activities may generate adverse effects that cannot be fully internalised and may need further mitigation through scheduling, duration, and frequency limitations.²³
33. The precinct contains specific activity tables, development standards, and assessment criteria for activities within the racecourse. These include provisions for:
- a. Primary activities (e.g., horse racing, sports, recreation, events)²⁴
 - b. Accessory²⁵ and compatible activities²⁶
 - c. Development²⁷
 - d. Building height and location including interface control²⁸
 - e. Noise and lighting²⁹
 - f. Special noise and lighting events,³⁰ allowing a limited number of these events annually
 - g. Traffic management³¹
 - h. Helicopter flights and professional fireworks displays³²
 - i. Temporary buildings³³
34. Some Auckland-wide provisions do not apply within the Ellerslie Racecourse Precinct. Specifically, the precinct provisions override the Auckland-wide standards for temporary activities, noise and vibration (noise provisions only), lighting, and certain transport standards (E27.6.1 and E27.6.2).³⁴ This allows for more tailored management of these aspects within the unique context of the precinct.
35. The activity table in the Ellerslie Racecourse Precinct provides for a range of activities with varying activity statuses. Permitted activities include:
- a. Primary activities such as horse racing, organised sports and recreation, concerts, events, markets, and exhibitions³⁵
 - b. Accessory activities³⁶
 - c. Compatible activities, including:
 - i. Filming activities and professional fireworks displays and helicopter flights meeting standards³⁷
 - ii. Sports, recreation and community activities up to 1000m² gross floor area³⁸

²³ I313.3 Policy (5)

²⁴ Rules I313.4.1(A1)-(A8)

²⁵ Accessory activities are defined in the AUP J1 Definitions as “Activities located on the same site as the primary activity, where the activity is incidental to, and serves a supportive function of the primary activity. Includes: permitted car parking.”

²⁶ Rules I313.4.1(A9)-(A35)

²⁷ Rules I313.4.1(A36)-(A43)

²⁸ Rules I313.4.1(A36)-(A39), Standards I313.6.8, I313.6.9

²⁹ Standards I313.6.1, I313.6.2

³⁰ Standards I313.6.3, I313.6.4

³¹ Standard I313.6.5

³² Standards I313.6.10, I313.6.11

³³ Standard I313.6.12

³⁴ I313.4 Activity table (introductory text)

³⁵ Rules I313.4.1(A1)-(A7)

³⁶ Rule I313.4.1(A9), see definition in Footnote 25

³⁷ Rules I313.4.1(A11), (A31), (A33)

³⁸ Rules I313.4.1(A12) and (A13)

- iii. Care centres, education facilities, healthcare facilities, entertainment facilities, food and beverage facilities, offices, and retail up to 500m² gross floor area³⁹
 - iv. Licensed premises (excluding off-license premises not associated with a primary or compatible activity) up to 500m² gross floor area⁴⁰
 - d. New buildings, external building alterations or additions up to 25m in height⁴¹
 - e. Light towers and associated fittings (no maximum height limit)⁴²
 - f. Demolition of buildings, temporary buildings, and workers' accommodation⁴³
- 36. Any primary, accessory or compatible activity not meeting Standard I313.6.5 Traffic Management but meeting all other standards is a controlled activity.⁴⁴
- 37. Several activities are provided for as restricted discretionary activities, including:
 - a. Compatible activities exceeding 500m² gross floor area,⁴⁵ or 1,000m² for sports, recreation and community activities involving buildings⁴⁶
 - b. New buildings, external building alterations or additions between 25m and 35m in height,⁴⁷ and/or where Standard I313.6.8 Interface control area is not met⁴⁸
 - c. Professional fireworks displays and helicopter flights not meeting permitted activity standards⁴⁹
- 38. New buildings, external building alterations or additions exceeding 35m in height are classified as discretionary activities.⁵⁰ Any activities not listed in Activity Table I313.4.1 will also be a discretionary activity under general AUP rule C1.7.
- 39. A method employed by the Ellerslie Racecourse Precinct to manage effects on neighbouring properties is the Interface Control Area (**ICA**). This area is delineated on the Ellerslie Racecourse Precinct Plan 1.⁵¹
- 40. The provisions require that new buildings, external building alterations, or additions to buildings must be located outside the ICA.⁵² Where proposed within, resource consent is required as a restricted discretionary activity.⁵³
- 41. The ICA serves as a buffer, helping to mitigate potential adverse effects of the racecourse activities on adjacent properties, particularly those in adjoining residential zones to the north and east of the precinct.
- 42. The plan change area is also subject to the following overlays:

³⁹ Rules I313.4.1(A15), (A17), (A19), (A21), (A23), (A25), (A29)

⁴⁰ Rule I313.4.1(A27)

⁴¹ Rule I313.4.1(A36)

⁴² Rule I313.4.1(A39)

⁴³ Rules I313.4.1(A41)-(A43)

⁴⁴ Rules I313.4.1(A8), (A10), (A35)

⁴⁵ Rules I313.4.1(A16), (A18), (A20), (A22), (A25), (A26), (A30)

⁴⁶ Rule I313.4.1(A14)

⁴⁷ Rule I313.4.1(A37)

⁴⁸ Rule I313.4.1(A40)

⁴⁹ Rules I313.4.1(A32), (A34)

⁵⁰ Rule I313.4.1(A38)

⁵¹ I313.10.1. Ellerslie Racecourse: Precinct plan 1

⁵² Standard I313.6.8

⁵³ Rule I313.4.1(A40)

- a. Natural Resources: High-Use Aquifer Management Areas Overlay [rp] - Onehunga Volcanic Aquifer. The purpose of this overlay is to manage the take and use of groundwater in order to meet existing and future needs, while maintaining base flows for surface streams.⁵⁴
 - b. Natural Resources: Quality-Sensitive Aquifer Management Areas Overlay [rp] - Onehunga Volcanic Aquifer. The purpose of this overlay is to protect the quality and quantity of water in sensitive aquifers from contamination, particularly from surface sources like excess fertiliser, stormwater, or sewage discharges.⁵⁵
 - c. Natural Heritage: Locally Significant Volcanic Viewshafts Overlay [rcp/dp] - O10, One Tree Hill. The purpose of this overlay is to manage development to maintain locally significant views to Auckland's volcanic cones (maunga). Buildings that intrude into a locally significant volcanic viewshaft are permitted up to 9m in height, beyond which they require restricted discretionary activity consent. The viewshaft sits at varying heights above the plan change site, between 20.5m and 41.5m above ground level.
43. The plan change area is subject to the following controls:
- a. Controls: Macroinvertebrate Community Index – Urban. This is used as a guideline for freshwater ecosystem health associated with different land uses in catchments.⁵⁶
 - b. Controls: Arterial Roads. This is used to restrict the construction or use of vehicle crossings on parts of a site boundary that have frontage to an arterial road, as identified on the planning maps, to ensure the safe and efficient operation of the transport network. This control applies to Ladies Mile.⁵⁷
44. In addition to these specific provisions various Auckland-wide provisions also apply, including rules related to overland flow paths and flooding.
45. No AUP scheduled items or places apply to the plan change area.
46. Refer to Figure 2 below for the current zoning of the site and surrounding area under the Auckland Unitary Plan (Operative in Part).

⁵⁴ D1 High-use Aquifer Management Areas Overlay

⁵⁵ D2 Quality-sensitive Aquifer Management Areas Overlay

⁵⁶ E1.3 Policies (1), (2)

⁵⁷ E27.3 Policies (18), (21), Rules E27.4.1(A4), (A5), Standards E27.6.3.4, E27.6.4.1(3)

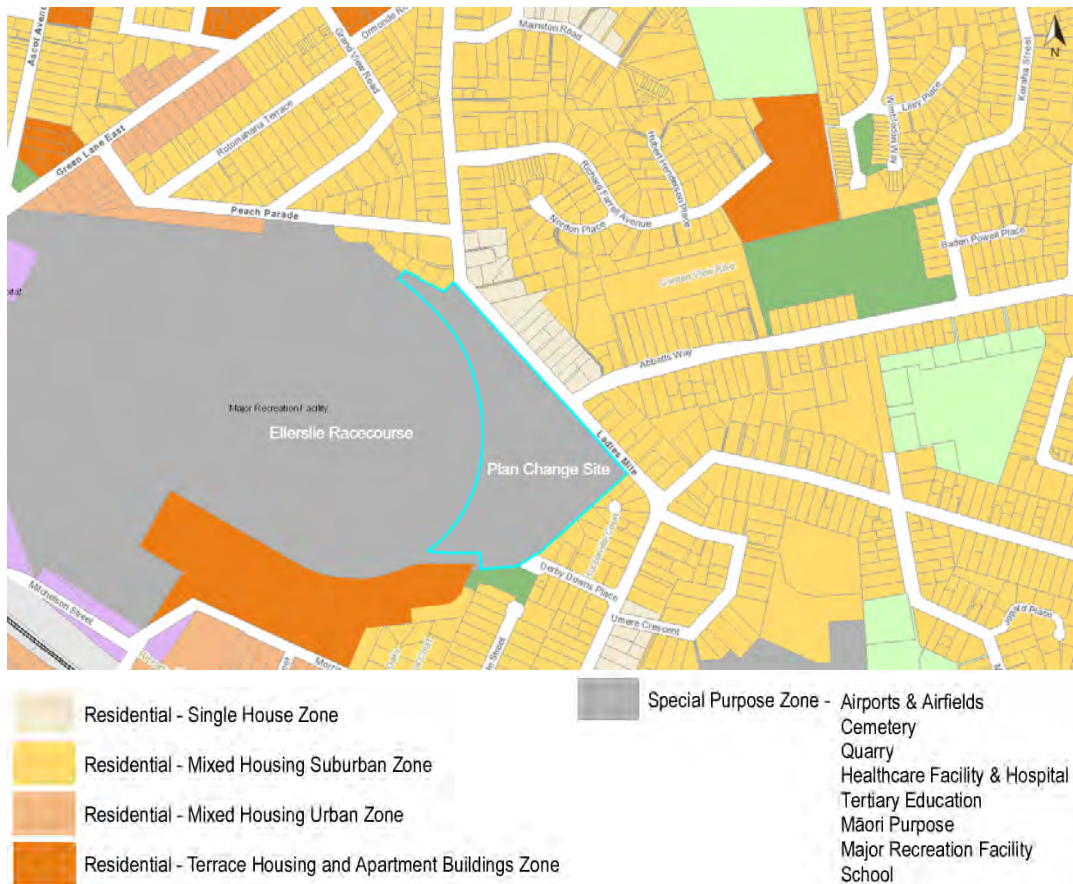


Figure 2 - Current Operative Zoning Map. Site delineated with blue outline. Source: Auckland Council GeoMaps, Auckland Unitary Plan Layer

3. PROPOSED PLAN CHANGE PROVISIONS

47. This section summarises the provisions of PC104 as notified on 25 July 2024. While the applicant has subsequently provided a memorandum dated 8 November 2024 proposing changes to these provisions in response to submissions, particularly regarding MDRS incorporation and plan drafting matters, those changes are addressed later in this report. The following assessment describes the notified provisions that were available for public submission.
48. The plan change proposes to rezone the subject land from Special Purpose - Major Recreation Facility Zone to THAB and MHU zones, and to introduce a new precinct, the Remuera Precinct.
49. Refer to Figure 3 below depicting the proposed zoning and Remuera Precinct extent.

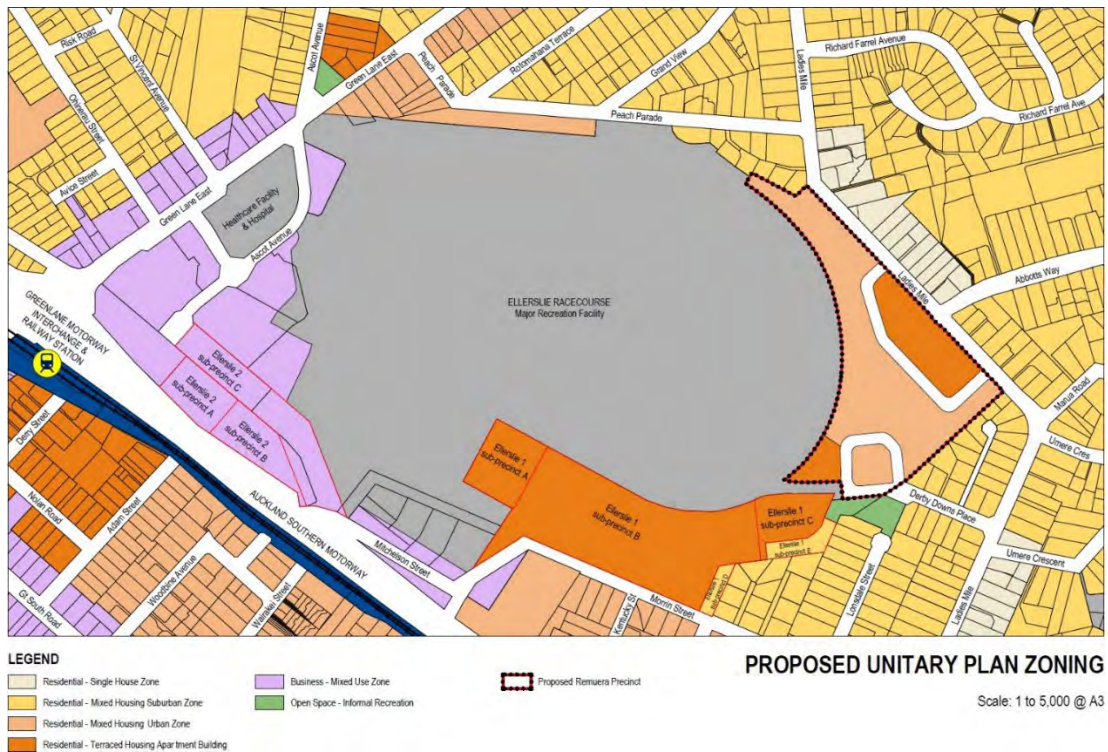


Figure 3 - Proposed Zoning and Precinct Map. Source: Applicant Plan Change Report, Section 32 Analysis and Assessment of Environmental Effects (Figure 14, p33)

50. The proposed precinct includes objectives, policies, rules, notification requirements, standards, matters of discretion, and assessment criteria.
51. The objectives and policies of the Remuera Precinct relate to the creation of a well-functioning urban environment that enables housing choice and intensification while respecting the area's character.
52. Key focuses include the provision of publicly accessible open spaces, garden streets, and pedestrian routes; the retention of existing mature pōhutukawa trees along Ladies Mile; the management of building heights and setbacks; the coordination of development with transport infrastructure upgrades; and the implementation of stormwater management measures.
53. The precinct provisions also address the integration of development with the surrounding area, particularly in terms of visual corridors, entry point identifiers, and connections to the existing transport network. Additionally, they aim to ensure a high-quality urban design outcome that balances intensification with the retention of amenity and character elements.
54. The proposed Remuera Precinct includes one activity table that relates to district land use and subdivision activities under section 9(3) and section 11 of the RMA respectively.⁵⁸
55. The precinct states that all relevant overlay, Auckland-wide, and zone activity tables apply unless the activity is listed in the precinct's Activity Table IXXX4.1.⁵⁹

⁵⁸ IXXX.4 Activity table (introductory text)

⁵⁹ Ibid

56. This table specifies four key activities. Any activity, development and/or subdivision that does not comply with Standards IXXX.6.1 -- IXXX.6.11 is a Restricted Discretionary activity.⁶⁰
57. Non-compliance with Standard IXXX.6.12 Arterial Road Access or Standard IXXX.6.13 Development Staging & Transport Network Infrastructure Requirements is a Discretionary activity.⁶¹
58. Finally, any activity, development and/or subdivision that would result in more than 357 dwellings within the Precinct is a Non-complying activity.⁶² This rule has been assessed by the applicant as being supported by a qualifying matter under section 77(j) of the RMA.
59. The proposed notification rule for the precinct states that any application for resource consent for an activity listed in Table IXXX.4.1 Activity table will be subject to the normal tests for notification under the relevant sections of the RMA.⁶³ When deciding who is an affected person for the purposes of section 95E of the RMA, the council will give specific consideration to those persons listed in AUP Rule C1.13(4).⁶⁴
60. The precinct proposes thirteen standards that should be complied with. These are summarised below, although their full text and purposes are not included. See Appendix 1 for the full set of proposed precinct provisions.
- a. **IXXX.6.1 Building Height:** Buildings within THAB must not exceed 25m; Buildings in MHU adhere to underlying height zone standard.
 - b. **IXXX.6.2 Visual Corridor:** Buildings must not be located within a 10m wide visual corridor along Abbots Way identified on Precinct Plan 2.
 - c. **IXXX.6.3 Publicly Accessible Open Space:** Must provide open spaces identified in Precinct Plan 2, accessible at all times.
 - d. **IXXX.6.4 Publicly Accessible Pedestrian Routes:** Must provide pedestrian routes identified in Precinct Plan 2⁶⁵, accessible at all times except for temporary closures.
 - e. **IXXX.6.5 Existing Pohutukawa Trees:** Protect identified pōhutukawa trees along Ladies Mile, except Tree #13, which is proposed to be scheduled and subject to the D13 Notable Trees Overlay. This standard has been assessed by the applicant as being supported by a qualifying matter under section 77(j) of the RMA.
 - f. **IXXX.6.6 Garden Streets:** Ensure connected Garden Streets for vehicular and pedestrian access are provided.
 - g. **IXXX.6.7 Planted Embankment:** Provide a landscaped embankment to improve visual amenity.

⁶⁰ Rule IXXX.4.1(A1)

⁶¹ Rules IXXX.4.1(A2), (A3)

⁶² Rule IXXX.4.1(A4)

⁶³ IXXX.5 Notification (1)

⁶⁴ IXXX.5 Notification (2)

⁶⁵ Reference should be to Precinct Plan 3. See paragraph 297 and Appendix 9.

- h. **IXXX.6.8 Private Open Space:** Provide private open spaces in THAB Zone as identified in Precinct Plan 2.
 - i. **IXXX.6.9 Apartment Setback:** Buildings in the THAB Zone along Ladies Mile must have a minimum 6m setback. This standard has been assessed by the applicant as being supported by a qualifying matter under section 77(j) of the RMA.
 - j. **IXXX.6.10 Entry Point Identifier:** Construct entry point identifiers in locations identified in Precinct Plan 3.
 - k. **IXXX.6.11 Stormwater Management:** Manage stormwater according to the approved SMP.
 - l. **IXXX.6.12 Arterial Road Access Restriction:** No road intersections onto Ladies Mile except for two specified locations; no private vehicle access to Ladies Mile.
 - m. **IXXX.6.13 Development Staging & Transport Network Infrastructure Requirements:** Ensure development is integrated with required transport infrastructure upgrades.
61. The precinct otherwise relies on the underlying THAB and MHU Zone, overlay and Auckland-wide provisions to manage subdivision, use and development, with the exception of THAB zone standards for building height and front yard setbacks (Ladies Mile only), and the vehicle access restriction controls in E27 Transport.⁶⁶
62. Matters of discretion⁶⁷ and assessment criteria⁶⁸ are proposed to support an assessment of any restricted discretionary activity resource consent application, which would be for any activity, development and/or subdivision in the precinct that infringes any of Standards IXXX.6.1 – IXXX.6.11.⁶⁹ See Appendix 1 for the full set of proposed assessment provisions. These matters and criteria are in addition to the assessment criteria specified for assessment of the relevant restricted discretionary activities in the zone, Auckland wide or overlay provisions.⁷⁰
63. Three precinct plans are proposed to reflect and be consistent with the approved fast-track resource consents that are being implemented on site. These precinct plans identify the following features:

IXXX.10.1 Remuera Precinct Plan 1 Zoning and Building Controls

- a. Location of THAB and MHU
- b. Building height area of 25m for the area of THAB proposed adjacent to Ladies Mile⁷¹
- c. Apartment Setback Zone (6m wide, to Ladies Mile)⁷²
- d. Arterial Road Access Restriction⁷³

⁶⁶ IXXX.6 Standards (introductory text)

⁶⁷ IXXX.7.1 Matters of discretion

⁶⁸ IXXX.7.2 Assessment criteria

⁶⁹ Rule IXXX.4.1(A1)

⁷⁰ IXXX.7.1 Matters of discretion, IXXX.7.2 Assessment criteria (introductory text)

⁷¹ See Standard IXXX.6.1 Building Height

⁷² See Standard IXXX.6.9 Apartment Setback

⁷³ See Standard IXXX.6.12 Arterial Road Access Restriction

IXXX.10.2 Remuera Precinct Plan 2 – Open Space & Features

- a. Existing pōhutakawa trees along Ladies Mile proposed for protection, including Tree #13, which is proposed to be separately scheduled and subject to the Notable Trees Overlay⁷⁴
- b. Visual corridor from intersection of Ladies Mile and Abbots Way, through the precinct towards the Ellerslie Racecourse⁷⁵
- c. Garden Streets⁷⁶
- d. Private Open Space⁷⁷
- e. Planted Embankment⁷⁸
- f. Publicly Accessible Open Space, including (1) Trackside Walkway, (2) Belvedere Gardens West, (3) Belvedere Gardens East, and (4) Terrace Gardens⁷⁹

IXXX10.3 Remuera Precinct Plan 3 Movement

- a. Location of the Upper Loop Road and Lower Loop Road, and their intersection with existing public roads, including Ladies Mile⁸⁰
 - b. Location of three Entry Point Identifiers, with two adjacent Ladies Mile and the Upper Loop Road, and one adjacent Derby Downs Place and the Lower Loop Road⁸¹
 - c. Garden Streets, shown as Commonly Owned Access Lot (COAL)⁸²
 - d. Proposed Publicly Accessible Pedestrian Routes of minimum 1.8m width, which follow or are located within either Garden Streets, or areas of Publicly Accessible Open Space⁸³
 - e. Proposed Transport Infrastructure Upgrades, including (1) signalised intersection at Ladies Mile and Derby Downs Place, (4) footpaths, (5) pedestrian crossings, and (6) bus stops.⁸⁴
64. An Appendix A is proposed, incorporating the Remuera Precinct Landscape documentation prepared by Boffa Miskell (dated August 2022), used and approved as part of the fast-track consents. Appendix A is referred to in a number of standards,⁸⁵ and in matters for discretion and assessment criteria where an infringement to the relevant standard is proposed as a restricted discretionary activity.⁸⁶
65. An Appendix B is proposed, incorporating the MDRS into the precinct as is required by section 77G(1) of the RMA.

⁷⁴ See Standard IXXX.6.5 Existing Pohutukawa Trees

⁷⁵ See Standard IXXX.6.2 Visual Corridor

⁷⁶ See Standard IXXX.6.6 Garden Streets

⁷⁷ See Standard IXXX.6.8 Private Open Space

⁷⁸ See Standard IXXX.6.7 Planted Embankment

⁷⁹ See Standard IXXX.6.3 Publicly Accessible Open Space

⁸⁰ See Standard IXXX.6.12 Arterial Road Access Restriction

⁸¹ See Standard IXXX.6.10 Entry Point Identifier

⁸² See Standard IXXX.6.6 Garden Streets

⁸³ See IXXX.6.4 Publicly Accessible Pedestrian Routes – note that the standard refers to the incorrect Precinct Plan 2

⁸⁴ See Standard IXXX.6.13 Development Staging & Transport Network Infrastructure Requirements. Note the numbering on the Precinct Plan is not sequential (i.e. 1, 2, 3 and 4) and this appears linked to the use of the terms “Upgrade 1” through “Upgrade 6” in Column 2 of Table IX.6.13.1.

⁸⁵ Standards IXXX.6.3 Publicly Accessible Open Space, IXXX.6.4 Publicly Accessible Pedestrian Routes, IXXX.6.6 Garden Streets, IXXX.6.7 Planted Embankment, IXXX.6.8 Private Open Space, IXXX.6.10 Entry Point Identifier

⁸⁶ Rule IXXX.4.1(A1)

66. There are no special information requirements, nor is there a placeholder section for these as would be standard under the AUP precinct style guidelines.

4. DOCUMENTS AND TECHNICAL REPORTS PROVIDED WITH PLAN CHANGE

67. The applicant provided a range of documents and technical reports when they lodged their plan change request, including an assessment of environmental effects and section 32 evaluation.
68. The council undertook a review of the information provided and requested that the applicant provide further information in accordance with Clause 23 of Schedule 1 to the RMA.
69. The information sought through the Clause 23 request was made on 8 February 2024. The request related to the following matters:
- a. Planning, including:
 - i. Infrastructure capacity and maximum dwelling yield potential
 - ii. Consultation details and Mana Whenua feedback
 - iii. Analysis regarding iwi management plans
 - iv. Analysis of Ōrākei Local Paths (Greenways) Programme Plan
 - v. Analysis of Ōrākei Local Board Plan 2023
 - vi. Building height control methodology and assessment criteria
 - vii. MDRS incorporation requirements
 - b. Economics, including:
 - i. Clarification of economic and social costs/benefits
 - ii. Assessment of retail provision needs
 - iii. Analysis of transfer effects on Auckland economy
 - c. Transport, including:
 - i. Maximum dwelling yield assessment
 - ii. Parking space impacts assessment
 - d. Arboricultural, including:
 - i. Notable tree schedule assessment for Trees 5-15
 - e. Parks Planning, including:
 - i. Public accessibility of open spaces
 - ii. Pedestrian route alignments
 - f. Stormwater, including:
 - i. Stormwater management objectives and policies
 - ii. Stormwater Management Plan requirements
 - iii. Infrastructure pond details
70. The applicant provided their response on 20 March 2024.

71. Following review of the further information received the council requested further information under Clause 23 on 16 April 2024. This further request related to the following matters:
- a. Planning, including:
 - i. Use of older version (30 November 2023) of precinct provisions
 - ii. Apartment setback assessment criteria methodology
 - iii. Rationale for removing interface control requirements
 - b. Transport/Infrastructure, including:
 - i. Assessment methodology for permitted activities under new zoning
 - c. Arboricultural, including:
 - i. Rationale for not scheduling Tree #13 as notable
 - ii. Tree protection standards for removal and trimming
 - d. Parks Planning, including:
 - i. Mechanisms to ensure public access to open spaces and pedestrian routes
 - e. Stormwater, including:
 - i. Flood risk management objectives
 - ii. Incorporation of stormwater management device guidance document
72. The applicant provided the additional further information on 16 May 2024.
73. **Appendix 2** of this report includes a table of all plan change documents as they existed at the time of notification.
74. Following the close of submissions, on 24 October 2024, the Hearing Panel issued Direction #1 requesting that the applicant file a memorandum outlining what, if any, changes they recommend to the proposal and which changes are in response to which submissions. The applicant provided this memorandum on 8 November 2024, proposing various amendments to PC104, particularly in response to Auckland Council's submission regarding MDRS incorporation and plan drafting matters. The memorandum and proposed changes are attached as **Appendix 8** to this report for information. However, they were not part of the notified plan change, are not supported by a section 32AA evaluation, and do not form part of the primary assessment in this report, noting though that they are acknowledged in some areas.

5. HEARINGS AND DECISION-MAKING CONSIDERATIONS

75. Clause 8B of Schedule 1 of RMA requires that a local authority shall hold hearings into submissions on private plan changes.
76. Auckland Council's Chief Executive's Delegations Register delegates to hearing commissioners all powers, duties and functions under the Resource Management

Act 1991. This delegation includes the authority to determine decisions on submissions on a plan change, and the authority to approve, decline, or approve with modifications, a private plan change request. Hearing Commissioners will not be recommending a decision to the council, but will be issuing the decision.

77. In accordance with s42A(1), this report considers the information provided by the applicant and summarises and discusses submissions received on PC104. It makes recommendations on whether to accept, in full or in part; or reject, in full or in part; each submission. This report also identifies what amendments, if any, can be made to address matters raised in submissions. This report makes a recommendation on whether to approve, decline, or approve with modifications PC104. Any conclusions or recommendations in this report are not binding on the Hearing Commissioners.
78. The Hearing Commissioners will consider all the information submitted in support of the proposed plan change, information in this report, and the information in submissions, together with evidence presented at the hearing.
79. This report has been prepared at the request of Auckland Council by Daniel Kinnoch. I am a consultant planner engaged by the council to report on this plan change request. A copy of my relevant work experience is contained in **Appendix 4**.
80. This report draws on technical advice provided by the following technical experts:

Table 1 Specialist input into s42A report

Area of expertise	Authors
Planning	Daniel Kinnoch, Consultant Planner, CoLab Planning Ltd.
Technical expert – Urban Design and Landscape Visual	Stephen Brown, Consultant Landscape Architect, Brown NZ Ltd
Technical expert – Transport	Gerhard Van der Westhuizen, Consultant Principal Transportation Engineer, Flow Ltd.
Technical expert – Auckland Transport	Emeline Fonua, Planner, Spatial Planning and Policy Advice, Auckland Transport
Technical expert – Ecology	Alicia Wong, Senior Ecologist, Ecological Advice Team, Environmental Services, Auckland Council
Technical experts – Healthy Waters	Lee Te, Senior Healthy Waters Specialist, Auckland Council
Technical expert – Parks	Roja Tafaraji, Senior Parks Planner, Auckland Council
Technical expert – Heritage	Rebecca Ramsay, Senior Specialist: Heritage – Heritage Policy, Heritage Unit, Planning and Resource Consents Department, Auckland Council
Technical expert – Economics	Derek Foy, Consultant Economist, Formative Limited
Technical expert – Arboriculture	Allan Holmes, Consultant Arboriculturist, GreensceneNZ Ltd.

81. The technical reports provided by the above experts are attached in **Appendix 6** of this report.

6. STATUTORY AND POLICY FRAMEWORK

82. Private plan change requests can be made to the council under clause 21 of Schedule 1 of the RMA. The provisions of a private plan change request must comply with the same mandatory requirements as council initiated plan changes, and the private plan change request must contain an evaluation report in accordance with section 32 and clause 22(1) in Schedule 1 of the RMA.
83. Clause 29(1) of Schedule 1 of the RMA provides “except as provided in subclauses (1A) to (9), Part 1, with all necessary modifications, shall apply to any plan or change requested under this Part and accepted under clause 25(2)(b)”.
84. The RMA requires territorial authorities to consider a number of statutory and policy matters when developing proposed plan changes. There are slightly different statutory considerations if the plan change affects a regional plan or district plan matter.
85. PC104 proposes district plan matters in relation to 79 Ladies Mile, Remuera:
- a. Rezone the plan change area from Special Purpose - Major Recreation Facility Zone to THAB and MHU zones. This is a district plan matter.
 - b. Add a new precinct to the plan change area. The proposed plan change does not identify any of the proposed precinct provision as regional plan matters.
 - c. Modify the Ellerslie Racecourse Precinct to accommodate for its reduced area. The existing precinct and precinct as proposed to be modified does not contain any regional plan provisions.
 - d. Schedule an additional notable tree.

6.1. Resource Management Act 1991

6.1.1. Plan change matters – regional and district plans

86. In the development of a proposed plan change to a regional and/ or district plan, the RMA sets out mandatory requirements in the preparation and process of the proposed plan change. Table 2 below summarises matters for plan changes to regional and district plan matters.

Table 2 Plan change matters relevant to regional and district plans

Section	Matters
Part 2	Purpose and intent of the Act
Section 32	Requirements preparing and publishing evaluation reports. This section requires councils to consider the alternatives, costs and benefits of the proposal
Section 80	Enables a ‘combined’ regional and district document. The Auckland Unitary Plan is in part a regional plan and district plan to assist the council to carry out its functions as a regional council and as a territorial authority
Schedule 1	Sets out the process for preparation and change of policy statements and plans by local authorities

87. The mandatory requirements for plan preparation are comprehensively summarised by Environment Court in Long Bay-Okura Great Park Society Incorporated and

Others v North Shore City Council (Decision A078/2008)⁸⁷, where the Court set out the following measures for evaluating objectives, policies, rules and other methods. This is outlined in Box 1.

Box 1

A. General requirements

1. *A district plan (change) should be designed to accord with, and assist the territorial authority to carry out its functions so as to achieve, the purpose of the Act.*
2. *When preparing its district plan (change) the territorial authority must give effect to any national policy statement or New Zealand Coastal Policy Statement.*
3. *When preparing its district plan (change) the territorial authority shall:*
 - (a) *have regard to any proposed regional policy statement;*
 - (b) *not be inconsistent with any operative regional policy statement.*
4. *In relation to regional plans:*
 - (a) *the district plan (change) must not be inconsistent with an operative regional plan for any matter specified in section 30(1) [or a water conservation order]; and*
 - (b) *must have regard to any proposed regional plan on any matter of regional significance etc.;*
5. *When preparing its district plan (change) the territorial authority must also:*
 - *have regard to any relevant management plans and strategies under other Acts, and to any relevant entry in the Historic Places Register and to various fisheries regulations; and to consistency with plans and proposed plans of adjacent territorial authorities;*
 - *take into account any relevant planning document recognised by an iwi authority; and*
 - *not have regard to trade competition;*
6. *The district plan (change) must be prepared in accordance with any regulation (there are none at present);*
7. *The formal requirement that a district plan (change) must also state its objectives, policies and the rules (if any) and may state other matters.*

B. Objectives [the section 32 test for objectives]

8. *Each proposed objective in a district plan (change) is to be evaluated by the extent to which it is the most appropriate way to achieve the purpose of the Act.*

C. Policies and methods (including rules) [the section 32 test for policies and rules]

9. *The policies are to implement the objectives, and the rules (if any) are to implement the policies;*
10. *Each proposed policy or method (including each rule) is to be examined, having regard to its efficiency and effectiveness, as to whether it is the most appropriate method for achieving the objectives of the district plan taking into account:*
 - (a) *the benefits and costs of the proposed policies and methods (including rules); and*
 - (b) *the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods.*

D. Rules

11. *In making a rule the territorial authority must have regard to the actual or potential effect of activities on the environment.*

⁸⁷ Subsequent cases have updated the Long Bay summary, including *Colonial Vineyard v Marlborough District Council* [2014] NZEnvC 55.

E. Other statutes:

12. Finally territorial authorities may be required to comply with other statutes. Within the Auckland Region they are subject to:

- the Hauraki Gulf Maritime Park Act 2000;
- the Local Government (Auckland) Amendment Act 2004.

88. Under section 74(1)(e) the decision maker must also have particular regard to the section 32 evaluation report prepared in accordance with s 32 (s 74(1)(e)).

6.1.2. Resource Management Act 1991- Regional matters

89. There are mandatory considerations in the development of a proposed plan change to regional matters. Table 3 below summarises regional matters under the RMA, relevant to PPC104, while noting that no specific regional provisions are proposed.

Table 3 Plan change- regional matters under the RMA

Section	Matters
Section 30	Functions of regional councils in giving effect to the RMA
Section 59	Sets out the purpose of a regional policy statement in giving effect to the RMA
Section 60	Sets out the requirement for and the process for, changes to the regional policy
Section 61	Sets out the matters to be considered for a regional policy statement
Section 62	Sets out the required contents of regional policy statements
Section 63	Sets out the purpose of regional plans
Section 64	Sets out the requirement for and the process for, changes to the regional coastal plan
Section 65	Sets out matters to be considered for changes to regional plans
Section 66	Sets out matters to be considered in (other) regional council plans
Section 67	Sets out required contents of regional plans
Section 68	Sets out the purpose and considerations of rules in regional plans (regional rules)
Section 69	Sets out matters to be considered for rules relating to water quality
Section 70	Sets out matters to be considered for rules relating to discharges

6.1.3. Resource Management Act 1991- District matters

90. There are mandatory considerations in the development of a proposed plan change to district plans and rules. Table 4 below summarises district plan matters under the RMA, relevant to PC104.

Table 4 Plan change- district plan matters under the RMA

Section	Matters
Section 31	Functions of territorial authorities in giving effect to the Resource Management Act 1991
Section 73	Sets out Schedule 1 of the RMA as the process to prepare or change a district plan
Section 74	Matters to be considered by a territorial authority when preparing a change to its district plan. This includes its functions under section 31, Part 2 of the RMA, national policy statement, other regulations and other matter
Section 75	Outlines the requirements in the contents of a district plan
Section 76	Outlines the purpose of district rules, which is to carry out the functions of the RMA and achieve the objective and policies set out in the district plan. A district rule also requires the territorial authority to have regard to the actual or potential effect (including adverse effects), of activities in the proposal, on the environment
Section 77G	Outlines the requirements to incorporate Medium Density Residential Standards and to give effect to NPS-UD policy 3 or policy 5 in residential zones.
Section 77I	Sets out qualifying matters in applying MDRS and policy 3.

6.2. National policy statements

91. Sections 75(3)(a) and (b) of the RMA require a district plan to give effect to any national policy statements (NPS) the New Zealand Coastal Policy Statement (NZCPS) respectively. Therefore, relevant NPS and NZCPS must be considered in the preparation, and in considering submissions on PC104.
92. Table 5 below summarises the NPSs that applies to PC104.

Table 5 National Policy Statements relevant to PC104

Relevant Act/ Policy/ Plan	Topic	Comment
National Policy Statement on Urban Development 2020 (NPS-UD)	Urban growth and form	The plan change is proposed to give effect to the NPS-UD by enabling residential intensification in a location well-served by existing infrastructure and public transport (within walking distance to Ellerslie and Greenlane train stations). The site is within a Tier 1 urban environment where the NPS-UD directs intensification.
National Policy Statement for Freshwater Management 2020 (Amended February 2023)	Freshwater management	No natural drainage watercourses or freshwater systems within site. Development contributions toward Te Mana o te Wai are proposed through treatment and reuse of stormwater for track irrigation rather than discharge to network.
New Zealand Coastal Policy Statement 2010	Coastal environment	While the site is removed from the coastal environment, the Hauraki Gulf is the ultimate receiving environment. The applicant's stormwater management approach proposes to ensure no significant increases in sedimentation or contaminants.
National Policy Statement for Highly Productive Land 2022	Protection of productive land	Not applicable as site is currently zoned for major recreation facility purposes and is not used or available for rural productive purposes. Not a relevant rural zone.
National Policy Statement for Indigenous Biodiversity 2023	Protection of indigenous biodiversity	The site does not contain any significant natural areas that would qualify under the NPS-IB criteria. Vegetation is highly

Relevant Act/ Policy/ Plan	Topic	Comment
		modified and managed for amenity/recreation purposes.

93. PC104 includes specific elements to ensure it gives effect to these national policy statements where relevant:
- Comprehensive stormwater management approach that treats and reuses stormwater on site, supporting Te Mana o te Wai principles
 - Integration with public transport networks and enabling mode shift
 - Retention of significant trees and provision of new landscaping
 - Management of construction effects to protect receiving environments
94. The NPS-UD is particularly relevant to this plan change. The proposal gives effect to Policy 3 by enabling building heights and density of urban form commensurate with the site's level of accessibility to public transport and community services. While the plan change site sits outside the walkable catchment defined by PC78 for both Greenlane and Ellerslie stations, walkability from these stations in particular Ellerslie was a key finding of the decision-makers in their support of the application for the fast-track consents on the site. I find no reason to depart from those findings and consider that the site is accessible to rapid transit and will support the NPS-UD's objectives for well-functioning urban environments.
95. The following national policy statements are not considered directly relevant to this plan change:
- National Policy Statement on Electricity Transmission 2008
 - National Policy Statement for Renewable Electricity Generation 2011
96. Overall, the plan change provisions give effect to the relevant national policy statements, particularly the NPS-UD's directives for enabling residential intensification in appropriate locations.

6.3. National environmental standards or regulations

97. Under section 44A of the RMA, local authorities must observe national environmental standards in its district/ region. No rule or provision may be duplicate or in conflict with a national environmental standard or regulation.
98. Table 6 below summarises the national environmental standards or regulations relevant to PC104.

Table 6 National statements and regulations relevant to PC104

Relevant Act/ Policy/ Plan	Topic	Comment
National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 (NESCS)	Site contamination management	The site has already been assessed under NESCS through the fast-track consent process. A controlled activity consent was required due to uncertified filling, application of pesticides, and lead-based paint impacts. Testing confirmed presence of heavy metals, OCPs, PAHs and asbestos. The consent requires soil remediation around the former track manager's house in accordance with a

Relevant Act/ Policy/ Plan	Topic	Comment
		Remedial Action Plan (RAP) and Site Validation Report (SVR). Any future development enabled by the plan change will need to continue to comply with the NESCS.
National Environmental Standards for Freshwater 2020 (NES-F)	Freshwater management	The applicant's ecological assessment confirms there are no natural drainage watercourses or freshwater systems within the site or that will be affected by development enabled by the plan change. Ms. Wong as the council's technical expert concurs with this assessment. The NES-F is not triggered.

99. The NESCS has already been thoroughly considered through the fast-track consent process granted in April 2023. The consent includes comprehensive conditions around contaminated site management, works completion reporting, and site validation. Any future development enabled by the plan change will need to comply with these existing consent conditions as well as any additional requirements under the NESCS.
100. The NES-F is not triggered as there are no natural watercourses, wetlands or other freshwater systems on the site or that would be affected by the plan change. Future land use activities will need to comply with the relevant regulations under the NES-F with respect to discharges.
101. The following national environmental standards are not considered relevant to this plan change:
- a. National Environmental Standards for Air Quality 2004
 - b. National Environmental Standards for Sources of Drinking Water 2007
 - c. National Environmental Standards for Telecommunications Facilities 2016
 - d. National Environmental Standards for Electricity Transmission Activities 2009
 - e. National Environmental Standards for Marine Aquaculture 2020
 - f. National Environmental Standards for Storing Tyres Outdoors 2021
 - g. National Environmental Standards for Commercial Forestry 2023
102. Overall, the plan change provisions are not in conflict with any national environmental standards or regulations. Where standards like the NESCS apply, these have already been considered through existing consents or will be addressed through future consent processes as required.

6.4. Auckland Unitary Plan

103. For a plan change, the relevant policy statement and plans must be considered in the preparation of the plan change and in the consideration of submissions.

6.4.1. Regional Policy Statement

104. Section 75(3)(c) of the RMA requires that a district plan must give effect to any RPS. In addition, under section 74(2)(a)(i) regard shall be had to any proposed RPS.

105. The council notified Plan Change 80 (PC80) to the RPS on 18 August 2022. The decision on PC80 was notified on 14 September 2023. PC80 responds to the NPS-UD and amendments to the RMA, and integrates the concepts and terms, well-functioning urban environment, urban resilience to the effects of climate change and qualifying matters, into the objectives and policies in several chapters of the RPS. PC80 will be made operative on Friday 13 December 2024.
106. Section 7.7 of the AEE provides a comprehensive assessment of the RPS chapters concluding:
- a. **B2 Urban growth and form:** The applicant considers the PPC contributes to a well-functioning urban environment through integrated design with local neighbourhood and transport networks, comprehensive landscaping networks and infrastructure solutions for three waters. The PPC supports housing affordability by providing diverse housing typologies including apartments, terraced housing and standalone dwellings. The proposal enables development up to seven storeys in proximity to rapid transit, though notes this is outside the defined walkable catchment in PC78.
 - b. **B3 Infrastructure, transport and energy:** The applicant considers the PPC consistent with infrastructure objectives as it utilises existing infrastructure with only local upgrades required. The proposal provides integrated transport solutions including walking and cycling networks, and includes road network improvements such as intersection upgrades. The location supports mode shift to public transport given proximity to Ellerslie and Greenlane stations.
 - c. **B4 Natural Heritage:** The applicant notes the PPC does not undermine any identified Outstanding Natural Features or Landscapes. While the site sits in proximity to several maunga, the development has been designed to sit below the regionally significant viewshaft (O10) from College Road to Maungakiekie which runs above the site at approximately RL 80-81m. The PPC seeks to add one high quality pōhutukawa tree to Schedule 10 Notable Trees.
 - d. **B5 Historic heritage and special character:** The AEE notes the application site does not include any known sites of historic heritage or identified Sites of Significance to Mana Whenua.
 - e. **B6 Mana Whenua:** The applicant has undertaken engagement with Mana Whenua through establishment of a Mana Whenua Forum and received three Cultural Impact Assessments. Mana Whenua values have been incorporated into the design through elements such as the Belvedere Gardens view corridor and trackside walkway.
 - f. **B7 Natural resources:** The applicant's ecological assessment identifies no areas of indigenous vegetation or freshwater habitats of significant value. A comprehensive stormwater management approach is proposed including rain gardens, swales and irrigation pond reuse. The PPC is considered to protect the Onehunga Volcanic Aquifer.
 - g. **B8 Coastal Environment:** While the site is located outside the coastal environment, the applicant acknowledges the Hauraki Gulf as the ultimate receiving environment. The assessment focuses only on the management of sedimentation and contamination during construction to protect downstream coastal waters.

- h. **B9 Rural Environment:** The applicant notes that as the site is not within the rural environment, these provisions have limited relevance. They conclude the PPC is not inconsistent with the high-level outcomes for protecting and managing rural areas.
 - i. **B10 Environmental risk:** While the site itself is not subject to significant natural hazard risks, the AEE acknowledges flood risk exists over adjoining land but will be managed through an approved SMP. Site contamination investigations indicate remediation can be appropriately undertaken.
107. The applicant has undertaken a detailed assessment against the objectives and policies within each RPS chapter, providing specific analysis of how the PPC aligns with or gives effect to these provisions. The assessment is particularly thorough in relation to urban growth, infrastructure and Mana Whenua matters, reflecting the key issues relevant to the site's context and proposed rezoning.
108. While the level of assessment is comprehensive, I note the B1 Issues of regional significance chapter has not been specifically addressed. However, the substance of these issues appears to have been covered through the assessment of the other RPS chapters.
109. Overall, I consider the applicant's RPS assessment provides an appropriate basis for evaluating the proposal's consistency with the higher order planning framework, subject to any specific matters raised elsewhere in this report.

6.4.1. Regional and District Plan provisions

110. Section 7 of the AEE considers the Special Purpose - Major Recreation Facility Zone (H26), Ellerslie Racecourse Precinct (I313), Residential - THAB (H6) and Residential - MHU (H5) provisions, as well as Auckland-wide Chapters E8 Stormwater Discharge & Diversion, E11 Land Disturbance - Regional, E12 Land Disturbance - District, E27 Transport, E36 Natural Hazards & Flooding, D13 Notable Trees Overlay and D14 Volcanic Viewshafts and Height Sensitive Areas Overlay.
111. In addition to these, I consider Chapters E1 Water quality and integrated management, D1 High-use Aquifer Management Areas Overlay and D2 Quality-sensitive Aquifer Management Areas Overlay to be relevant to the plan change.

H26 Special Purpose - Major Recreation Facility Zone

112. The AEE addresses the Major Recreation Facility Zone objectives and policies (Chapter H26) as they currently apply to the site. The AEE notes that while the purpose of the zone is to protect and enable major recreation facilities that can host large scale events, the 6.2-hectare plan change area is surplus to ATR's requirements. This is particularly relevant as the site was historically used for steeplechase races which are no longer held at Ellerslie.
113. The AEE emphasises that the rezoning will not compromise the primary activities of the racecourse, as after removing the plan change area, the racecourse will still retain approximately 48 hectares of land. This remaining area is considered sufficient to continue operating the racing activities, events, conferences and functions that make Ellerslie Racecourse a regionally significant venue.

114. Having regard to the fast-track consent decision which accepted that using part of the Major Recreation Facility zoned land for residential dwellings can satisfactorily accommodate the objective of protecting the racecourse as a regionally important venue, I agree with the AEE's assessment that the Major Recreation Facility Zone is no longer the most appropriate zone for this portion of land. The sale and redevelopment of this surplus land has the potential to assist in securing the ongoing viability of the racing activities by funding improvements to the remaining facility, including a new StrathAyr track surface.
115. The fast-track decision also concluded that the residential development would not give rise to adverse reverse sensitivity effects, and I note that the proposed residential activities will be sufficiently separated (approximately 500m) from the main function centre and event spaces, minimising potential reverse sensitivity effects.

I313 Ellerslie Racecourse Precinct

116. The AEE addresses the Ellerslie Racecourse Precinct provisions, which include specific controls such as the Interface Control Area (ICA) - a 20-metre setback along part of Ladies Mile where new buildings and activities are restricted. The AEE notes that while residential activity is not provided for within the Precinct, carrying a discretionary activity status, such activity would likely generate fewer adverse effects on residential-zoned neighbours than many of the higher-intensity activities that are permitted within the Precinct.
117. The fast-track decision specifically considered the ICA requirement, concluding that its primary purpose is to manage effects of racecourse activities (such as buildings up to 25m in height and light towers of 35m or more) on neighbouring properties, rather than to control the effects of any buildings for any activity. The decision found that well-designed residential development could suitably maintain reasonable residential amenity values without requiring strict adherence to the 20m setback.
118. I agree with the AEE's assessment that the Ellerslie Racecourse Precinct provisions are no longer appropriate for this portion of land. The proposed Remuera Precinct provisions have been specifically designed to provide an appropriate framework for the consented residential development, including controls on building height, setbacks and landscaping that will better manage effects on neighbouring properties than the current provisions. This approach is consistent with the findings of the fast-track decision, which concluded that residential development of this scale and intensity could be appropriately accommodated on the site.

H6 Residential – Terrace Housing and Apartment Building Zone

119. The AEE addresses the THAB provisions as they are proposed to apply to parts of the plan change area, particularly where apartment buildings of up to 25m in height are proposed. The AEE notes that this zone is appropriate for these areas as it enables higher density residential living in locations that are within walking distance of rapid transit (being approximately 1,000m from Ellerslie Train Station), are close to the Ellerslie town centre, and are well-served by existing infrastructure.
120. I agree with the AEE's assessment that the THAB zone is appropriate for those parts of the site where apartment buildings are proposed. This zoning would better reflect the form and intensity of development already approved under the fast-track consent, which includes three apartment buildings along Ladies Mile (Buildings B, C1 and C2) and the Vivid Living apartment building, all ranging from 5-7 storeys in height. The

proposed additional height control of 25m within those areas of the site proposed as THAB will appropriately provide for these approved building heights while managing effects on neighbouring properties.

121. The use of THAB is also consistent with Policy 3 of the NPS-UD which directs that building heights of at least 6 storeys must be enabled within “at least” the walkable catchment of rapid transit stops. Although the site sits just outside the walkable catchment defined by PC78, the building heights proposed are still considered appropriate given the site’s accessibility to the Ellerslie Rail Station.

H5 Residential – Mixed Housing Urban Zone

122. The AEE addresses the MHU provisions as they are proposed to apply to parts of the plan change area where lower scale residential development is proposed, particularly where the site interfaces with existing residential properties along Hunterville Court and parts of Ladies Mile. The AEE notes that this zoning provides an appropriate transition in building scale and intensity between the proposed areas of the site zoned as THAB and neighbouring residential areas.
123. I agree with the AEE’s assessment that MHU is appropriate for these interface areas. This zoning would appropriately reflect the form and intensity of development already approved under the fast-track consent, which includes two to three-level standalone dwellings and terraced houses in these locations. The MHU provisions will ensure that future development in these areas maintains reasonable amenity for neighbouring properties while still enabling housing choice and intensification in this well-connected location.
124. The proposed use of MHU also aligns with the requirements of both the NPS-UD and the Medium Density Residential Standards (MDRS), which require councils to provide for at least three dwellings of up to three storeys on most residential sites, while still enabling appropriate transitions in built form where sites adjoin less intensively zoned areas.

E1 Water quality and integrated management

125. While the AEE does not directly assess Chapter E1 provisions (which contain the objectives and policies that relate to the rules in Chapter E8, and also the Macroinvertebrate Community Index – Urban Control that applies to the site), these are relevant to the plan change as they seek to improve the integrated management of freshwater and land use development.
126. The applicant’s ecological assessment confirms there are no wetlands, streams or other sensitive freshwater environments within or immediately adjacent to the plan change area that would be affected by development. This is a finding which is supported by the council’s ecologist, Ms. Alicia Wong.
127. The PPC provides for stormwater management through an approved SMP, which has been adopted by Healthy Waters and is included in Schedule 4 of the region-wide Network Discharge Consent. The SMP includes specific water quality measures such as at-source treatment through raingardens, a swale, and use of treated stormwater for irrigation of the racetrack. This comprehensive approach gives effect to the integrated management approach sought by E1, particularly in terms of protecting water quality and managing effects on receiving environments.

128. The precinct appropriately provides for this management through specific provisions requiring all use, development and subdivision within the precinct to be undertaken in accordance with the approved SMP. This creates a direct link between development enabled by the plan change and the water quality outcomes sought by E1. The PPC approach is supported by the council's Healthy Waters specialist, Ms. Lee Te, who confirms the proposed provisions will appropriately manage water quality effects through the SMP and Network Discharge Consent framework.

E8 Stormwater Discharge & Diversion

129. The AEE addresses Chapter E8 provisions in the context of stormwater management for the plan change area. It notes that stormwater management will be in accordance with the approved SMP, which has been adopted by Healthy Waters and is included in Schedule 4 of the region-wide Network Discharge Consent. The SMP provides for a comprehensive treatment train approach including at-source treatment through raingardens, a swale, and use of treated stormwater for irrigation of the racetrack.
130. I agree that the existing E8 provisions are fit for purpose and do not require modification through this plan change. The proposed Remuera Precinct provisions appropriately reference the need for development to occur in accordance with the approved SMP, which has already been assessed and approved under the E8 framework through the Network Discharge Consent process. This ensures that stormwater will be appropriately managed while providing certainty for future development within the precinct.

Land Disturbance (E11 Regional and E12 District)

131. The AEE addresses both the regional and district earthworks provisions in Chapters E11 and E12. The focus of these chapters is on ensuring earthworks are undertaken in a manner that protects people's safety and manages adverse environmental effects, including through appropriate erosion and sediment controls, and management of effects on cultural values.
132. The fast-track consent decision demonstrates that the existing E11 and E12 provisions are fit for purpose, having provided an appropriate framework for assessing and managing the effects of bulk earthworks across the 6.2-hectare site, including matters such as sediment control, cultural monitoring, and management of contaminated soils. The conditions of that consent, which include requirements for various management plans and ongoing monitoring, show how these provisions can be effectively implemented.
133. I agree that no modifications to these chapters are required through the plan change. The proposed Remuera Precinct provisions will sit cohesively alongside the existing earthworks framework, which provides appropriate controls for managing future earthworks activities within the precinct, whether they be for the already-consented development, or any future development enabled by the plan change.

E27 Transport

134. The AEE addresses the transport-related provisions in Chapter E27, particularly focusing on the integration of land use and transport, managing effects on the transport network, and providing for safe and efficient access. The PPC includes specific access restrictions and transport infrastructure upgrade requirements.

135. The applicant has proposed a bespoke arterial road access restriction along Ladies Mile, where any vehicle access to the plan change site apart from two pre-planned public road intersections would require resource consent as a discretionary activity. The restriction area is shown on Precinct Plan 1, and is supported by a policy, rule and standard. The proposed restriction has a higher activity status (discretionary) than would apply to access from Ladies Mile under E27 (restricted discretionary under rule E27.4.1(A5)).
136. The applicant has also gone beyond the standard E27 provisions by proposing Standard IXXX.6.13 Development Staging & Transport Network Infrastructure Requirements. This standard, along with the associated Precinct Plan 3 (Movement), effectively codifies the transport upgrades that were required and approved through the fast-track consent process. This includes requirements for:
- a. Signalisation of the Derby Downs Place/Ladies Mile intersection
 - b. A new pedestrian footpath along Ladies Mile
 - c. New pedestrian crossings at Ladies Mile/Abbotts Way
 - d. New bus stops on Ladies Mile
 - e. Two public roads within the precinct
137. This approach is proposed to ensure these transport outcomes will be achieved regardless of whether the consented development proceeds or if an alternative development pathway is pursued under the PPC. The requirements have been reviewed by Mr. Van der Westhuizen, the council's transport expert, and Ms. Fonua for Auckland Transport, who generally support the approach, with the former suggesting some minor additions to Table IX.6.13.1 to address matters raised by submitters relating to the Ladies Mile flush median and a pedestrian crossing on Derby Downs Place. Mr. Van der Westhuizen has also recommended changes to Precinct Plan 3 (Movement) to more clearly indicate the location of each upgrade required by Standard IXXX.6.13.
138. I agree that a comprehensive approach to managing transport effects through specific precinct provisions is appropriate given the scale of development enabled and the need to ensure coordinated delivery of transport infrastructure upgrades. I support the provisions proposed in the PPC however recommend alongside these the adoption of the changes proposed by Mr. Van der Westhuizen. I have discussed the latter in more detail including scope in Section 10 of this report.

E36 Natural Hazards & Flooding

139. The AEE addresses E36 provisions in relation to flood hazards and overland flow paths that exist within and around the plan change area. The assessment notes that while the site itself is not subject to significant natural hazard risks, there are flood plains within the adjoining racecourse land and to the north-east (Abbotts Way) and south (Lonsdale Street).
140. The applicant has not proposed any bespoke precinct provisions relating to natural hazards and flooding, instead relying on the existing E36 framework. This approach is supported by the fast-track consent decision, which considered the potential flooding effects of development on the site and concluded these would be minimal and acceptable. The decision noted that observations during the significant Auckland flooding events in January 2023 aligned with the flood modelling undertaken for the site, providing real-world validation of the assessment methodology.

141. I agree that the existing E36 provisions are appropriate for managing natural hazard risks within the precinct. The granting of the fast-track consent demonstrates that development of the scale and intensity proposed can be appropriately managed under these provisions without the need for additional precinct-specific controls.

D13 Notable Trees Overlay

142. The AEE addresses Chapter D13 provisions in relation to one significant pōhutukawa tree (Tree #13) along the Ladies Mile frontage, which has been assessed by the PPC applicant's arborist as meeting the criteria for scheduling as a Notable Tree. The applicant proposes to add this tree to Schedule 10 Notable Trees Schedule of the AUP.
143. The applicant has also proposed a bespoke precinct standard (IXXX.6.5) which provides protection for other mature pōhutukawa trees along the Ladies Mile frontage, while specifically excluding Tree #13 as this will be subject to the D13 Notable Trees Overlay provisions. This approach creates a dual layer of protection - with Tree #13 being protected through the D13 provisions, and the remaining pōhutukawa trees being protected through the precinct provisions which reference controls found in Chapter E17 (Trees in Roads). The latter trees are not within the road reserve and therefore would not ordinarily be subject to these Auckland-wide provisions.
144. The protection of these trees, including the scheduling of Tree #13 as a Notable Tree, serves multiple purposes within the precinct:
- a. Retaining a mature landscaped frontage along Ladies Mile
 - b. Providing a visual buffer for the proposed apartment buildings
 - c. Contributing to the amenity and character of the area
 - d. Supporting the applicant's qualifying matter justification for the 6m setback requirement along Ladies Mile

145. I agree that the proposed approach appropriately recognises and provides for the protection of these significant trees, with the D13 Notable Trees Overlay provisions being the most appropriate method for protecting Tree #13 given its assessed values. This assessment is supported by the council's arboricultural specialist, Mr. Allan Holmes, who confirms the proposed provisions will appropriately protect both the Notable Tree and the other identified pōhutukawa trees.

D14 Volcanic Viewshafts and Height Sensitive Areas Overlay

146. The AEE lists several volcanic viewshafts in its site description, including Regionally Significant Volcanic Viewshafts O1 and O2 from One Tree Hill and W26 from Mount Wellington. However, upon review of the AUP mapping, only the Locally Significant Volcanic Viewshaft O10 from One Tree Hill actually applies to the site of the proposed Remuera Precinct. The O10 viewshaft is managed through the locally significant volcanic viewshaft provisions of D14.
147. While the O10 viewshaft applies across the site at varying heights, there is a small area along Ladies Mile where the viewshaft height of approximately 23.5m is below the 25m maximum building height enabled by the precinct. However, for the majority of the 25m height area, the O10 viewshaft sits well above this height. The fast-track consent decision concluded that the approved apartment buildings (with maximum RLs between 74m and 79.1m) would be at least 1m below the O10 viewshaft plane height of RL 80m to 81m.

148. The presence of areas where the precinct's 25m height control slightly exceeds the minimum height of a local viewshaft is not unusual within the Auckland context. Such situations are effectively managed through the existing plan hierarchy, with the D14 provisions continuing to apply and being given appropriate weight in resource consent processes. The fast-track decision demonstrates how these provisions can be effectively used to manage building height in relation to viewshaft protection.
149. It is also relevant to note that the existing Ellerslie Racecourse Precinct provisions already enable building heights up to 25m as a permitted activity. Therefore, the proposed precinct maintains rather than alters the existing relationship between precinct height controls and D14 provisions in this location.
150. I agree that no specific precinct provisions are required in relation to volcanic viewshafts, as the existing D14 provisions will continue to appropriately manage development in relation to the O10 viewshaft.

D1 High-use Aquifer Management Areas Overlay and D2 Quality-sensitive Aquifer Management Areas Overlay

151. While the AEE does not specifically assess the D1 and D2 overlay provisions relating to the Onehunga Volcanic Aquifer, these overlays are relevant to the plan change area. The D1 overlay seeks to manage groundwater takes to maintain baseflows, while the D2 overlay aims to protect aquifer water quality from contamination.
152. These overlay chapters contain objectives and policies only, with the corresponding rules contained in the Auckland-wide provisions in E7 Taking, using, damming and diversion of water and E32 Biosolids. I am satisfied that the PPC does not conflict with these overlays, and the existing Auckland-wide provisions can continue to appropriately apply to manage any potential effects on the aquifer. This is demonstrated by the fast-track consent decision, which shows how development can be appropriately managed under these provisions regardless of the underlying zoning or precinct provisions that apply to the site.

6.4.1. Medium Density Residential Standards and Plan Change 78

153. Medium Density Residential Standards (**MDRS**) were initially introduced by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (**Amendment Act**). These MDRS requirements have now been included in the RMA, with the RMA requiring the council to incorporate the MDRS into every relevant residential zone.
154. The outcome sought by the MDRS is:
- a. a well-functioning urban environment that enables people and communities to provide for their wellbeing (social, economic, cultural) and health and safety now and in the future,⁸⁸
 - b. relevant residential zones provide a variety of housing styles and sizes that respond to housing need and demand, and the neighbourhood's planned urban built character (including 3 storey buildings).⁸⁹

⁸⁸ RMA Schedule 3A, clause 6(1) Objective 1

⁸⁹ RMA Schedule 3A, clause 6(1) Objective 2

155. Section 77G of the RMA requires the incorporation of MDRS into every “relevant residential zone”. Section 77I allows the council to make the MDRS requirements less enabling of development if necessary to accommodate one or more qualifying matters.
156. The RMA definition of “relevant residential zone” as specified in section 2 of the RMA is:
- relevant residential zone—*
- (a) means all residential zones; but*
- (b) does not include—*
- (i) large lot residential zone:*
 - (ii) an area predominantly urban in character that the 2018 census recorded as having a resident population of less than 5,000, unless a local authority intends the area to become part of an urban environment:*
 - (iii) an offshore island:*
 - (iv) to avoid doubt, a settlement zone.*
157. The MDRS to be incorporated into the AUP are set out in Schedule 3A of the RMA and include objectives, policies, subdivision requirements and density standards. Density standards relate to the number of residential units per site, building height, height in relation to boundary, setbacks (yards), building coverage, outdoor living space, outlook space, windows to street and landscaped areas.
158. Plan Change 78 (**PC78**) is the council’s intensification planning instrument and is required to incorporate the MDRS requirements into “relevant residential zones”, and to give effect to Policies (3) and (4) of the NPS-UD.
159. The site is currently zoned Special Purpose - Major Recreation Facility Zone, which is not a “relevant residential zone” as defined in section 2 of the RMA. However, the plan change proposes to rezone the land to MHU and THAB zones, which are both “relevant residential zones”. The site is within the urban environment of Auckland, is not on an offshore island, and is not within a settlement zone, therefore none of the exclusions under subsections (i)-(iv) of the definition apply.
160. The applicant's assessment of MDRS is set out in Section 2.4 of their plan change request report. They acknowledge that under the Amendment Act, Tier 1 councils like Auckland Council are required to adopt MDRS. While they state that “*a private plan change must either adopt the existing AUP residential zone provisions (unamended) or be in accordance with the MDRS*” (which appears to misinterpret the requirements of section 77G and clause 25(4A) of Schedule 1 of the RMA), their actual approach has been to adopt the operative versions of the MHU and THAB zones and incorporate the MDRS requirements within the precinct provisions themselves. They note that the incorporation of MDRS within their plan change means the MDRS provisions will apply as appropriate to this Precinct.
161. As initially notified, the Remuera Precinct proposed to incorporate the MDRS through Appendix B to the precinct provisions, which contained separate objectives, policies and standards derived from Schedule 3A of the RMA. However, Auckland Council's submission raised concerns about this approach, noting it was unclear whether all aspects of MDRS had been properly incorporated and suggesting the provisions needed amendment to ensure compliance with section 77G of the RMA. In response, the applicant has proposed post-notification amendments to comprehensively incorporate the MDRS requirements directly within the main body of the precinct

provisions themselves, rather than as a separate appendix. Their revised approach includes specific objectives, policies, activity table rules, notification rules, and standards that more closely align with the requirements of Schedule 3A. These draft changes have been considered at a high-level alongside the review of submissions, and in making recommendations on submission points and corresponding recommended amendments to the PPC.

162. PC104 does not propose any amendments to the THAB or MHU zone provisions themselves and adopts the zones as operative in the AUP. However, if the THAB and MHU zones become the operative zones for the plan change area, then any amendments subsequently made to the zone provisions through PC78 would apply in future. I note that this may result in duplication of MDRS between the precinct and the zones, though this is unavoidable at this time given the clear incorporation requirements of the RMA for plan changes.

6.5. Other relevant management plans and strategies prepared under any other Act

163. In considering a plan change, a territorial authority must have regard to plans and strategies prepared under other Acts.

6.5.1. The Auckland Plan

164. The Auckland Plan, prepared under section 79 of the Local Government (Auckland Council) Act 2009 is a relevant strategy document that the council should have regard to in the assessment of PC104.
165. The Auckland Plan 2050 is the council's spatial plan, as required under the Local Government (Auckland Council) Act 2009. The Plan contains a 30-year high level development strategy for the region based on a quality compact approach to accommodating growth. This approach anticipates most growth through intensification within existing urban areas, with managed expansion into the region's future urban areas and limited growth in rural areas.
166. The applicant's assessment of the Auckland Plan at Section 7.9 of the AEE is brief, noting that the plan change supports the long-term vision through providing more intensive housing in an appropriate location within an existing urban area. They identify that the site is suitable for growth and intensification, being within an existing urban area, but do not provide detailed assessment against the Plan's outcomes.
167. The Auckland Plan 2050 is set out under six outcomes, each with a series of directions and focus areas. The outcomes particularly relevant to this plan change are homes and places, transport and access, and environment and cultural heritage.
168. The plan change can be assessed against the key outcomes of the Auckland Plan 2050 as follows:

Homes and Places

169. The plan change strongly aligns with this outcome by:
- a. Enabling housing intensification in an area served by existing infrastructure, but not to an extent that demand on infrastructure will exceed available capacity

- b. Providing for a range of housing typologies from apartments to attached and terraced housing
- c. Including specific provisions for quality urban design outcomes and public spaces
- d. Supporting a quality compact urban form through the development of brownfield land
- e. Enabling up to 357 new dwellings in an area with good access to employment and services

Transport and Access

170. The proposal demonstrates good alignment through:
- a. Location within walking distance of two rail stations (Ellerslie and Greenlane), albeit not within the walkable catchment delineated in PC78
 - b. Integration with existing bus services along Ladies Mile, with new bus stops proposed
 - c. Provision for walking and cycling connections throughout the precinct
 - d. Supporting mode shift by enabling intensification near rapid transit
 - e. Including specific provisions for transport infrastructure upgrades

Environment and Cultural Heritage

171. The plan change provides for:
- a. Protection of significant trees along Ladies Mile, including one assessed as notable
 - b. Recognition of cultural values identified through engagement with mana whenua, including through design elements like the Belvedere Gardens
 - c. Sustainable stormwater management approaches
 - d. Supporting emissions reduction through enabling intensification near public transport and within the existing urban area

Development Area Context

172. While the site sits just outside the Greenlane-Ellerslie Development Area identified in the Auckland Plan, it demonstrates similar characteristics that make it suitable for intensification:
- a. Proximity to rail stations and the state highway network
 - b. Location between two identified development areas
 - c. Similar proposed zoning patterns (THAB) to surrounding areas
 - d. Complementing the anticipated growth in the wider area (the Development Area anticipates capacity for 430 dwellings), which further supports existing public transport infrastructure
 - e. Contributing to the wider transformation of this part of Auckland

Tāmaki – Whenua Taurikura Future Development Strategy 2023-2053 (FDS)

173. The FDS, which forms part of the Auckland Plan 2050, provides strategic direction for how, where and when growth is expected over the next 30 years. I consider that the plan change aligns with the FDS focus on accommodating growth within the existing urban area, particularly through the redevelopment of brownfield sites. The proposal to enable residential development on this former racecourse land, which is well-served by existing infrastructure and close to public transport (including the Ellerslie and Greenlane train stations), aligns with the FDS quality compact approach. The

site's location and proposed development intensity also aligns with the FDS principles, particularly in terms of reducing greenhouse gas emissions through enabling housing close to public transport, making efficient use of existing infrastructure, and enabling sufficient capacity for residential growth in an appropriate location.

174. Overall, I consider that the plan change generally aligns with the Auckland Plan and FDS.

6.5.2. Te Tāruke-ā-Tāwhiri: Auckland's Climate Plan

175. Te Tāruke-ā-Tāwhiri: Auckland's Climate Plan (**Auckland's Climate Plan**) was adopted by the council in 2020. It is intended that the plan will help deliver the Auckland Plan's high-level vision on climate change and is a roadmap to a zero-emissions, resilient and healthier region. The core goals are:
- a. to reduce greenhouse gas emissions by 50 per cent by 2030 and achieve net zero emissions by 2050 (**climate mitigation**)
 - b. to adapt to the impacts of climate change by planning for the changes we will face (**climate adaptation**).
176. Auckland's Climate Plan has eight priorities, which are natural environment; built environment; transport; economy; communities and coast; food; Te Puāwaitanga o te Tātai; and energy and industry.
177. Key considerations of this plan change are the impacts it will have on Auckland's overall greenhouse gas emissions, and whether it will elevate or alleviate climate risks such as flooding and storm inundation. The built environment and transport priorities are particularly relevant to the plan change.
178. Carbon Dioxide emitted by road transport modes is identified as the primary greenhouse gas impacting the Auckland Region. Carbon dioxide is a long-lived greenhouse gas, meaning it accumulates and has long-lasting implications for climate. Auckland's Climate Plan points out that integrating land use and transport planning is vital to reduce the need for private vehicle travel and to ensure housing and employment growth areas are connected to efficient, low carbon transport systems. Auckland's Climate Plan seeks a 12 per cent reduction in total private vehicle VKT by 2030 against a 'business-as-usual' scenario through actions such as remote working and reduced trip lengths.⁹⁰
179. The AEE does not include a specific assessment against Auckland's Climate Plan or its goals and priorities. While the application materials discuss aspects relevant to climate change mitigation and adaptation, such as public transport accessibility, walking and cycling provisions, and stormwater management, there is no direct analysis of how the PPC aligns with the Climate Plan's goals of reducing greenhouse gas emissions by 50% by 2030 and achieving net zero emissions by 2050.
180. Despite the absence of a specific assessment in the AEE, I consider it appropriate to evaluate the PPC against the goals and priorities of Auckland's Climate Plan. The two key considerations are climate mitigation (reducing greenhouse gas emissions) and climate adaptation (planning for climate change impacts).

⁹⁰ Te Tāruke-ā-Tāwhiri: Auckland's Climate Plan 2020, page 47

181. The PPC includes provisions requiring upgrades to pedestrian and cycling infrastructure, including new pedestrian crossings, footpaths, and bus stops on Ladies Mile. The proposed development pattern includes a connected network of streets and pedestrian/cycle paths throughout the precinct. A maximum cap of 357 dwellings is proposed to ensure transport effects are appropriately managed. These provisions are consistent with the approved fast-track consents.
182. In terms of climate mitigation, the PPC proposes residential intensification within walking distance (15 minutes) of the Ellerslie town centre and Ellerslie and Greenlane rail stations, with access to existing bus services. The proposed precinct provisions require transport infrastructure upgrades including new pedestrian crossings, footpaths, and bus stops on Ladies Mile, as well as a connected network of streets and pedestrian/cycle paths throughout the precinct. A maximum cap of 357 dwellings is proposed to manage transport effects. These elements support reduced private vehicle dependency and enable greater use of public and active transport modes.
183. For climate adaptation, the PPC includes comprehensive stormwater management provisions through an approved Stormwater Management Plan that addresses potential flooding effects. The retention of mature trees along Ladies Mile and provision of new landscaping and open spaces throughout the precinct in accordance with the approved fast-track consents will help mitigate urban heat island effects.
184. I consider the PPC is generally consistent with the goals and priorities of Auckland's Climate Plan for the following reasons:
- a. The site's location within the existing urban area and proximity to public transport, employment and services supports reduced private vehicle dependency and emissions;
 - b. The proposed development pattern and infrastructure upgrades enable and encourage walking, cycling and public transport use;
 - c. The retention of existing mature pōhutukawa trees and provision of new landscaping contributes to urban ngahere goals;
 - d. Comprehensive stormwater management provisions address climate adaptation; and
 - e. The relatively high-density development pattern makes efficient use of existing urban land and infrastructure.
185. While some residents may still rely on private vehicles for some trips, the site's accessible location and proposed transport infrastructure upgrades mean the PPC is likely to result in lower per capita transport emissions compared to more peripheral (greenfield) residential development.
186. Overall, I consider the PPC fundamentally aligns with the climate mitigation and adaptation goals of Auckland's Climate Plan through its location, density and proposed provisions.

6.5.1. Transport Emissions Reduction Pathway

187. The Transport Emissions Reduction Pathway (**TERP**) was endorsed by Auckland Transport's board and adopted by Auckland Council in August 2022.

188. The TERP gives effect to Auckland's Climate Plan target to halve Auckland's regional emissions by 2030 (against a 2016 baseline).
189. It sets out:
- a. what needs to happen to reduce Auckland's transport emissions by 64 per cent by 2030
 - b. what it will look like when we get there
 - c. to identify the potential barriers to achieving it.
190. The TERP provides formal direction that Auckland Council and Auckland Transport must follow in all of their activities. This includes updates of key planning and funding documents such as:
- a. The Auckland Transport Alignment Project (ATAP)
 - b. The Regional Land Transport Plan (RLTP).
191. The TERP identifies 11 areas of transformations that will create the sustainable transport system needed in 2030. The first six areas of transformation are most relevant to the plan change and relate to reducing reliance on cars and support people to walk, cycle and use public transport.
192. Neither the AEE nor the applicant's Integrated Transport Assessment consider whether the plan change aligns with the TERP.
193. Despite the absence of a specific assessment, I consider the PPC broadly aligns with several key transformation areas identified in the TERP, particularly:
- a. Transformation Area 1: Supercharge walking and cycling - The PPC includes provisions for new pedestrian and cycling infrastructure, including footpaths along Ladies Mile, pedestrian crossings, and a connected network of internal paths and walkways.
 - b. Transformation Area 2: Massively increase public transport patronage - The site is within walking distance of Ellerslie and Greenlane rail stations and existing bus routes. The PPC includes provisions for new bus stops on Ladies Mile.
 - c. Transformation Area 3: Prioritise and resource sustainable transport - The PPC proposes investment in sustainable transport infrastructure and includes provisions prioritising walking, cycling and public transport access, where practicable given location of the site and its existing land parcel constraints.
 - d. Transformation Area 4: Reduce travel where possible - The site's location within the existing urban area near employment, services and public transport supports reduced trip lengths. The mixed density housing typologies may also support working from home opportunities.
 - e. Transformation Area 5: Safe, low-traffic neighbourhoods - The PPC includes provisions for a well-connected internal street network with private garden streets and pedestrian priority areas.
 - f. Transformation Area 6: Build up not out - The PPC enables residential intensification within the existing urban area.
194. The PPC's proposed 357-dwelling cap, while intended to manage transport effects, could be seen as limiting the site's potential to further support TERP objectives given its proximity to rapid transit. However, I consider this cap appropriate given the need to ensure transport infrastructure upgrades keep pace with development. The cap is

supported by the council's transport specialist Mr. Van der Westhuizen, and Auckland Transport.

195. Overall, I consider the PPC fundamentally supports the TERP's objectives through its location, density and proposed provisions.

6.5.2. Long-term Plan

196. The Long-term Plan 2024-2034 (**LTP**) was adopted in June 2024 and sets Auckland Council's direction and priorities for the next 10 years. At a high level the LTP seeks to:

- a. Strengthen the financial and physical resilience of Auckland while investing where needed most to manage growth
- b. Make the most of existing assets and infrastructure before starting new projects
- c. Address climate change and environmental challenges
- d. Deliver better outcomes through partnerships with central government
- e. Provide for communities of greatest need

197. The LTP identifies several key challenges including:

- a. Operating in a high inflation environment with increased costs
- b. Managing growth and development pressures
- c. Rising cost of asset ownership and infrastructure
- d. Limited funding tools available to the council

198. The plan change area, while not located within a specific focus area for growth, demonstrates strong alignment with the LTP's direction in several ways:

- a. Makes efficient use of existing infrastructure in an established urban area
- b. Proposes a maximum of 357 dwellings which has been determined through technical assessments to be within the capacity of existing infrastructure networks, including three waters and roading
- c. Supports intensification near public transport (Ellerslie and Greenlane train stations) which aligns with the council's climate action objectives
- d. Does not require significant new council investment in infrastructure or services
- e. Supports the LTP's housing objectives by enabling a range of housing types including apartments, terrace houses and retirement living options

199. Overall, I consider the PPC fundamentally aligns with the LTP by making efficient use of existing urban land and infrastructure, providing appropriate development controls including dwelling caps to ensure demand does not exceed infrastructure capacity, supporting the council's broader objectives around housing choice and climate action through enabling intensification near public transport, and not requiring significant new council investment or infrastructure spending.

200. The PPC will also contribute positively to planned outcomes for the Ōrākei Local Board area.

6.5.3. Ōrākei Local Board Plan 2023

201. The Ōrākei Local Board Plan is a strategic three-year plan that sets out the community's priorities and guides local board activities, funding and investment decisions. It also influences local board input into regional strategies and plans,

including the Auckland Plan, the council's 10-year Budget (Long-term Plan) and annual budgets.

202. The current local board plan has five outcomes, each with associated objectives and key initiatives. Objectives particularly relevant to the plan change include:

- a. Our People
 - i. Strengthen relationships with mana whenua
 - ii. All groups in the community feel informed and included
 - iii. Safe, resilient communities
- b. Our Environment
 - i. Our forest, bush and wetland habitats continue to be enhanced for future generations
 - ii. Our beaches and waterways are clean and water quality is improved
 - iii. More sustainable waste management options and support for community climate action
- c. Our Community
 - i. The network of open spaces and community facilities meets the needs of the growing population
- d. Our Places
 - i. Development is well planned
 - ii. Our area has many transport options that are safe, accessible and well-connected
 - iii. Our places are well-used, inviting and attractive
- e. Our Economy
 - i. Local businesses are thriving
 - ii. All our town centres are attractive and thriving
 - iii. Local and overseas visitors are attracted to our area

203. The applicant's assessment in their Clause 23 response dated 23 March 2024 notes that while the rezoning is not specifically contemplated in the Local Board Plan (as plan changes are not generally included in such documents), they consider the plan change is consistent with the Local Board Plan for several reasons, including:

- a. Promoting positive outcomes for Māori through recognition of cultural values in the development
- b. Promoting positive climate actions including enabling density near public transport routes, supporting walking and cycling, and reducing stormwater discharge to the coastal marine area
- c. Providing a variety of housing options and housing choice for future residents
- d. Improving ecological outcomes, habitats and corridors within the local board area
- e. Supporting rather than detracting from the nearby Ellerslie Town Centre

204. I agree with the applicant's assessment and consider the plan change further aligns with these outcomes by:

- a. Incorporating mana whenua values into the development through specific design elements including the Belvedere Gardens view corridor and trackside pathway
- b. Including provisions for open space and landscaping network through the Remuera Precinct, with opportunities for connections beyond
- c. Managing stormwater effects through an integrated approach that includes re-use within the racecourse
- d. Supporting the vitality of the Ellerslie town centre through increased residential population in walking distance

205. The Ōrākei Local Board's views on the plan change are summarised in Section 8 of this report.
206. Overall, I consider the plan change is generally consistent with the Ōrākei Local Board Plan 2023.

6.5.4. Iwi Management Plans

207. When preparing or changing its District Plan, section 74(2A) of the RMA requires territorial authorities to take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the district.
208. Iwi Management Plans (**IMPs**) are an expression of mana whenua rangatiratanga and help guide their exercise of kaitiakitanga over natural and physical resources. I have reviewed three IMPs in relation to PC104:
- a. Te Pou o Kāhu Pōkere - Ngāti Whātua Ōrākei Iwi Management Plan 2018
 - b. Take Taiaomaurikura - Ngāi Tai ki Tāmaki Environmental Management Plan 2022
 - c. Ngaati Whanaunga Environmental Management Plan 2020
209. The applicant has provided Cultural Impact Assessments (CIAs) from three iwi groups:
- a. Ngāi Tai ki Tāmaki
 - b. Ngāti Te Ata Waiohua
 - c. Ngaati Whanaunga
210. Having provided a CIA and made a submission, Ngāti Te Ata Waiohua were requested to provide a copy of their planning document for review, noting one is not publicly available. As of the date of writing this s42A report, this plan has not been made available.
211. In their Clause 23 response dated 23 March 2024, the applicant has provided an assessment against two of the relevant IMPs - Take Taiaomaurikura and Te Pou o Kāhu Pōkere.
212. From my review of Te Pou o Kāhu Pōkere, the key themes relevant to this plan change include:
- a. The importance of protecting and enhancing water quality, including managing stormwater effects
 - b. The need to protect and enhance indigenous biodiversity and ecological corridors
 - c. Supporting development that improves climate change outcomes through higher density near public transport
 - d. Protection of cultural heritage values and archaeological sites
 - e. Incorporating cultural values and narratives into development
213. The applicant assesses that the plan change gives effect to these matters through:
- a. Comprehensive stormwater management via an approved SMP that includes treatment and reuse

- b. Protection of identified significant trees along Ladies Mile and provision of new landscaping networks
 - c. Enabling residential intensification within walking distance of Ellerslie and Greenlane stations
 - d. Incorporating cultural elements like the Belvedere Gardens view corridor
214. I generally agree with this assessment, noting that many of these outcomes are secured through the existing fast-track consents alongside the specific provisions proposed for the Remuera Precinct.
215. Regarding Take Taiaomaurikura, the applicant's Clause 23 response states that the plan change takes into account the Vision, Values and Principles of this IMP, specifically noting that:
- a. The development will acknowledge values important to Ngāi Tai ki Tāmaki, including appreciation of spiritual connection with the maunga and recognition of this place as a historical place of passage
 - b. Restoration of ecological connections and avoidance of stormwater entering the CMA are consistent with the IMP principles
 - c. The development will result in enhanced landscape outcomes and sensitive development of the land
 - d. Proximity to public transport will result in reduced emissions compared to business-as-usual development
 - e. Overall, the objectives of the IMP are considered to be achieved
216. From my review of Take Taiaomaurikura, the IMP emphasises themes around water quality, biodiversity and climate change, while also highlighting the importance of:
- a. Early engagement with mana whenua on development proposals
 - b. Protection of significant trees and vegetation
 - c. Integration of cultural values into development design
 - d. Sustainable approaches to infrastructure provision
217. I consider the applicant's assessment generally aligns with the key themes and principles I have identified from Take Taiaomaurikura, noting again that many of the outcomes referenced are secured through both the existing fast-track consents, and the PPC alongside existing AUP provisions.
218. While not specifically assessed in the applicant's Clause 23 response, the Ngaati Whanaunga Environmental Management Plan provides a framework focused on:
- a. Holistic environmental management that recognises the interconnectedness between all living and non-living elements
 - b. Protection and enhancement of natural and physical resources
 - c. Sustainable management of resources in accordance with tikanga
 - d. Integration of cultural values and mātauranga Māori into resource management
219. This framework is similar to that assessed for the IMPs above, and further assessed and considered in the Ngaati Whanaunga CIA, which I have read.
220. Overall, I consider that PC104 gives appropriate effect to the principles and objectives contained within these IMPs through:
- a. Ongoing engagement with mana whenua through the plan change process and earlier as part of the process for applying for the fast-track consents that are now

- approved for the site. It is considered reasonable and appropriate that this engagement has been on a continuum through these processes.
- b. Integration of cultural values into the design approach for the development enabled by the Remuera Precinct, including landscaping and view corridors
 - c. Protection of identified significant trees on Ladies Mile and provision of landscaping networks
 - d. Comprehensive stormwater management incorporating water sensitive design and proposed adherence to the approved SMP
 - e. Continued protection of volcanic viewshafts through existing AUP overlay provisions, and existing Auckland-wide plan provisions that apply to the site, which provide a protocol and requirements for accidental discovery
221. The plan change provisions, including requirements around stormwater management and tree protection, provide appropriate mechanisms to ensure future development within the Remuera Precinct will give effect to the values and principles expressed in these IMPs.
222. The existing AUP provisions have already enabled these outcomes through the fast-track consent process and I consider that this demonstrates that the current planning framework appropriately aligns with these IMP frameworks. The proposed plan change maintains and reinforces this alignment rather than introducing any provisions that would compromise these outcomes.

7. ASSESSMENT OF EFFECTS ON THE ENVIRONMENT

223. Clause 22 of Schedule 1 to the RMA requires private plan changes to include an assessment of environmental effects that are anticipated by the Plan Change, taking into account the Fourth Schedule of the RMA.
224. An assessment of actual and potential effects on the environment (**AEE**) is included in the Section 32 Evaluation Report, at Section 8.1-8.13. The submitted Plan Change request identifies and evaluates the following actual and potential effects:
- a. Positive effects
 - b. Urban design, built form and landscape visual effects
 - c. Transport and traffic effects
 - d. Infrastructure effects including stormwater and water/wastewater services
 - e. Contamination effects
 - f. Ecological effects
 - g. Arboricultural effects
 - h. Cultural effects
 - i. Economic effects
 - j. Parks and recreation effects
 - k. Archaeological and built heritage effects
225. Each of these effects categories is assessed in detail below.

7.1. Positive Effects

226. The applicant's assessment of positive effects is set out in Section 8.1 of their AEE, identifying benefits including provision of much needed housing in Auckland, economic and employment benefits to the Auckland and national economy, advantages of the site's location and existing infrastructure, and support for transport mode changes in favour of public and active transport modes. While many of these

benefits will arise through implementation of the already granted fast-track consents, the PPC will provide statutory weight to these outcomes through specific precinct provisions that ensure future development maintains these positive contributions to the area.

227. The PPC will ensure certain positive outcomes through specific provisions including requirements for transport network upgrades such as the signalised intersection at Derby Downs Place/Ladies Mile, and standards requiring provision of publicly accessible open spaces and pedestrian connections throughout the site. The precinct provisions incorporate cultural narratives into specific standards around landscaping and open space design and will provide long-term protection for significant trees along Ladies Mile through both precinct standards and the scheduling of one high-quality pōhutukawa tree as a Notable Tree in the AUP.
228. In summary, the following positive effects are considered to result from the PPC:
- a. Statutory protection for significant trees along Ladies Mile through both precinct standards and Notable Tree scheduling,
 - b. Long-term certainty regarding the provision and maintenance of publicly accessible open spaces and pedestrian connections through specific precinct standards, that will be privately-owned,
 - c. Securing of key transport infrastructure upgrades through precinct provisions,
 - d. Integration of cultural values through specific standards requiring compliance with the Remuera Precinct Landscape document, and
 - e. A planning framework that appropriately reflects and provides for residential development in this location, rather than retaining an outdated major recreation facility zoning that no longer reflects the intended use of this part of the site.

7.2. Urban Design, Built Form and Landscape Visual Effects

229. The PPC proposes to rezone approximately 6.2 hectares of land from Special Purpose - Major Recreation Facility Zone to a combination of THAB and MHU zones, enabling residential development up to 25m in height in parts of the site, including alongside Ladies Mile, and in the southern part of the site adjoining the racecourse boundary. Key urban design and landscape visual considerations include the relationship to existing residential interfaces, the scale and form of proposed development enabled by the zones and precinct provisions, integration with the surrounding street network and public realm, and potential visual effects on the wider landscape including volcanic viewshafts.
230. The applicant has provided a comprehensive Urban Design Assessment prepared by Brewer Davidson and a detailed Landscape and Visual Assessment prepared by Boffa Miskell, with the key findings summarised in Sections 8.5-8.6 of their AEE. These assessments build on the existing baseline established through the approved fast-track consents, which enable 357 residential units on the site through a masterplanned development that has already been subject to urban design review and assessment.
231. The applicant's assessments are considered to provide a thorough evaluation of the urban design and landscape visual effects that would arise from the proposed plan change provisions. The Brewer Davidson Urban Design Assessment (pages 2-4) describes the physical context including topography, solar orientation and views, and how these have informed the proposed planning controls. The Boffa Miskell Landscape Visual Assessment provides detailed analysis of viewing audiences and

visual catchment in Section 5. The assessments conclude that while the proposal will result in a significant change to the character of the site, the effects will be appropriately managed through:

- a. The strategic location of THAB zoning and 25m height in areas where taller buildings can be accommodated with minimal effects on neighbouring properties
 - b. The use of MHU zoning as a transition to existing residential interfaces
 - c. The retention of mature pōhutukawa trees along Ladies Mile to maintain streetscape amenity and provide visual mitigation
 - d. A comprehensive network of open spaces and pedestrian connections as shown on proposed Precinct Plan 2
 - e. Building heights that sit below the O10 locally significant volcanic viewshaft which crosses the site
232. The council's urban design and landscape expert, Mr. Stephen Brown, has reviewed these assessments and has not identified any areas of disagreement with the methodology or conclusions. On this basis, I consider it appropriate to adopt these aspects of the applicant's assessments.
233. Mr. Brown's technical review has focused primarily on whether the plan change provisions would enable development that results in materially different urban design and landscape visual effects compared to the approved fast-track consents.
234. His assessment concludes that as part of the fast-track decision and clear evidence that the development is proceeding and under construction, "the consented development on 'The Hill' is part of the 'existing environment'"... [and] provides a baseline against which this private plan change request... must be evaluated." Mr. Brown notes that "in this instance, there is to be no appreciable deviation from that baseline."
235. It is important to note that while what Mr. Brown refers to here does not constitute a formal "permitted baseline" in the same context of a resource consent assessment, the fast-track consents being given effect to on the site form a part of a real-world factual matrix through which the PPC and its effects must be evaluated.
236. Mr. Brown notes that while submissions have raised concerns about building heights, privacy and sunlight access, these matters have already been addressed to the satisfaction of the fast-track panel.
237. Mr. Brown has reviewed the proposed precinct provisions, including height controls and setback requirements, and has been "unable to identify any changes to the Precinct's development proposals that were not evaluated and tested in respect of the fast-track consent."
238. Overall, I accept Mr. Brown's conclusion that the urban design and landscape visual effects enabled by the plan change provisions would be consistent with what has been found to be appropriate for the site under the fast-track consents. The proposed zoning pattern of THAB and MHU, supported by specific precinct provisions including height, setbacks, and requirements around open space and tree protection, provides an appropriate framework for managing these effects.
239. The fast-track consent process has already demonstrated that high-quality residential development can be achieved on this site while maintaining reasonable amenity for neighbouring properties. While the plan change will formally enable change to the

character of the site compared to its current state, this change has been appropriately managed through the proposed Remuera Precinct provisions, which effectively codify the key urban design and landscape outcomes secured through the fast-track consent. No additional measures beyond those already proposed in the precinct provisions are considered necessary to manage urban design and landscape visual effects.

7.3. Transport and Traffic Effects

240. The plan change area fronts Ladies Mile, an arterial road, and Derby Downs Place, a local road. The site is located approximately 1,000m from Ellerslie Train Station and 1,200-1,400m from Greenlane Train Station. Current AT bus services 751 and 782 run along Ladies Mile.
241. Key transport considerations include effects on the surrounding road network, particularly Ladies Mile and Derby Downs Place, provision of new internal roads and pedestrian/cycle connections, intersection upgrades, and public transport accessibility.
242. The applicant has provided a comprehensive Integrated Transport Assessment (ITA) prepared by Commute Transportation Consultants dated December 2023. This assessment builds on the previous ITA prepared for the approved fast-track consents, which enable 357 residential units on the site through a masterplanned development incorporating specific transport infrastructure upgrades.
243. The applicant's ITA concludes that while additional transport demand will be generated, the site is well-positioned to encourage public transport, walking and cycling modes with good access to centres, retail areas, employment opportunities and public transport hubs. The assessment finds that proposed transport infrastructure upgrades, including signalisation of the Derby Downs Place/Ladies Mile intersection and new pedestrian crossings, will appropriately mitigate potential adverse effects. A precinct standard is proposed at IXXX.6.13 that sets out infrastructure delivery timing alongside development of the site, which mirrors the timing reflected under the granted fast-track consents.
244. The council's transport expert, Mr. Van der Westhuizen, has reviewed the applicant's transport assessments and subsequent Clause 23 responses. His review focused particularly on three key matters:
 - a. The potential for the PPC to enable more dwellings than the fast-track consent
 - b. Parking provision and potential traffic generation impacts
 - c. Effects of upzoning on transport infrastructure capacity
245. Mr. Van der Westhuizen notes that all of his concerns have been addressed through the Clause 23 process. Of particular relevance is the applicant's response to introduce a maximum cap of 357 dwellings within the precinct provisions as a non-complying activity. He considers this cap will ensure the transport effects of development can be adequately managed and aligns with the capacity of the surrounding road network.
246. Mr. Van der Westhuizen has also reviewed the submissions that raised transport-related matters. While some submitters expressed concerns about traffic congestion, vehicle and pedestrian safety, and parking effects, he concludes these matters are either already addressed by the fast-track consents being undertaken on site or are

detailed design matters that have been resolved through the Engineering Plan Approval (EPA) stage, with a number of these EPAs already issued.

247. Through the submission and technical review process, Mr. Van der Westhuizen has identified that certain transport infrastructure upgrade elements should be identified on the precinct plans to ensure future certainty, even where these are already secured through the fast-track consents and EPA. Specifically, he recommends two additions to Table IX.6.13.1 and Precinct Plan 3:
- a. Provision for a flush median on Ladies Mile opposite the Upper Loop Road intersection - while this infrastructure is already approved and will assist turning movements and improve safety for all road users, incorporating it into the precinct provisions ensures its importance for managing effects is recognised in the future. This recommendation is considered to be within scope of submission point 6.1.
 - b. Provision for a pedestrian crossing facility opposite 15 Derby Downs Place - similarly, while already approved, showing this crossing in the precinct provisions reinforces its role in providing safe and convenient pedestrian connections through the precinct. This recommendation is considered to be within scope of submission points 7.5, 13.5 and 14.5.
248. Ms. Fonua, Planner in the Spatial Planning and Policy Advice team at Auckland Transport, has provided feedback supporting Mr. Van der Westhuizen's assessment and recommendations, including the incorporation of these upgrades into the precinct framework. AT considers that the effects generated by development enabled by PC104 are acceptable and, with appropriate mitigation, can be accommodated on the adjoining transport network without compromising its function, capacity, or safety.
249. Overall, I adopt the conclusions of Mr. Van der Westhuizen and Ms. Fonua that the transport effects of PC104 will be acceptable, subject to:
- a. The proposed 357 dwelling cap being maintained as a non-complying activity
 - b. The recommended additions to Table IX.6.13.1 and Precinct Plan 3 regarding the flush median and pedestrian crossing
 - c. Implementation of the transport infrastructure upgrades identified in the precinct provisions.
250. The recommended additions referred to above are set out in **Appendix 9** to this report. The nature of these alternations being within scope of submissions is discussed in Section 10 of this report.
251. Finally, while some on-street parking spaces will be removed as a consequence of development on the site (already "approved" under EPA but to go through a resolution process with Auckland Transport), I do not consider this to be an effect of the PPC. Existing residential properties typically have on-site parking, and the loss of these on-street spaces is unlikely to have a significant impact on existing residents in the area, noting these are predominantly along the southern side of Ladies Mile adjoining the site.
252. The site's location near public transport, coupled with the walking and cycling connections proposed, will support mode shift away from private vehicles in line with strategic transport objectives set out in both the AUP and other plans as assessed earlier in this report. This, combined with the proposed transport infrastructure upgrades timed with stages of development, and the proposed dwelling cap, provides

confidence that the transport network can accommodate the traffic effects that would be enabled by PC104.

7.4. Infrastructure Effects

7.4.1. Stormwater Management and Flooding

253. The PPC site is located within the Ellerslie stormwater catchment and discharges to the Waitematā. The site formerly contained an irrigation pond (now decommissioned) and is traversed by significant public stormwater infrastructure including a 1950mm diameter pipe installed in 2012 as part of Auckland Council's Waiaatarua Catchment Stormwater Upgrade Project.
254. The applicant has provided a comprehensive Stormwater Management Plan (SMP) prepared by Woods (Wood & Partners Consultants Ltd), which was adopted by Healthy Waters under the region-wide Network Discharge Consent on 8 August 2023. The SMP addresses both stormwater quality and quantity effects, proposing an integrated approach including:
- a. A new irrigation pond within the racecourse infield for stormwater retention and reuse, which has been constructed and is operational
 - b. Treatment of impervious surfaces through raingardens and other water quality devices
 - c. Management of overland flow paths within roads and landscape areas
 - d. Control of discharges to the 1950mm diameter pipe via a 225mm diameter orifice
255. The council's Healthy Waters specialist, Ms. Lee Te, has undertaken a detailed review of the PPC's stormwater and flooding effects.
256. Ms. Te notes that while flood prone areas exist within and around the PPC site, the flood plain previously shown over the former irrigation pond location on the main site is no longer relevant following its decommissioning. Her review confirms that the flood modelling undertaken for the PPC demonstrates that stormwater infrastructure upgrades can appropriately manage effects, with increases in flood levels limited to:
- a. Less than 50mm within Koraha Reserve, contained within existing published flood extents
 - b. Up to 49mm within Waiaatarua Reserve, with minor differences from existing flood plain extents
257. Of particular note is the property at 61A Grand Drive, Remuera, which Ms. Te confirms is already subject to flooding in pre-development scenarios. This property is located approximately 1.1km to the east adjacent Waiaatarua Reserve. The flood risk assessment demonstrates that while there will be a minor increase in flood depth (79mm above finished floor level), there is no change in flood damage or frequency between pre and post-development scenarios. The property owner provided written approval for these effects as part of the SMP adoption process. This effect will eventuate whether the PPC were to proceed or not.
258. Ms. Te supports the stormwater management approach proposed in the PPC, noting that:
- a. The approved SMP has adequately addressed stormwater infrastructure and services requirements

- b. Water quality treatment will be provided through a range of measures including raingardens and the irrigation pond reuse system
 - c. Overland flow paths will be appropriately managed within roads and landscape areas
 - d. The proposed 225mm diameter orifice control will effectively manage discharges to the 1950mm diameter pipe
259. Overall, I adopt Ms. Te's conclusions that the stormwater and flood effects of the PPC can be appropriately managed through:
- a. The precinct provisions requiring any activity including development and subdivision to be in accordance with the approved SMP
 - b. The comprehensive treatment train approach including raingardens, swales, and stormwater reuse via the completed new irrigation pond
 - c. The specific controls managing discharge to the 1950mm diameter pipe
 - d. The proposed overland flow path network within roads and landscape areas
260. While some increases in flood levels are predicted at Koraha Reserve and Waiatarua Reserve, these effects are considered acceptable as they are contained within existing flood plains and reserves. The effect on 61A Grand Drive has been appropriately assessed and addressed, and the PPC does not result in any increased effect on this property compared to the granted fast-track consents for the site, and what is provided for under the approved SMP.
261. The stormwater infrastructure proposals, combined with the specific Remuera Precinct provisions requiring that any activity including development and subdivision is undertaken in accordance with the approved SMP, will ensure that potential future development appropriately manages both water quality and quantity effects. No additional precinct provisions beyond those already proposed are considered necessary to manage stormwater and flooding effects.

7.4.2. Water and Wastewater Services

262. The applicant has provided a comprehensive Civil Infrastructure Report prepared by Crang Consulting Ltd to assess the servicing requirements for the plan change area, with infrastructure effects also addressed in Section 8.12 of their AEE. These documents outline the existing water and wastewater infrastructure context, and the improvements required to service development enabled by the plan change.
263. The Civil Infrastructure Report indicates that wastewater connections from the site to the Ellerslie Branch 1B transmission sewer and the Derby Downs sewer have been completed, consented and constructed under Engineering Plan Approval (EPA) No. ENG60396803. Regarding water supply, the report confirms that existing connections at Ladies Mile and Marua Road require upgrading to 150mm diameter pipes, and a new watermain is required from Peach Parade along the Ladies Mile frontage connecting to the Ladies Mile main near Marua Road. These infrastructure upgrades have since been approved under EPA Nos. ENG60429502 (Ladies Mile Water Supply Upgrade), ENG60429503 (Marua Road Water Supply Upgrade) and ENG60415088 (Derby Downs Intersection Water supply upgrade), and are or will be implemented in conjunction with the works required for the fast-track consents.
264. Watercare Services Limited made a submission on the plan change that raised specific concerns about infrastructure capacity. While acknowledging that water and wastewater connections have been approved through the fast-track consent process

for 357 dwellings, they note that the proposed rezoning and incorporation of MDRS could ultimately enable development in excess of this consented scenario, particularly given MDRS enables up to three dwellings per site as a permitted activity. Their submission seeks amendments to the precinct provisions to ensure any development beyond 357 dwellings requires assessment of network capacity as part of future resource consent applications.

265. The notified version of the plan change proposes to address infrastructure capacity concerns through Activity Rule (A4), which makes any activity, development and/or subdivision that would result in more than 357 dwellings within the precinct a non-complying activity. This dwelling cap has been assessed by the applicant as being supported by a qualifying matter under section 771(j) of the RMA. While the cap was primarily proposed to address transport network capacity concerns (linked to notified Policy 8 which seeks to avoid adverse effects on the safe and efficient operation of the road network from more than 357 dwellings), its non-complying status means that any proposal exceeding this cap would need to demonstrate consistency with all relevant objectives and policies, including those relating to infrastructure capacity. This includes consideration of notified Objective 4, which requires development to be coordinated with the supply of sufficient three waters infrastructure.
266. This approach means that while MDRS might technically enable up to three dwellings per site once individual lots are created through subdivision (in accordance with the fast-track consents), the precinct dwelling cap would override this additional development potential. Any proposal that would result in more than 357 dwellings across the precinct would require consent as a non-complying activity, enabling a comprehensive assessment of infrastructure capacity effects through the resource consent process.
267. Overall, I consider that the water and wastewater infrastructure effects of development enabled by the plan change can be appropriately managed through both the existing AUP provisions and the proposed precinct provisions. The infrastructure improvements required to service up to 357 dwellings have already been assessed and approved through the fast-track consent process under the current AUP framework, with EPAs granted and works underway. While Watercare has raised valid concerns about potential development beyond this threshold that might otherwise be enabled by MDRS as a permitted activity, the non-complying activity status for exceeding 357 dwellings assessed as a qualifying matter alongside the MDRS provides an appropriate framework for assessing any additional infrastructure capacity requirements at that time - effectively maintaining at a minimum the same level of assessment that would be required under the AUP and current site zoning today.

7.5. Contamination Effects

268. The applicant has undertaken detailed site investigations including a combined Preliminary and Detailed Site Investigation (PSI/DSI) which identified several potential sources of contamination including uncertified filling, application of pesticides, and lead-based paint impacts to ground. Testing confirmed the presence of heavy metals, OCPs, PAHs and asbestos. The analysis concludes that a controlled activity resource consent would be required under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NESCS) due to these identified contamination sources.

269. A comprehensive Remedial Action Plan (RAP) and Contaminated Site Management Plan (CSMP) has been prepared to support both the fast-track consent process and this plan change. These documents outline specific management approaches including soil remediation around the Track Manager's House and controls for managing asbestos containing materials. The fast-track consents include detailed conditions around contaminated site management, works completion reporting, and site validation. These consents are now being given effect to on site.
270. I consider that the contamination effects do not preclude rezoning of the land for residential purposes. The site investigations demonstrate that contamination can be appropriately remediated and managed to enable residential use. The existing regulatory framework under both the NESCS and Chapter E30 of the AUP provides appropriate mechanisms for managing any residual contamination effects through future consent processes. Whether or not the plan change were to proceed, these frameworks would continue to apply to ensure effects on human health and the environment are appropriately managed. No additional precinct-specific provisions are considered necessary to address contamination effects.

7.6. Ecological Effects

271. The applicant has provided an Ecological Assessment prepared by Ecological Solutions Ltd dated November 2023, with ecological effects also addressed in Section 8.10 of their AEE. This assessment builds on their earlier ecological work undertaken for the fast-track consent process. The assessment notes that earthworks and vegetation clearance have already commenced on the site in accordance with the fast-track consent conditions, including the decommissioning and removal of the former irrigation pond that was previously located on the site. This pond has since been replaced by a new irrigation pond constructed within the infield of the racecourse.
272. The ecological assessment confirms there are no Significant Ecological Areas (SEA) or vegetation within the site that would qualify as Significant Natural Areas (SNA) when applying the criteria in the National Policy Statement for Indigenous Biodiversity. The site's only notable ecological features were the 11 mature pōhutukawa trees along the boundary with Ladies Mile, which are proposed to be retained.
273. A freshwater ecological survey confirmed there were no natural drainage watercourses, wetlands or lakes within the site. The only freshwater habitat was the artificial irrigation pond, which has since been decommissioned with fish relocations carried out in accordance with fast-track consent conditions. The applicant's assessment concludes there are no relevant matters to address in relation to the National Policy Statement for Freshwater Management, and no ecology-related provisions are recommended for the PPC.
274. The council's Senior Ecologist, Ms. Alicia Wong, has reviewed the applicant's ecological assessment and confirms agreement with its findings. Ms. Wong notes that ecological features are limited to the 11 mature pōhutukawa trees along Ladies Mile, which the proposal seeks to protect and retain through the precinct provisions and are identified on Precinct Plan 2. One of these trees will also be scheduled as notable. Based on her site visit in February 2024 and review of the application materials, Ms. Wong supports the plan change from an ecological perspective and has not identified any need for additional ecological provisions beyond those proposed for tree protection.

275. I adopt the conclusions of both the applicant's assessment and Ms. Wong's review that the ecological effects of the plan change will be acceptable. Many of the potential ecological effects associated with development of the site have already been assessed and managed through the fast-track consent process, including the relocation of fish from the former irrigation pond and vegetation clearance. The key remaining ecological feature - the row of pōhutukawa trees along Ladies Mile - will be appropriately protected through the proposed precinct provisions and, for one significant tree, through its proposed scheduling as a Notable Tree in the AUP. No additional ecological provisions are considered necessary beyond those already proposed.

7.7. Arboricultural Effects

276. The applicant has provided an Arboricultural Assessment prepared by ArborConnect dated December 2023 and a follow-up Notable Tree Assessment dated February 2024, which collectively assess the trees impacted by the plan change. The earlier arboricultural assessment surveyed and assessed 22 trees in total, many of which were previously considered through the fast-track consent process. The Notable Tree Assessment was subsequently prepared in response to a clause 23 request for further information to specifically evaluate whether any of the pōhutukawa trees along Ladies Mile warranted scheduling as Notable Trees in the Auckland Unitary Plan.
277. The applicant's arboricultural assessment focuses on the 11 pōhutukawa trees along Ladies Mile (Trees 5-15), which are identified for protection on Precinct Plan 2. While these trees are not currently protected by the AUP, they represent a strong positive landscape element along this frontage and provide a valuable foreground for the approved apartment buildings behind. The applicant proposes to retain all of these pōhutukawa trees and to set the buildings back from the road frontage to ensure their ongoing viability. Other trees assessed within Derby Downs Domain and the Ladies Mile road reserve are subject to existing AUP protections, with resource consent obtained through the fast-track process for any necessary works within root zones or removals.
278. One identified pōhutukawa tree (Tree #13) has been assessed by the applicant's arborist to meet the requirements for being scheduled as a notable tree. The tree scored over 20 points under the tree-specific evaluation criteria in the AUP RPS, meeting the threshold for scheduling. The other pōhutukawa trees along Ladies Mile were also assessed but did not meet the scoring criteria for scheduling. The tree is of high quality and is proposed to be scheduled as part of the notified plan change request.
279. The council's Arboricultural specialist, Mr. Allan Holmes, has reviewed the applicant's assessments and supports the plan change from an arboricultural perspective. Mr. Holmes confirms that the tree population of the plan change area appears to be typical for the current Special Purpose - Major Recreation Facility zoning. He considers that most of the existing trees on site have been planted as a buffer along Ladies Mile Road in an area at the rear of the horse racing track and away from the main public area. Mr. Holmes supports the tree protection approach proposed, noting that the 11 pōhutukawa trees along Ladies Mile have been appropriately identified as important within the precinct provisions, and agrees that Tree #13 meets the threshold for inclusion into the Notable Trees Schedule of the AUP.

280. Overall, I consider that the PPC will result in positive arboricultural effects through the retention of the pōhutukawa trees identified above. The proposed approach of protecting these trees through both the precinct provisions (Standard IXXX.6.5) and, for Tree #13, through scheduling as a Notable Tree in the AUP, is appropriate and well-supported by both the applicant's assessment and the council's arboricultural expert. The mechanisms proposed will ensure these trees continue to provide amenity value along Ladies Mile and act as a buffer for the development behind. No additional arboricultural provisions are considered necessary beyond those already proposed.

7.8. Cultural Effects

281. The applicant has undertaken extensive engagement with mana whenua through both the fast-track consent and plan change processes, with Section 10 of this report setting out a summary of engagement. While there are no scheduled Sites of Significance to Mana Whenua within the plan change area, CIAs received identify the site as sitting within a broader cultural landscape connected to significant features including Maungakiekie (One Tree Hill), Maungawhau (Mt Eden), Te Kōpuke (Mt St John), Ōhinerau (Mt Hobson) and Maungarei (Mt Wellington). The site was historically associated with movement between the Manukau Harbour and Ōrākei Basin, while the wider racecourse area contained lava caves known as Waiatarua ("two songs"), named for the sound created by water and air moving through the cave system.
282. Three detailed CIAs have been provided by Ngāi Tai ki Tāmaki, Ngāti Te Ata Waiohua and Ngaati Whanaunga. These identify common themes around the cultural significance of the surrounding maunga, traditional movement patterns across the landscape, and the historic use of the fertile volcanic soils for cultivation. The CIAs provide recommendations focused on recognition of cultural values through design elements, protection of existing natural features including mature pōhutukawa trees, appropriate stormwater management aligned with Te Mana o te Wai principles, and ongoing engagement through detailed design and implementation phases.
283. I consider that the applicant's engagement with mana whenua has been comprehensive, and ongoing, with hui held between November 2023 and April 2024. These hui have focused on implementing cultural elements approved through the fast-track consent process while also providing opportunity for input into the plan change provisions. Discussion has included road naming incorporating cultural values (see Figure 4 for confirmed names), integration of artwork and cultural markers within public spaces, and recognition of sight lines to significant maunga. Representatives from Ngāti Whātua Ōrākei, Ngāi Tai ki Tāmaki, Ngāti Paoa, Ngāti Tamaoho, Ngāti Te Ata, Ngaati Whanaunga and Ngāti Maru have participated in this engagement process, with opportunities identified for continued involvement through detailed design and implementation phases.



Figure 4 - Road Naming Approved for Plan Change Site

284. The precinct provisions propose several mechanisms to recognise and provide for cultural values identified through the engagement process. These include protection of mature pōhutukawa trees along Ladies Mile, and integration of cultural design elements within public spaces including the Belvedere Gardens and trackside walkway. The Remuera Precinct Landscape documentation in Appendix A of the precinct provisions, which several standards require compliance with, specifically incorporates cultural narratives and design elements developed through engagement with mana whenua. This includes provision for cultural markers and artwork at key locations that recognise sight lines to maunga and historical movement patterns across the landscape. The precinct requires compliance with the approved SMP, which has been compiled in accordance with Te Mana o te Wai principles.
285. Overall, I consider that the PPC adequately recognises and provides for cultural values associated with the site. While no Sites of Significance to Mana Whenua are scheduled within the plan change area, the applicant has undertaken genuine and ongoing engagement with mana whenua that has informed both the fast-track consent design and plan change provisions. The precinct provisions, particularly through the standards requiring compliance with the Remuera Precinct Landscape documentation, provide mechanisms to ensure cultural values continue to be recognised through detailed design and implementation. I note that these measures were achieved through the existing AUP policy framework, and the Remuera Precinct further supports those outcomes.
286. While Ngāti Te Ata's submission seeks to ensure their CIA recommendations are given effect to (see Section 10 for further discussion), the proposed precinct

provisions appear to appropriately secure the key cultural design elements and outcomes identified through their CIA and ongoing engagement process.

7.9. Economic Effects

287. The applicant has provided an Economic Impact Assessment prepared by Market Economics Ltd dated September 2023, with economic effects also addressed in Section 9.2 of their AEE. These assessments focus primarily on quantifying the economic impacts of development enabled by the plan change, including direct, indirect and induced effects on GDP and employment. The council's economics expert, Mr. Derek Foy, has reviewed these assessments alongside the additional information provided through the clause 23 process.
288. The applicant's assessment indicates that development under the plan change would generate total direct value added of \$55.2 million and sustain approximately 1,083 job years through the construction period. Mr. Foy has reviewed and agrees with both the methodology applied and these projected figures, noting however that they represent the development's 'economic footprint' within the existing economy rather than necessarily being entirely additional to the Auckland economy, as some effects would be transferred from other residential construction projects.
289. In terms of indirect and induced effects, the applicant's assessment projects that flow-on impacts through the wider economy would generate total value added of \$218.6 million (including direct effects) and sustain the equivalent of 3,278 job years once indirect and induced effects are considered. Mr. Foy accepts that these broader economic impacts, alongside the direct construction and development expenditure, represent positive economic effects that are relevant when assessing the merits of the plan change under the RMA.
290. The applicant's assessment did not specifically evaluate whether commercial space should be provided within the plan change area. Mr. Foy's analysis indicates that while a small Neighbourhood centre of several stores would be sustainable in the precinct given the catchment of nearly 1,000 households (including surrounding areas), such provision is not critical given the proximity to existing centres. He notes that the fast-track consents for the site include 150m² of commercial floorspace near the entrance at Abbotts Way/Ladies Mile, which while limited in scale, will provide some opportunity for retail or service activity. The proposed THAB zoning in this location would continue to provide for this type of small-scale commercial activity, subject to a resource consent process, with dairies and restaurants/cafes up to 100m² per site provided for as restricted discretionary activities.
291. Mr. Foy considers that most local convenience retail supported by residents of the precinct and surrounding areas will need to be provided outside the precinct. While the Ellerslie Racecourse Precinct permits some commercial activity, he notes that accessibility constraints make this an unlikely location to service the plan change area. Instead, residents are more likely to utilise the existing Neighbourhood centres at Marua Road (950m east) or Upland Road (800m north), or the Ellerslie Town Centre (800m south).
292. The applicant's s32 evaluation identifies several other positive economic effects beyond those quantified in the Economic Impact Assessment. Mr. Foy agrees with these conclusions, particularly that the plan change would provide "much needed housing in Auckland" in a location well-served by existing infrastructure, and would support the operation of the nearby Ellerslie Town Centre. He also notes that the

location will avoid many negative economic effects that can arise from residential development on the urban fringe, as proximity to existing urban facilities including public transport, shops, schools and employment opportunities will enable efficient access to regular destinations.

293. Overall, Mr. Foy supports the plan change from an economics perspective. He concludes that the plan change area is in an appropriate location that would contribute to a well-functioning urban environment, would have no real potential for adverse economic effects, and would generate positive economic effects including providing additional dwelling capacity in an accessible location. While a more substantial commercial offering could improve convenience for local residents, the limited provision enabled by the proposed zoning is considered appropriate given the site's proximity to existing centres. I adopt Mr. Foy's findings.

7.10. Parks and Recreation Effects

294. The plan change site is located within the Ōrākei Local Board area, where open space provision is guided by the Ōrākei Local Board Open Space Network Plan. The site is well-served by existing open spaces, with the entirety of the site being located a maximum of 300m from Derby Downs Domain to the south and just outside the 400m radius of Koraha Reserve to the east. The Ōrākei Local Paths (Greenways) Programme Plan also identifies priority routes in the vicinity, including Route 4.0 (Ellerslie to the Sea) and Route 6.0 (Greenlane to the Sea), though these do not directly traverse the plan change area.
295. The applicant has proposed a network of privately-owned, but publicly accessible open spaces and pedestrian connections throughout the precinct, as shown on Precinct Plan 2 - Open Space & Features. This includes open spaces along the trackside walkway, the Belvedere Gardens connection from Ladies Mile to the racecourse, and a series of garden streets. The applicant's landscape and urban design assessments emphasise how these elements will contribute to site amenity and integrate with the surrounding open space network, while the proposed precinct provisions aim to secure these outcomes through specific standards and assessment criteria.
296. The council's Parks Planning expert, Ms. Roja Tafaraji, has reviewed the proposal with a particular focus on how the precinct will contribute to and secure the open space network linking open spaces and greenways, including adjacent precincts. While supporting the overall approach, she recommends minor amendments to Policies (1) and (6) to better reinforce public accessibility outcomes in the policy framework, and updating the precinct plan reference in Standard IXXX.6.4 from Plan 2 to Plan 3 to ensure consistency with where these routes are shown.
297. While I agree these changes would improve the provisions, I note that no submissions have raised issues regarding open space in such a way that would provide scope for amendments to Policies (1) and (6). The Precinct Plan reference correction within Standard IXXX.6.4 however is considered within scope of Auckland Council's submission point 9.1 seeking improvements to plan drafting and consistency.
298. Ms. Tafaraji also recommends introducing a new standard (IXXX.6.14) to control the interface between the publicly accessible pedestrian route and Ellerslie Racecourse, requiring any fence, wall or structure within 2m of the boundary to be no higher than

1.5m and at least 50% permeable. The purpose of the recommended standard is to "ensure a safe, attractive, and integrated interface between the shared boundary".

299. Having visited the site, I note there is already a substantial solid boundary fence between the racecourse and plan change site. I understand this fence serves safety and security functions for the racecourse operation. I consider that the proposed standard would be difficult to implement in practice as the racecourse operator could locate their required fencing marginally within their own land, outside the Remuera Precinct boundary where the standard would not apply. Furthermore, this interface was not identified as requiring specific control or mitigation through the fast-track consent process, and as an existing interface, the proposed standard would only potentially apply where the fence is being upgraded or replaced. In the latter case, existing use rights under s 10 of the RMA may apply such that a resource consent would not be required to infringe the standard in any case. Finally, I consider there to be no scope within the submissions that would allow the standard to be proposed. For these reasons, I do not support the recommended interface standard.
300. The applicant may however wish to provide further evidence regarding operational requirements for safety and security along this shared boundary, should the hearings panel consider this matter within scope of the submissions and be inclined to support such a standard.
301. Overall, I consider that the parks and recreation effects of the plan change will be acceptable. While amendments to strengthen the policy framework around public accessibility have been suggested by the council's parks expert, these are not within scope of submissions and in any case, the notified precinct provisions already provide appropriate mechanisms to secure the proposed network of publicly accessible open spaces and pedestrian routes through Standard IXXX.6.4. While no gaps in open space provision have been identified for the area, the proposed connections will enhance integration with the surrounding open space network and contribute positively to local amenity.

7.11. Archaeological and Built Heritage Effects

302. The applicant's assessment of archaeological effects is set out in Section 8.4 of their AEE, supported by a detailed Archaeological Assessment prepared by Clough & Associates. The archaeological assessment updates earlier assessments undertaken for both the fast-track consent application and Heritage New Zealand Pouhere Taonga (HNZPT) Authority application. The applicant has obtained an Authority from HNZPT (Authority no. 2022/568) for earthworks required to prepare the site for development, which requires archaeological monitoring and recording in accordance with an approved archaeological management plan. The site is now heavily earthworked as part of implementing the fast-track consents.
303. The applicant's archaeological assessment identified only one archaeological feature within the plan change area - concrete/brick foundations that could potentially be the remains of a 19th century reservoir (recorded as site R11/3378). While a former burial cave (R11/61) was previously recorded within the area, subsequent research demonstrated that any caves were located on the southern half of the racecourse, with the referenced burial cave likely destroyed during construction of SH1. The assessment also considered the dwelling at 99 Ladies Mile, constructed in 1908 using elements from a deconstructed Stewards Stand, but noted it has been extensively modified. Overall, the archaeological assessment concluded there was

low potential for additional unidentified archaeological remains within the plan change area.

304. No specific built heritage assessment was provided by the applicant, which is considered appropriate given the site contains no scheduled historic heritage places and the only building of potential heritage interest (99 Ladies Mile) has been extensively modified.
305. The council's heritage specialist, Ms. Rebecca Ramsay, has reviewed the application materials and confirmed there are no additional archaeological or built heritage assessment requirements, noting that a fast-track consent and archaeological authority have already been obtained for works on site. This assessment aligns with the applicant's conclusion that there are limited archaeological values remaining within the plan change area, with the most significant potential having been appropriately managed through the HNZPT Authority process.
306. The existing AUP framework includes accidental discovery protocols for both district and regional earthworks activities, including infrastructure works. These provisions provide appropriate safeguards for managing any unexpected archaeological discoveries during future development enabled by the plan change, although the potential for such discoveries is considered low given the extent of earthworks already undertaken on the site. The conditions of the HNZPT also ensure appropriate procedures are in place for archaeological monitoring and recording during the current development phase. Whether or not the plan change were to proceed, this authority and its requirements would need to be complied with.
307. Overall, I consider that the archaeological effects of the plan change will be acceptable. While there were archaeological considerations for the site, these have been appropriately addressed through the fast-track consent process and HNZPT requirements. The existing AUP framework provides suitable mechanisms for managing any unexpected discoveries during future development, and no additional precinct-specific provisions are considered necessary. This conclusion is supported by the council's heritage specialist and aligns with the findings of the applicant's archaeological assessment.

8. CONSULTATION INCLUDING LOCAL BOARD VIEWS

308. The applicant has engaged in consultation with various stakeholders throughout the development of the PPC. A record of this consultation has been provided, comprising summary information, minutes of hui, and presentation material.
309. This consultation initially began as part of the process of applying for resource consents under the COVID-19 Recovery (Fast-track Consenting) Act 2020. Following the approval of the fast-track consents, the applicant has continued engagement with stakeholders, particularly with iwi groups, on matters such as road naming, artistic concepts, and cultural monitoring.
310. The applicant engaged with representatives of Ngāti Whātua Ōrākei, who attended multiple hui including in May and June 2022. They have continued to be involved in post-consent discussions regarding road naming, artistic concepts, and berm planting strategies. Ngāti Whātua Ōrākei confirmed they did not need to prepare a CIA and would continue engagement through the hui process.

311. The applicant engaged with Ngāi Tai ki Tāmaki Trust, with a representative attending a site visit and hui on 24 May 2022 to discuss cultural values and interests associated with the area. Ngāi Tai ki Tāmaki provided a CIA which acknowledges the proposal and identifies opportunities to reflect cultural values in the ongoing design and development.
312. The applicant engaged with Te Ākitai Waiohua, who advised that this was not within their priority area of interest and did not wish to engage further on this occasion.
313. The applicant engaged with both the Ngāti Paoa Iwi Trust and Ngāti Paoa Trust Board. Representatives from both groups attended initial hui in May 2022 and a workshop in June 2022. While they initially expressed interest in preparing a CIA, Ngāti Paoa Iwi Trust later confirmed they did not need to produce one and would continue to participate through project hui.
314. Ngāti Maru representatives have actively participated in the consultation process, including attending hui and participating in cultural monitoring site inspections as recently as April 2024.
315. The applicant initially engaged with Ngāti Tamaterā in March 2022 regarding potential housing development opportunities. While they initially confirmed interest and received detailed project information, the applicant advises that no additional response was received despite follow-up attempts.
316. The applicant engaged with Ngāti Te Ata Waiohua through multiple hui, including specific discussions on road naming, artistic concepts, and cultural monitoring. Ngāti Te Ata Waiohua provided a CIA for the proposed development.
317. Ngaati Whanaunga Incorporated Society were also actively engaged in the applicant's consultation process and have provided a CIA for the proposal.
318. The applicant engaged with Ngāti Tamaoho Trust representatives who attended initial hui in May and June 2022. While they initially expressed interest in providing a CIA, they later advised they were unable to prepare a CIA report at this time. Ngāti Tamaoho representatives have continued to participate in post-consent hui through 2023 and 2024.
319. The applicant advises that they also attempted to engage with several other iwi authorities representing Te Kawerau ā Maki, Te Patukirikiri, Ngāti Whātua, Waikato-Tainui, Ngāti Hako, Ngāti Whātua o Kaipara, and Te Ahiwaru - Waiohua. Initial contact was made with these groups in August 2021 or February 2022, but no responses were received despite follow-up reminder emails.
320. The applicant consulted with several Auckland Council departments and Council-Controlled Organisations (CCOs). These included Watercare regarding water and wastewater servicing, Auckland Transport regarding transport network integration, trip generation, mode shift, and necessary upgrades, and Healthy Waters regarding stormwater management and the proposed stormwater management plan. The Auckland Council Planning and Resource Consents Department were consulted on structure and content of the PPC.
321. The applicant has consulted with nearby property owners, and various community groups, including the Ellerslie Business Association, Ellerslie Residents Association,

Remuera Heritage Association, and Remuera Residents Association, through letters and meetings.

322. The Ōrākei Local Board was provided with a report by council staff at their business meeting on 17 October 2024. Council staff were available to answer process related questions from the local board in relation to the plan change.

323. The following resolutions were passed in relation to PPC104 (included in Appendix 3):

That the Ōrākei Local Board:

- a) *note the purpose of the plan change is to rezone the property from Special Purpose – Major Recreation Facility zone to a combination of Residential - Terrace Housing and Apartment Buildings zone and Residential – Mixed Housing Urban zone. The property reflects the area of current construction.*
- b) *acknowledge the effects and issues raised by locals regarding the Fletcher proposal and existing development (concerns about traffic, height, infrastructure etc.) and agree that these are adverse effects on the surrounding environment.*
- c) *note the impacts of private plan changes - they often have dramatic impact on the need for improved infrastructure and involve considerable loss of biodiversity which has been the case with The Hill development of what was known as Ellerslie Racecourse.*
- d) *highlight that private plan change applications need to be considered in a holistic context. Large recreational areas traditionally used for certain purposes such as golf or horseracing need to be re-purposed with new recreational uses to meet future needs and sustainability, rather than given over to densification.*
- e) *note concern at the potential for further variations to existing proposals within the subject area and densification in adjacent areas to be applied for once this type of Plan Change is approved on the grounds that there is a permitted baseline of densification creeping into the area.*
- f) *note that Fletcher Residential has already been granted resource consent and started construction.*
- g) *support moving away from a Special Purpose – Major Recreation Facility zone to a combination of Residential - Terrace Housing and Apartment Buildings zone, and Residential – Mixed Housing Urban zone, as maintaining the Special Purpose – Major Recreation Facility zone MAY undermine council's ability to VALUE and appropriately rate residential units, and to control housing density.*
- h) *appoint Member Troy Churton to speak to the local board views at a hearing on private plan change 104.*
- i) *delegate authority to the Chairperson of Ōrākei Local Board to make a replacement appointment in the event the local board member appointed in resolution h) is unable to attend the private plan change hearing.*

324. Overall, I consider the consultation undertaken by the applicant to be thorough and appropriate for a private plan change of this nature. The applicant has made efforts to engage with a wide range of stakeholders, including Mana Whenua, the local community, and relevant council departments and CCOs. This consultation process began during the earlier resource consent application for the fast-track consents and has continued through the plan change development.

325. The detailed records of engagement, including the provision of information, hui, and the preparation of cultural impact assessments, demonstrate in particular the

applicant's commitment to understanding and incorporating the perspectives of mana whenua into the project including the PPC.

326. Engagement with the local community, including adjacent landowners and residents' associations, has allowed the applicant to understand and respond to key concerns, particularly around issues like traffic, building height, and infrastructure capacity. While some residual concerns remain, as evidenced by the Ōrākei Local Board's feedback, and a number of the submissions received, the applicant has made reasonable efforts to address these matters through the plan change provisions.
327. A summary of consultation undertaken in preparation of PC104 is provided in the 'Section 32' evaluation report and as supplementary consultation summary documents, attached as **Appendix 3** to this report. This Appendix also includes a full text copy of the Ōrākei Local Board views on the PPC.

9. NOTIFICATION AND SUBMISSIONS

9.1. Notification details

328. Details of the notification timeframes and number of submissions received is outlined below:

Date of public notification for submissions	25 July 2024
Closing date for submissions	22 August 2024
Number of submissions received	14
Date of public notification for further submissions	26 September 2024
Closing date for further submissions	10 October 2024
Number of further submissions received	0

329. All 14 submissions were received on time. There were no late submissions. Copies of the submissions are attached as **Appendix 4** to this report.

10. ANALYSIS OF SUBMISSIONS

330. The following sections address the submissions received on PC104. It discusses the relief sought in the submissions, and makes recommendations to the Hearing Commissioners.
331. While submissions are commonly grouped thematically by common issues or similar relief sought, in this instance a predominantly submitter-based approach has been adopted. This approach was chosen because:
- The total number of submissions (14) is relatively modest. No further submissions were made,
 - Many individual submitters have raised multiple interrelated points that are best considered holistically,
 - The statutory stakeholder submissions (Auckland Council and Watercare) cover technical and procedural matters that warrant dedicated discussion, and
 - A submitter-based approach in this case provides a clearer framework for submitters to understand how their specific relief matters have been considered.

332. The exceptions to this submitter-based approach are:
- a. Submissions in full support or opposition, and
 - b. Pro forma submissions, which seek identical relief and can be efficiently addressed together.
333. Following this approach, submissions have been organised into the following groups, and in this order:
- Submissions supporting PC104 in its entirety (Submissions 1 and 2)
 - Submissions opposing PC104 in its entirety (Submissions 4, 5, 12)
 - Pro forma submissions supporting PC104 subject to amendment (Submissions 7, 13, 14)
 - Individual submitter sections:
 - a. Samuel Fielding (Submission 3)
 - b. Simon McMullen (Submission 6)
 - c. Deborah Anne Keightley (Submission 8)
 - d. Auckland Council (Submission 9)
 - e. Ngāti Te Ata Waiohua (Submission 10)
 - f. Watercare Services Limited (Submission 11)
334. Each of the following sections include a table setting out the relevant submission points and a recommendation on each point, with a discussion following each table.

10.1.1. Submissions supporting PC104 in its entirety

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planner's Recommendation
1.1	Kelsey Bergin	Approve the plan change without amendments	None	Accept
2.1	Stephanie Gale	Approve the plan change without amendments	None	Accept

Discussion

335. The submissions from Kelsey Bergin and Stephanie Gale both express support for PC104 and seek that the plan change be approved without any amendments. These submitters consider the proposed zoning and development outcomes to be appropriate, recognising the need to provide more housing in well-connected urban areas to help address Auckland's housing shortage.
336. I agree with the submitters' views, considering that the plan change aligns with the already consented fast-track development and will enable a suitable level of residential intensification in proximity to public transport and other amenities.
337. No issues have been identified that would warrant declining or amending the plan change in response to these submissions.

Recommendations on submissions

338. That submissions 1 and 2 be **accepted** for the following reasons:
- a. The plan change aligns with the already approved fast-track consents, and the proposed Remuera Precinct and THAB and MHU zoning is appropriate.

339. There are no amendments associated with this recommendation.

10.1.2. Submissions opposing PC104 in its entirety

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planner's Recommendation
4.1	Katarina Pochyba	Decline the plan change	None	Reject
5.1	Vita Nova Projects Ltd	Decline the plan change	None	Reject
12.1	Elizabeth Leuchars	Decline the plan change	None	Reject

Discussion

340. Submissions 4, 5 and 12 all seek to have PC104 declined in its entirety. The key reasons cited include concerns about building height and density, impacts on traffic and infrastructure capacity including schools, and effects on local character and amenity. Submission 5 also raises concerns about the loss of recreation areas.
341. I consider that matters raised regarding building height, density, traffic and infrastructure have been appropriately addressed through the plan change provisions and the approved fast-track consents for the site. The 25m building height in the THAB zone, and the mix of THAB and MHU zoning, provide for a suitable level of intensification in this accessible location, while managing effects on neighbouring properties.
342. The transport network upgrades required under the plan change, including the 357-dwelling cap, will ensure the development can be accommodated without compromising the safety and efficiency of the surrounding road network. Similarly, the comprehensive stormwater management approach and required infrastructure upgrades will address any potential effects on infrastructure capacity.
343. Regarding the concern about loss of recreation areas raised in submission 5, the site was previously used for steeplechase racing which has been discontinued. This was not land that was publicly accessible for recreation, whereas I note the proposed precinct will contain public open space areas and walking connections that, albeit privately owned, will be publicly accessible, secured through specific precinct provisions and the existing fast-track consent conditions. The PPC does not impact the ongoing operation of the wider Ellerslie Racecourse precinct, which will continue to cater for major recreation activities.
344. In relation to education capacity raised in submission 12, I consider that this effect would eventuate regardless of whether the PPC is approved, as the fast-track consents are already approved and underway in terms of enabling residential housing on the site. The split school zoning approach for the site as confirmed by the applicant provides opportunities for students to attend a number of schools in the surrounding area.
345. Overall, I consider that the plan change strikes an appropriate balance between enabling housing in a well-connected urban area, while managing effects on the surrounding environment and community. No compelling reasons have been identified to decline the plan change in its entirety in response to these opposing submissions.

Recommendations on Submissions

346. That submissions 4, 5 and 12 be **rejected** for the following reasons:

- a. The concerns raised are appropriately addressed through the proposed plan change provisions and the approved fast-track consents that are being given effect. The plan change enables efficient use of the land for housing in an accessible location, with effects on infrastructure, character, amenity and recreation being suitably managed either via the proposed precinct provisions, or the existing AUP framework.

347. There are no amendments associated with this recommendation.

10.1.3. Pro forma submissions supporting PC104 subject to amendment

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planner's Recommendation
7.1	Ian Calhaem	Move Interface Control Area from boundary with Hunterville Court/Derby Downs to boundary between racecourse and new development	None	Reject
7.2	Ian Calhaem	Retain existing provisions of THAB zone	None	Reject
7.3	Ian Calhaem	Retain existing provisions of MHU zone	None	Reject
7.4	Ian Calhaem	Retain existing height to boundary conditions as consented through Fast Track consent	None	Reject
7.5	Ian Calhaem	Include pedestrian crossing opposite 15 Derby Downs Place	None	Accept
7.6	Ian Calhaem	Add pedestrian crossing across Morrin St to Robert St	None	Reject
13.1-13.6	Craig McErlane	Pro forma submission - seeks identical relief to submission points 7.1-7.6	None	As per above for submission points 7.1-7.6
14.1-14.6	McErlane Investment Trust	Pro forma submission - seeks identical relief to submission points 7.1-7.6	None	As per above for submission points 7.1-7.6

Discussion

348. Submissions 7, 13 and 14 are pro forma submissions that seek identical amendments to PC104, specifically:

- a. Moving the Interface Control Area (ICA) from the boundary with dwellings on Hunterville Court/Derby Downs to the boundary between the racecourse and new development,
- b. Retaining the existing provisions of the operative MHU and THAB zones,
- c. Retaining the existing height to boundary conditions as consented through the fast-track consent for The Hill development,
- d. Including a pedestrian crossing opposite 15 Derby Downs Place to provide safe access from the plan change site to Lonsdale Street, and

- e. Adding a pedestrian crossing across Morrin St to Robert St.
349. With regard to the location of the ICA, the applicant provided an assessment in their clause 23 response dated 16 May 2024, which I agree with and adopt. The assessment notes several relevant considerations:
- a. The existing racecourse track provides a 35m wide buffer between activities,
 - b. A recent investment in the StrathAyr surface indicates this track buffer will remain for the foreseeable future,
 - c. The approach without an ICA is consistent with how the AUP treats other 'internal' boundaries adjacent to the Ellerslie Racecourse, such as in the Ellerslie 1 precinct, and
 - d. The proposed swale and footpath within the Remuera Precinct along the shared boundary will provide additional separation.

Submitter points 2 and 3 of the proformas seek to retain the existing provisions of the THAB and MHU zones respectively. However, a fuller reading of the submissions illustrates some confusion as to what the submitters understand these zones to permit against what was consented to through the fast-track consents. The fast-track consents approve medium and high-density residential development and specifically types and numbers of dwellings for each new site to the proposed total of 357 for the whole area. The PPC seeks to establish the operative MHU and THAB zones of the AUP to align with the masterplan layout of the fast-track consent. The current MHU zone provisions already enables three dwellings per site provided they meet the relevant development standards. The current THAB zone provisions require a restricted discretionary activity consent to develop any dwellings on site.

350. The submitters reference to the 'increase in dwellings per site from 1 to 3' as being contrary to the fast-track approval presumably reflects their misunderstanding of the additional mandatory incorporation of MDRS within the precinct as required by section 77G of the RMA. As explained in section 6.4.1 of this report the applicant does not propose to amend the provisions of the proposed underlying operative zones of MHU and THAB. The proposed precinct proposes these modifications through incorporating the MDRS which enable the development of three dwellings per site as a permitted activity. The precinct also proposes a cap on development at 357 dwellings as per the approved fast-track consent.
351. The submitters acknowledge the cap on development but doubt that the proposed layout will be achieved due to the 'proposed' increase to 3 dwellings per site and also the proposed modifications of the MHU height to boundary provisions.
352. I consider that this is particularly unproblematic for the THAB-zoned portions of the site where apartment buildings containing significantly more than three dwellings are already approved under the fast-track consent, and where any development exceeding the proposed 357-dwelling cap (applying across the entirety of the precinct, but would also affect any one site where additional dwellings may be proposed) would require non-complying activity consent. Similarly, the height in relation to boundary standards must reflect the MDRS requirements rather than those approved under the fast-track consent.
353. Regarding pedestrian connectivity between the site and Lonsdale Street, a crossing facility opposite 15 Derby Downs Place was previously approved as part of the fast-track consents and has received Engineering Plan Approval. The applicant has confirmed in their memorandum dated 8 November 2024 that they propose to incorporate this crossing into the plan change provisions. The inclusion of the

crossing in the precinct provisions is supported by the council's transport specialist as it will improve safety and accessibility. I consider that its inclusion will align with the precinct objectives for an accessible, safe and well-connected transport network.

354. The submitters also recommend that the council consider an additional pedestrian crossing across Morrin Street to Robert Street. While this suggestion appears directed at the council rather than as a specific amendment to the PPC, it has merit in terms of providing a safer walking connection to Ellerslie Station. However, as this crossing would be located approximately 300m south of the precinct, and wasn't required as part of the fast-track consents (which enable the same development intensity as proposed through the precinct dwelling cap), this would be more appropriately pursued by the council through other processes.

Recommendations on submissions

355. That submissions 7, 13 and 14 be resolved as follows:

Accept submission points 7.5, 13.5 and 14.5 for the following reasons:

- a. The pedestrian crossing facility opposite 15 Derby Downs Place was previously approved through the fast-track consent process and has received Engineering Plan Approval.
- b. Other transport upgrades are already referenced in the precinct.
- c. Inclusion of this specific upgrade will align with the precinct objectives for an accessible, safe and well-connected transport network.

Reject submission points 7.1-7.4, 7.6, 13.1-13.4, 13.6, 14.1-14.4 and 14.6 for the following reasons:

- d. Regarding submission points 7.1, 13.1 and 14.1 seeking relocation of the Interface Control Area to the racecourse boundary:
 - i. The existing racecourse track already provides a 35m wide physical separation,
 - ii. Recent investment in the StrathAyr surface indicates this buffer will remain long-term,
 - iii. The approach without an ICA is consistent with how the AUP treats other 'internal' boundaries adjacent to the Ellerslie Racecourse, such as in the Ellerslie 1 precinct, and
 - iv. Additional separation will be provided by the proposed swale and footpath within the Remuera Precinct.
- e. Regarding submission points 7.2-7.4, 13.2-13.4 and 14.2-14.4 relating to dwelling density and fast-track consent height to boundary conditions:
 - i. The submitters appear to misunderstand that the operative MHU zone (which is proposed) already enables three dwellings per site as a permitted activity,
 - ii. The incorporation of MDRS within the precinct is mandatory under section 77G of the RMA, including its height in relation to boundary standards, and
 - iii. The MDRS enabling of three dwellings in THAB-zoned areas is considered unproblematic given these areas are already approved for multi-unit apartment development under the fast-track consent, and any change to the number of dwellings within these parts of the site would be considered alongside the dwelling cap proposed.
- f. Regarding submission points 7.6, 13.6 and 14.6 suggesting a pedestrian crossing across Morrin Street to Robert Street:

- i. While potentially beneficial for improving walking connections to Ellerslie Station, this would be more appropriately pursued by the council through other processes given its location approximately 300m south of the precinct, and
- ii. It was not required as part of the fast-track consents which enable the same development intensity as proposed through the precinct dwelling cap.

356. The amendments relating to the Derby Downs Place pedestrian crossing facility are set out in **Appendix 9** to this report. I note for clarity that these recommended amendments are my own and differ from those indicatively proposed by the applicant in their 8 November 2024 memorandum.

10.1.4. Submission by Samuel Fielding

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planner's Recommendation
3.1	Samuel Fielding	Seeks additional roading that links Ladies Mile to Greenlane East and/or Peach Parade	None	Reject

Discussion

357. Submission point 3.1 from Samuel Fielding requests additional roading connections linking Ladies Mile to Greenlane East and/or Peach Parade. The submission raises concerns about existing traffic congestion on Ladies Mile and contends that additional road connections are needed to manage increased traffic from the proposed development.
358. The council's transport specialist, Mr. Van der Westhuizen, has reviewed this request for relief and concludes that additional road connections would not mitigate traffic effects more effectively than the measures already proposed through the plan change. His assessment confirms that the current roading layout and proposed upgrades are sufficient to manage the effects of development enabled by the plan change.
359. The PPC includes comprehensive transport infrastructure upgrades that will appropriately manage traffic effects, including signalisation of the Derby Downs Place/Ladies Mile intersection, new pedestrian crossings, and bus stop improvements. These upgrades were determined through detailed traffic modelling undertaken for the fast-track consent process. The plan change reinforces these outcomes through specific provisions including Standard IXXX.6.13, Table IX.6.13.1 and Precinct Plan 3, while also introducing a non-complying activity rule for any proposed exceedance of a 357 dwelling cap to ensure traffic effects remain within the parameters already assessed.
360. Additional road connections as requested would require land outside the plan change area and would likely impact established residential areas and potentially compromise racecourse operations. Given that the technical assessment confirms the proposed roading layout and upgrades will appropriately manage effects, and considering the practical constraints of providing additional connections, I recommend that the relief sought be rejected.

Recommendation on Submission

361. That submission 3.1 be **rejected** for the following reasons:
- The current roading layout and proposed upgrades are sufficient to manage traffic effects,
 - Additional road connections would not provide more effective mitigation,
 - The proposed dwelling cap and other precinct provisions ensure effects remain within acceptable limits, and
 - Practical constraints make additional connections unfeasible.
362. There are no amendments associated with this recommendation.

10.1.5. Submission by Simon McMullen

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planner's Recommendation
6.1	Simon McMullen	Seeks clarification on whether a full sized flush median strip will be installed along Ladies Mile, and in particular properties at 82-88 Ladies Mile, opposite the development.	None	Reject
6.2	Simon McMullen	Seeks further details of roading layouts (figures 4.5-4.12) to consider vehicles entering/exiting the residential slip lane	None	Reject
6.3	Simon McMullen	Seeks clarification on design and strength of current slip lane barrier	None	Reject
6.4	Simon McMullen	Seeks clarification on increased risk of slip lane barrier being struck by vehicles with new roads/layouts	None	Reject
6.5	Simon McMullen	Seeks confirmation of plans for on-road parking	None	Reject
6.6	Simon McMullen	Seeks clarification on proposals to reduce single lane congestion between 70-88 Ladies Mile at peak times	None	Reject
6.7	Simon McMullen	Seeks clarification on impacts of 25m building heights on privacy, daylight access and zone character	None	Reject

Discussion

363. The submission from Simon McMullen predominantly seeks clarification and further information regarding various aspects of the plan change, particularly focused on roading arrangements and potential effects on properties along Ladies Mile. While the submission states it seeks decline unless amendments are made, no specific amendments to the plan change provisions are identified.
364. In terms of roading matters (submission points 6.1-6.4), the submitter seeks confirmation regarding the proposed flush median strip along Ladies Mile and clarification of various aspects of the residential slip lane serving properties at 82-88 Ladies Mile. These matters have been assessed by the council's transport specialist Mr. Van der Westhuizen and Ms. Fonua, planner for Auckland Transport. Their

reviews confirm that a flush median will be provided along Ladies Mile as shown in the approved Engineering Plans, which will assist turning movements and improve safety for all road users. Regarding the slip lane, Ms. Fonua's assessment concludes that the existing barrier serves primarily as visual delineation, and the fast-track development and PPC are unlikely to increase risk to this infrastructure given the approximately 25-metre separation distance between the Upper Loop Road and slip lane. While the council's transport specialist Mr. Van der Westhuizen has recommended showing the flush median on Precinct Plan 3 to ensure future certainty, this is not in response to specific relief sought through submissions as the flush median is already secured through the fast-track consent conditions and EPAs.

365. The submitter's queries regarding on-street parking and traffic congestion (submission points 6.5-6.6) have been assessed by both Mr. Van der Westhuizen and Ms. Fonua. While some on-street parking spaces will be removed, particularly along Ladies Mile, this reflects EPAs already granted and will be subject to separate resolution processes. These spaces are predominantly adjacent to the PPC site where there are currently no pedestrian facilities, and their removal is unlikely to significantly impact existing residents who typically have on-site parking. Regarding congestion effects, Mr. Van der Westhuizen's review of SIDRA modelling confirms that while some additional delays will occur, these are within acceptable limits with average intersection delays increasing by less than 20 seconds and Levels of Service remaining similar to existing conditions.
366. The concerns raised about potential effects of building height on privacy, daylight access and zone character (submission point 6.7) were comprehensively assessed through the fast-track consent process. The council's urban design expert Mr. Brown confirms that the plan change provisions will not enable development with materially different effects from what has already been found acceptable through that process, noting that he has been "unable to identify any changes to the Precinct's development proposals that were not evaluated and tested in respect of the fast-track consent".
367. I note that while information has been provided through technical assessments that addresses the submitter's queries and confirms effects are acceptable, the submission points do not seek specific amendments to the plan change provisions that could be granted. The matters raised are either already addressed through the fast-track consent process and associated Engineering Plan Approvals, are detailed design matters outside the scope of the plan change, or relate to effects that have been assessed as acceptable through technical review.
368. Although the submission seeks decline of the PPC unless amendments are made, in the absence of any specific amendments being identified, I consider that there are no changes to the plan change provisions that can appropriately be made in response to this submission.

Recommendation on Submission

369. That submission points 6.1-6.7 be **rejected** for the following reasons:
- a. The submission points seek information and clarification rather than specific amendments to the plan change provisions,
 - b. While the information requested has been provided through technical assessments, there is no specific relief sought that can be granted through amendments to the plan change,

- c. The matters raised are either:
 - i. Already addressed through the fast-track consent process and EPAs,
 - ii. Detailed design matters outside the scope of the plan change, or
 - iii. Effects that have been assessed as acceptable through technical review, and
- d. Although the submission seeks decline of PC104 unless amendments are made, no specific amendments have been identified that could be incorporated into the plan change provisions.

370. There are no amendments directly associated with this recommendation. However, while submission point 6.1 seeking clarification about the flush median is rejected (as it does not seek specific relief), the submission overall raises the flush median as a matter of concern relating to traffic safety and efficiency. I consider that this provides scope for the recommended amendment to incorporate the flush median into Precinct Plan 3 and Table IX.6.13.1, as supported by the council's transport specialist Mr. Van der Westhuizen to ensure future certainty regarding this infrastructure element.

10.1.6. Submission by Deborah Anne Keightley

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planner's Recommendation
8.1	Deborah Anne Keightley	Seeks to rezone the upper area near Ladies Mile to THAB zone	None	Accept in part
8.2	Deborah Anne Keightley	Seeks to rezone the lower/southerly area to Medium Density of 3/4 storeys rather than THAB	None	Reject

Discussion

371. Submission 8 seeks two key zoning outcomes - to enable THAB zoning along the Ladies Mile frontage while reducing the height and density provisions in the southern portion of the precinct from THAB to a medium density zone of 3-4 storeys, particularly in relation to the location of the retirement apartment building approved under the fast-track consents.
372. In terms of the Ladies Mile frontage, the submission can be accepted in part as THAB zoning is already proposed where apartment buildings are approved to be located. The proposed MHU zoning for the remainder of the Ladies Mile frontage provides an appropriate transition to existing residential areas adjoining the site. This zoning pattern reflects a built form that has been assessed as appropriate through both the fast-track consent process and the assessment of this PPC.
373. However, the relief seeking lower building heights and density in the southern portion of the precinct cannot be supported. While the plan change must be evaluated on its own merits, the fast-track consent process has determined that apartment development of up to 7 storeys in this location will have acceptable environmental effects. The proposed THAB zoning in this location appropriately provides for and reflects this scale of development. Applying a more restrictive zone enabling only 3-4 storeys would create misalignment between the zoning framework and built development already found to be appropriate for this part of site. Any future modifications to the approved apartment building would also be constrained by a

height limit that conflicts with the form of development sought through submission point 8.2.

374. Overall, the proposed location of THAB and MHU zoning provides for development that has been assessed as suitable for the site's context while ensuring the planning framework aligns with implementation.

Recommendations on Submission

375. That submission point 8.1 be **accepted in part** for the following reasons:
- a. THAB zoning is appropriate along Ladies Mile where apartment buildings are approved and provided for, and
 - b. However, the current proposed MHU zoning for remainder of Ladies Mile frontage provides appropriate transition to existing residential homes adjacent the site.
376. That submission point 8.2 be **rejected** for the following reasons:
- a. Would not align with scale of development already assessed as appropriate in this location,
 - b. Would create unnecessary restrictions on approved development that is underway on the site, and
 - c. The PPC appropriately zones for assessed built form outcomes.
377. There are no amendments associated with these recommendations.

10.1.7. Ngāti Te Ata Waiohua submission

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planner's Recommendation
10.1	Ngāti Te Ata Waiohua	Seeks that CIA Report recommendations are provided for	None	Reject

Discussion

378. Submission point 10.1 from Ngāti Te Ata Waiohua seeks that the Cultural Impact Assessment (CIA) report recommendations are provided for. A CIA was prepared by the submitter as part of the fast-track consent process and it includes recommendations across multiple areas including cultural design integration, tree protection, stormwater management, and ongoing engagement.
379. The plan change area is not subject to any Sites or Places of Significance to Mana Whenua overlay or other specific cultural heritage notations in the AUP. Cultural values and associations with the wider area have been acknowledged through the CIA and engagement process that informed both the fast-track consent and plan change design.
380. The existing AUP framework, including regional policy statement provisions around Mana Whenua values and various Auckland-wide provisions including for earthworks, provides an appropriate framework for considering cultural values through most resource consent processes. Key cultural outcomes identified in the CIA have already been secured through the fast-track consent conditions, including cultural monitoring requirements. Cultural narratives are also specifically incorporated

in the "Remuera Precinct Landscape" at Appendix A of the precinct provisions, which a number of key precinct features must comply with. The plan change maintains rather than alters this framework.

381. The submission does not identify any specific CIA recommendations that are not already provided for through the combination of existing AUP provisions, fast-track consent conditions, and proposed precinct provisions. While I am open to considering specific amendments if evidence is presented at the hearing identifying particular gaps in the current framework, based on the information currently available I consider these mechanisms appropriately provide for cultural values and CIA recommendations.

Recommendation on Submission

382. Unless more specific information is identified by the submitter in evidence as to the CIA recommendations not being provided for, that submission point 10.1 be **rejected** for the following reasons:
- a. Existing AUP framework appropriately provides for cultural values consideration,
 - b. Key cultural outcomes already secured through fast-track consent conditions, and
 - c. Cultural narratives are incorporated in precinct provisions through standards that require compliance with the Remuera Precinct Landscape document in Remuera Precinct Appendix A.

383. There are no amendments associated with this recommendation.

10.1.8. Auckland Council (ACS) submission

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planner's Recommendation
9.1	Auckland Council	Seeks various amendments to improve plan drafting, consistency with AUP style guide, and incorporation of MDRS	None	Accept in part
9.2	Auckland Council	Amend Precinct Plan 1 to remove the 25m height limit and instead use the Height Variation Control layer	None	Reject
9.3	Auckland Council	Change references from 'THAB zoned areas' to 'Sub-Precinct A' and 'Mixed Housing Urban zoned areas' to 'Sub-Precinct B'	None	Accept
9.4	Auckland Council	Review proposed Arterial Road Access Restriction rule and consider using existing Vehicle Access Restriction Control	None	Reject
9.5	Auckland Council	Review provisions and amend as necessary to reflect the AUP style guide	None	Accept in part
9.6	Auckland Council	Amend Policy IXXX.3(5) by replacing "Ensure" with "Require"	None	Accept
9.7	Auckland Council	Amend provisions to properly incorporate all MDRS requirements	None	Accept

9.8	Auckland Council	Clarify that all aspects of MDRS have been incorporated	None	Reject
9.9	Auckland Council	Review and where appropriate remove references to PC78	None	Accept
9.10	Auckland Council	Clearly annotate or identify any Qualifying Matters	None	Accept

Discussion

384. The ACS submission raises several matters regarding the drafting and content of the Remuera Precinct provisions. These include improving consistency with the AUP style guide and best practice for plan changes, appropriate incorporation of MDRS, use of existing AUP controls versus bespoke precinct provisions, and ensuring qualifying matters are properly identified.
385. The applicant has indicated through their memorandum dated 8 November 2024 that they propose comprehensive changes to address matters raised in the ACS submission, including MDRS incorporation and plan drafting improvements. While not specifically mentioned in the memorandum, the tracked changes that were attached also include amendments to various rules and standards, including the precinct-specific Vehicle Access Restriction provisions. Although the applicant's proposed changes demonstrate their intention to address the submission, my recommendations to accept or reject the various submission points, and the specific amendments set out in **Appendix 9**, are based on my independent assessment of each matter raised, as per below.
386. Submission points 9.1 and 9.5 seek various amendments to improve plan drafting and ensure consistency with the AUP style guide. Standardised formatting, terminology and structure across precincts improves plan interpretation and implementation, providing clarity for both plan users and decision-makers. While some precinct-specific provisions are warranted to achieve particular outcomes, I agree that established AUP drafting conventions should be followed wherever possible. The submission identifies several areas where the notified precinct provisions could better align with the AUP style guide, including formatting of activity tables, structure of assessment criteria, and consistent use of terminology. I recommend that these submission points are accepted in part, recognising that while general alignment with AUP style is appropriate and will improve plan usability, some precinct-specific variations may still be justified where necessary to achieve the intended outcomes for the Remuera Precinct. Specific recommended amendments pertaining to this submission point are set out in **Appendix 9** to this report.
387. Submission point 9.2 seeks that the 25m height limit shown on Precinct Plan 1 be removed and instead implemented through the Height Variation Control (HVC) AUP method. This relief is not supported. The areas where 25m height is proposed are within the proposed THAB zone portions of the precinct, making Policy H6.3(4) of the AUP relevant to considering the appropriate method for enabling additional height in these locations. This policy specifically directs that the HVC is to be applied in 'identified locations adjacent to centres' where additional height would provide appropriate transitions from higher density business zones and support the vitality of the adjoining centre. The Remuera Precinct is not located adjacent to a centre, and therefore application of the HVC would conflict with this policy direction. Managing the additional height through precinct provisions rather than the HVC is considered more appropriate given this policy.

388. Submission point 9.3 seeks to change references from 'THAB zoned areas' to 'Sub-Precinct A' and 'Mixed Housing Urban zoned areas' to 'Sub-Precinct B'. I recommend this relief is accepted. Using sub-precinct labelling rather than zoning descriptors aligns with AUP drafting conventions and provides a more enduring framework should underlying zoning change in the future. The use of sub-precinct labelling provides appropriate spatial identification of areas where different development controls apply within the precinct. This change needs to be consistently applied throughout the precinct provisions, not just on the precinct plans, to ensure effective implementation. Recommended amendments pertaining to sub-precinct labelling are set out in **Appendix 9**.
389. Submission point 9.4 seeks that the proposed Arterial Road Access Restriction rule and standard within the Remuera Precinct be reviewed and consideration given to using the existing Vehicle Access Restriction (**VAR**) Control in Chapter E27 Transport instead. This relief is not supported. While the submission suggests that infringement of the VAR Control would be a non-complying activity, this misinterprets the E27 provisions. The E27 VAR that would apply to this site under E27 are the arterial road control (Ladies Mile) and crossings within an intersection control (Ladies Mile and Abbots Way), both of which are restricted discretionary activities under rule E27.4.1(A5), relating to Standards E27.6.4.1(2) and E27.6.4.1(3). The precinct proposes a more stringent discretionary activity status for non-compliance, enabling a broader assessment of effects than would be possible under E27. The council's transport specialist Mr. Van der Westhuizen supports the precinct-based approach as providing appropriate control over access arrangements for this site, and providing for an outcome consistent with the granted fast-track consents. Adopting the relief sought would result in a less effective method for assessing the effects of additional vehicle access points onto Ladies Mile than is proposed through the precinct provisions. I have however recommended amendments that better clarify the function of the VAR, and the non-application of the relevant E27 rule.
390. Submission points 9.7 and 9.8 relate to the incorporation of MDRS within the precinct. Point 9.7 seeks amendments to properly incorporate all MDRS requirements, while point 9.8 seeks clarification that all aspects of MDRS have been incorporated. The precinct proposes to rezone land to MHU and THAB, both of which are 'relevant residential zones' as defined in section 2 of the RMA. Therefore, section 77G requires the incorporation of MDRS into the precinct provisions.
391. I recommend the relief sought in submission point 9.7 is accepted. While the notified precinct provisions included MDRS requirements through Appendix B, which technically satisfied section 77G, this approach did not clearly demonstrate how these requirements integrated with the precinct's objectives, policies, rules and development standards. A more comprehensive incorporation of MDRS within the main body of the precinct provisions will also provide better clarity for plan users.
392. Specific amendments to address this relief are set out in **Appendix 9** to this report, generally aligning with the draft changes proposed by the applicant in their 8 November 2024 memorandum, which represent a considered attempt to implement MDRS requirements while maintaining consistency with the wider precinct framework. I have however undertaken an independent assessment of these changes against Schedule 3A requirements, and made a number of changes, including corrections to numbering and cross-referencing, removal of some features that appeared to extend beyond the minimum Schedule 3A requirements, and ensuring that the amended provisions function properly alongside other parts of the AUP.

393. The recommended amendments are substantial and include integration of mandatory statutory requirements under Schedule 3A of the RMA, including objectives and policies (clauses 6(1) and 6(2)), permitted activity status for up to 3 dwellings (clause 2), notification requirements (clause 5), density standards (clauses 10-18), and subdivision provisions (clauses 7-9). The building height and apartment setback standards that were proposed at notification are recommended to be integrated into the MDRS standards. New matters for discretion and assessment criteria are recommended to guide an assessment of a resource consent required where one of the building density standards are infringed.
394. I recommend submission point 9.8 seeking clarification of MDRS incorporation is rejected. Granting the relief of clarification would not result in any specific amendments to the precinct provisions. Rather, the section 32AA analysis in section 11 of this report evaluates how the recommended amendments would achieve compliance with section 77G of the RMA.
395. Submission points 9.6 and 9.9 seek specific drafting amendments to the precinct provisions. Point 9.6 requests that Policy IXXX.3(5) be amended by replacing 'Ensure' with 'Require', which I recommend is accepted as this better aligns with AUP policy drafting conventions and more accurately reflects the directive nature of the stormwater management requirements. I have recommended a number of other wording changes along the same vein. Point 9.9 seeks removal of references to PC78 within the precinct provisions, which I also recommend is accepted. Including references to a plan change that is still in process could create implementation issues if that plan change is modified or does not proceed in its current form. The precinct provisions should be able to stand alone without relying on potential future changes to the AUP that could be withdrawn or be subject to challenge.
396. Submission point 9.10 seeks clear annotation or identification of qualifying matters within the precinct provisions. I recommend this relief is accepted. The notified precinct provisions already identified several rules and standards as being supported by qualifying matters under section 77I(j) of the RMA, including those relating to tree protection, apartment setbacks along Ladies Mile, and the maximum dwelling cap. The annotations reflect where the precinct proposes methods that are more restrictive than MDRS would otherwise enable. The submission point appropriately seeks to ensure that if further amendments are made to the precinct provisions through the submission process, any additional rules or standards that modify MDRS requirements are similarly assessed against section 77O and annotated if supported by a qualifying matter under section 77I.

Recommendations on Submission

397. That submission points 9.1 and 9.5 be **accepted in part** for the following reasons:
- a. Standardised formatting, terminology and structure across precincts improves plan interpretation and implementation,
 - b. Established AUP drafting conventions should be adhered to where possible, though some precinct-specific provisions are warranted; and
 - c. Changes need to be consistently applied throughout the precinct provisions to ensure effective implementation.
398. That submission point 9.2 be **rejected** for the following reasons:

- a. Application of the HVC would conflict with Policy H6.3(4) which directs its use to locations adjacent to centres,
 - b. The Remuera Precinct is not located adjacent to a centre, and
 - c. Managing additional height through precinct provisions is more appropriate given this policy context.
399. That submission point 9.4 be **rejected** for the following reasons:
- a. The submission misinterprets the activity status that would apply under E27 for vehicle access restrictions,
 - b. The precinct provisions enable a broader assessment of effects through a more stringent activity status, and
 - c. The proposed approach is supported by the council's transport specialist as providing appropriate control over access arrangements.
400. That submission points 9.3, 9.6, 9.7, 9.9 and 9.10 be **accepted** for the following reasons:
- a. The use of sub-precinct terminology rather than zoning descriptors is more appropriate in terms of referencing,
 - b. Use of 'Require' in Policy IXXX.3(5) better aligns with AUP policy drafting conventions and reflects the directive nature of stormwater management requirements,
 - c. MDRS requirements need to be comprehensively incorporated within the main body of the precinct provisions, to ensure legally correct integration,
 - d. References to PC78 could create future implementation issues and are not necessary, and
 - e. Appropriate annotation of qualifying matters ensures transparency around modifications to MDRS requirements.
401. That submission point 9.8 be **rejected** for the following reason:
- a. The submission point would not result in any specific amendments to the precinct provisions, with incorporation of MDRS requirements being addressed through other submission points.
402. The amendments associated with these recommendations and the discussion above are set out in **Appendix 9** to this report.
403. I again note for clarity that these recommended amendments are my own and, while they may align with some changes proposed by the applicant in their 8 November 2024 memorandum, they reflect my independent assessment of the submission points.

10.1.9. Watercare Services Limited submission

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planner's Recommendation
11.1	Watercare Services Limited	Amend precinct provisions to ensure development in excess of 357 dwellings requires assessment of network capacity	None	Reject

11.2	Watercare Services Limited	Require development in excess of 357 dwellings to be reassessed by Watercare	None	Reject
11.3	Watercare Services Limited	Provide for protection of wastewater and water infrastructure assets	None	Reject
11.4	Watercare Services Limited	Amend Objective 4 regarding infrastructure delivery wording	None	Accept in part
11.5	Watercare Services Limited	Add new Objective 6 regarding effects on stormwater, water and wastewater networks	None	Reject
11.6	Watercare Services Limited	Add new Policy 9 regarding infrastructure coordination	None	Accept in part
11.7	Watercare Services Limited	Add new Policy 10 regarding development exceeding 357 dwellings	None	Reject
11.8	Watercare Services Limited	Add new Special information requirement for Infrastructure Capacity Assessment	None	Reject
11.9	Watercare Services Limited	Ensure water and wastewater servicing requirements are adequately met	None	Reject

Discussion

404. Watercare's submission raises concerns about infrastructure capacity and asset protection, particularly in relation to development within the plan change site potentially exceeding the 357 dwellings already approved through the fast-track consent process.
405. The key issues raised by Watercare relate to ensuring network capacity is properly assessed for any development beyond 357 dwellings, protecting infrastructure assets (particularly the 450mm Branch 1B Ellerslie wastewater and 810mm Hunua Treated Watermain), and establishing additional objectives, policies and information requirements within the precinct provisions to address these matters.
406. At a high-level, I consider that the granting of the fast-track consents for 357 dwellings demonstrates that the existing AUP provisions already enable appropriate assessment and management of infrastructure capacity and asset protection matters. The proposed precinct provisions should, as a starting point, neither constrain nor limit a similar assessment being undertaken should further development be proposed on the plan change site in future.
407. In relation to Watercare's concerns about development exceeding 357 dwellings and ensuring that water and wastewater servicing requirements are adequately met (submission points 11.1, 11.2 and 11.9), the precinct provisions as notified propose a non-complying activity status for any such development. This activity status enables the council to consider all actual and potential effects of such proposals, including effects on infrastructure capacity, both at notification stage and in determining any application, with the additional barrier of the 'gateway test' under section 104D. Additionally, general AUP notification rule C1.13(4) already requires the council to specifically consider network utility operators when determining affected persons. Together with Watercare's control over new connections to their network through their approval processes, these mechanisms allow for appropriate consideration of

infrastructure capacity matters. I consider that these submission points should be rejected insofar as the relief sought is the inclusion of more 'explicit' assessment provisions being included in the precinct.

408. Regarding the protection of infrastructure assets (submission point 11.3), the existing AUP framework that enabled the assessment and approval of the fast-track consents demonstrates these matters can be appropriately managed without precinct-specific provisions.

409. In terms of the proposed amendments to Objective 4 (submission point 11.4), Watercare seeks to modify the notified objective:

"Development is coordinated with the supply of sufficient three waters, energy and communications infrastructure"

to read

"~~Subdivision and development~~ Development within the Precinct is coordinated with the ~~supply~~ delivery of sufficient adequate three waters, energy and communications infrastructure."

410. I recommend accepting this submission point in part, with further modifications to read:

"Subdivision and development ~~within~~ in the Remuera Precinct is coordinated with the ~~delivery~~ of adequate provision of required three waters, energy and communications infrastructure."

411. This wording reflects the drafting approach recently used and accepted by the submitter in PC 88 (Private): Beachlands South (notwithstanding that private plan change is under appeal). I consider that this wording will address infrastructure coordination while maintaining consistency across the AUP. Note that in the recommended amendments, this becomes Objective 6.

412. In terms of Watercare's request for a new objective avoiding adverse effects on infrastructure networks (submission point 11.5) and new Policy 10 regarding water and wastewater infrastructure capacity assessment (submission point 11.7), I do not consider these additions necessary or appropriate. An 'avoid' objective for infrastructure effects would be overly restrictive. The proposed dwelling cap of 357 dwellings ensures no additional demand beyond what has been assessed, unless further consent is obtained as a non-complying activity. Regarding the submitter's proposed Policy 9 (submission point 11.6), I recommend that this is accepted in part but without the words "with capacity for the proposed development" as I consider this is already addressed by the term 'adequate'. This is renumbered as Policy 15 in my recommended amendments.

413. Finally, regarding Watercare's requests for a special information requirement for infrastructure capacity assessments (submission point 11.8), I do not consider this to be necessary, and recommend that this relief is rejected. As discussed above, any resource consent application to exceed 357 dwellings would be assessed as a non-complying activity, requiring assessment of all effects including infrastructure capacity. Such applications are routinely assessed by the council's development engineers with input from Watercare and building consent applications and EPA provide additional control points. EPAs can be declined where sufficient infrastructure

is not available. The proposed precinct provisions, including the non-complying activity status for exceeding the dwelling cap and the recommended amendments to Objective 4 and Policy 9, would provide an appropriate framework for managing infrastructure capacity matters without the need for special information requirements. I note that the fast-track consents were determined without the need for such a mechanism in the AUP.

Recommendations on Submissions

414. That submission points 11.4 and 11.6 be **accepted in part** for the following reasons:
- a. Regarding submission point 11.4, the submitter's recommended changes to Objective 4 will better address infrastructure coordination, however further amendments are recommended to maintain consistency with other recent plan changes.
 - b. Regarding submission point 11.6, the proposed new Policy 9 is appropriate however is recommended without the words "with capacity for the proposed development" as this is already addressed by the term 'adequate'.
415. That submission points 11.1, 11.2, 11.3, 11.5, 11.7, 11.8 and 11.9 be **rejected** for the following reasons:
- a. Regarding submission points 11.1, 11.2 and 11.9, the non-complying activity status for development exceeding 357 dwellings, the specific consideration of network utility operators as potentially affected parties under AUP rule C1.13(4), and the objectives and policies as proposed or recommended to be amended already enables appropriate assessment of network capacity.
 - b. Regarding submission point 11.3, the existing AUP framework, along with other regulatory processes including EPAs and building consents, adequately provides for protection of infrastructure assets.
 - c. Regarding submission point 11.5, an 'avoid' objective for infrastructure effects would be overly restrictive.
 - d. Regarding submission point 11.7, Policy 10 is unnecessary given the non-complying activity status and other provisions including the amendments supported above.
 - e. Regarding submission point 11.8, special information requirements are unnecessary given standard assessment processes and other control points available through building consent and EPA processes.
416. The amendments to Objective 4 (now Objective 6) and new Policy 9 (now Policy 15) associated with these recommendations are set out in **Appendix 9** to this report.

11. RECOMMENDED CHANGES AND SECTION 32AA ANALYSIS

11.1.1. Recommended changes within scope of submissions

417. The amendments I recommend are set out in full in **Appendix 9** and relate to the following effects and matters raised in submissions:
- a. Traffic/transport
 - b. Water and wastewater infrastructure
 - c. Plan drafting and style

d. MDRS incorporation

418. The rationale for my recommended amendments is discussed in detail in section 10. Table 7 below provides a summary of the amendments I recommend to the precinct provisions, grouped by the topics above, that I consider are within scope of the submissions.
419. These recommended changes require an additional assessment in accordance with section 32AA of the RMA, which is also included in Table 7 below. This further evaluation is only made in respect of the changes I have recommended in **Appendix 9** to this report and discussed above. It is at a level of detail which, in my opinion, corresponds to the scale and significance of the proposed changes. While the changes appear substantial, they are largely within scope of the section 32 evaluation already undertaken by the applicant in their request.
420. Overall, I consider the recommended changes to the precinct provisions better achieve the purpose and objectives of the plan change, than the provisions proposed by the applicant.

Table 7 Summary of rationale for recommended changes to Remuera Precinct and Section 32AA analysis

Recommended amendments to Remuera Precinct – by theme	Discussion
<p><u>Traffic/transport</u></p> <ul style="list-style-type: none"> • Add Ladies Mile flush median and Derby Downs Place pedestrian crossing to Table IX.6.13.1 and Precinct Plan 3 (Movement) • Align numbering of transport upgrades listed in Table IX.6.13.1 with numbering shown on Precinct Plan 3 (Movement) • Maintain precinct-specific vehicle access restriction standard to Ladies Miles, though with some modification to simplify application, and make clearer relationship with E27 	<p>Will better achieve the objectives of the plan change, particularly Objective (3) regarding an accessible, safe and well-connected transport network.</p> <p>Will provide social benefits through improved safety for all road users, particularly pedestrians crossing Derby Downs Place.</p> <p>Economic costs are minimal as infrastructure is already approved through fast-track consents and EPA process.</p> <p>Supported by the council's transport specialist and Auckland Transport as providing appropriate safety improvements.</p> <p>The additions provide certainty that key infrastructure elements will be delivered even if alternative consent pathway pursued.</p> <p>Retention of arterial road vehicle access restriction standard ensures that anticipated transport effects in relation to Ladies Mile are appropriately managed in accordance with expert assessments</p>
<p><u>Infrastructure</u></p> <ul style="list-style-type: none"> • Amend Objective 4 regarding infrastructure coordination and delivery 	<p>Will better achieve RPS objectives and policies regarding integration of development with infrastructure.</p>

<ul style="list-style-type: none"> • Add new Policy 9 regarding infrastructure coordination • Maintain non-complying activity status for development exceeding 357 dwellings 	<p>Provides clearer policy framework for assessing infrastructure capacity through resource consent processes.</p> <p>Economic efficiency achieved by relying on existing AUP framework and consent processes rather than adding new special information requirements.</p> <p>Amendments align with recent plan change decisions maintaining consistency across AUP.</p> <p>357 dwelling cap as non-complying activity provides appropriate framework for assessing additional infrastructure demands if exceeded.</p>
<p><u>Plan drafting and style</u></p> <ul style="list-style-type: none"> • Change references from zone names on Precinct Plan 1 and in text of Remuera Precinct to "Sub-Precinct A" and "Sub-Precinct B" where appropriate to distinguish between those parts of the site to be zoned THAB versus MHU • Amend Policy IXXX.3(5) from "Ensure" to "Require" • Remove references to PC78 • Update phrasing, formatting and structure to align with AUP style guide • Minor corrections, including replacing reference to Precinct Plan 2 in IXXX.6.4 Publicly Accessible Pedestrian Routes to Precinct Plan 3 	<p>Will improve plan interpretation and implementation through:</p> <ul style="list-style-type: none"> • More enduring precinct framework not tied to underlying zoning • Consistent terminology and drafting conventions • Removal of references to in-process plan changes • Better alignment with AUP style guide <p>Improves efficiency for plan users and consent processors through clearer provisions and consistent approach.</p> <p>No additional economic costs as changes are structural rather than substantive.</p>
<p><u>MDRS incorporation</u></p> <ul style="list-style-type: none"> • Comprehensively incorporate MDRS requirements within main body of precinct provisions rather than separate appendix • Ensure appropriate annotation of qualifying matters 	<p>Will better achieve compliance with section 77G of RMA while:</p> <ul style="list-style-type: none"> • Providing clearer integration with precinct framework, including overlap between MDRS building density standards, and specific standards proposed for development in the precinct • Maintaining appropriate protection for qualifying matters

<ul style="list-style-type: none"> • Maintain activity status framework for exceedance of standards 	<ul style="list-style-type: none"> • Ensuring consistent assessment framework, including where infringements to building density standards are proposed <p>Improves efficiency through clearer provisions while maintaining effectiveness of environmental protections.</p> <p>Economic costs and benefits remain unchanged as substantive requirements are maintained.</p>
--	--



12. CONCLUSIONS

421. Having considered all of the submissions and reviewed all relevant statutory and non-statutory documents, I recommend that PC104 should be approved, subject to the amendments as set out in **Appendix 9** to this report.
422. Provided the recommended amendments are accepted, I recommend that:
- the plan change area be rezoned from Special Purpose - Major Recreation Facility zone to THAB and MHU zone, and the AUP planning maps/GIS Viewer is amended accordingly,
 - the plan change area have the Notable Trees Overlay applied to Tree #13 as identified by the applicant's arboricultural assessment, and Schedule 10: Notable Trees Schedule and the AUP planning maps/GIS Viewer is amended accordingly,
 - that the Ellerslie Racecourse Precinct (I313) be modified to reflect the changes above and the removal of the Interface Control Area from the 79 Ladies Mile, Remuera site, and the AUP planning maps/GIS Viewer is amended accordingly,
 - the plan change area have the Remuera Precinct applied, and the AUP planning maps/GIS Viewer is amended accordingly, and
 - the Remuera Precinct provisions be amended as set out in **Appendix 9**, and AUP Chapter I is amended accordingly to include the new precinct.
423. PC104 with its recommended amendments will:
- assist the council in achieving the purpose of the RMA
 - give effect to the relevant National Policy Statements
 - be consistent with Auckland Unitary Plan Regional Policy Statement
 - be consistent with the Auckland Plan 2050.

13. RECOMMENDATIONS

424. That, the Hearing Commissioners accept or reject submission points as outlined in this report.
425. That, as a result of the recommendations on the submissions, the Auckland Unitary Plan be amended in accordance with the conclusions set out above.

14. SIGNATORIES

	Name and title of signatories
Authors	Daniel Kinnoch, Consultant Planner, Auckland Council 
Reviewer / Approver	Clare Wall Shaw, Team Leader, Central South Unit, Planning and Resource Consents Department, Auckland Council 

Appendix 1 – Plan Change 104 (Private): Remuera Precinct, As Notified

**Appendix 2 – List of plan change documents and numbering on council’s plan
change website**

Appendix 3 – Summary of consultation undertaken including Local Board views

Appendix 4 – Submissions and Summary of Decisions Requested

Appendix 5 – Qualifications and experience of the s42A reporting planner

Appendix 6 – Specialist Reporting

Appendix 7 – Resource Consent Approval Documents for PC104

Appendix 8 – Memorandum from applicant dated 8 November 2024 and proposed changes

Appendix 9 – Recommended Provisions

Amendments are shown with text to be deleted as struck through and text to be added as underlined.

APPENDIX 1

PLAN CHANGE 104 (PRIVATE): REMUERA PRECINCT, AS NOTIFIED

This attachment has not been re-produced in this agenda.

The Notification materials are available here:

<https://www.aucklandcouncil.govt.nz/have-your-say/hearings/find-hearing/Pages/Hearing-documents.aspx?HearingId=864>

APPENDIX 2

LIST OF PLAN CHANGE DOCUMENTS AND NUMBERING ON COUNCIL'S PLAN CHANGE WEBSITE

Notification of summary of decisions requested documents

1	PC104 – Public Notice
2	PC104 – Summary of Decisions Requested

Notification documents

1	PC104 – Public Notice
2	PC104 – Section 32 Report
3	PC104 – Proposed Plan Change Documents
4	PC104 – Proposed Plan Change Documents – Appendix A
5	PC104 – Precinct Plans
6	PC104 – Annex A – Urban Design Assessment
7	PC104 – Annex B – Landscape Effects Assessment
8	PC104 – Annex C – Graphic Supplement
9	PC104 – Annex D – Economic Impact Assessment
10	PC104 – Annex E – Integrated Transport Assessment
11	PC104 – Annex E1 – Fast track Integrated Transport Assessment
12	PC104 – Annex F – Engineering Report
13	PC104 – Annex G – Stormwater Management Plan
14	PC104 – Annex H – Ecological Assessment
15	PC104 – Annex I – Archaeological Assessment
16	PC104 – Annex J – Geotechnical Report
17	PC104 – Annex K – Contaminated Land Cover Letter
18	PC104 – Annex K1 – Preliminary and Detailed Site Investigation Report
19	PC104 – Annex L – Remedial Action Plan and Contaminated Site Management Plan
20	PC104 – Annex M – Arboricultural Assessment
21	PC104 – Annex N – Notable Tree Arborist Assessment
22	PC104 – Annex O1.1 – Consultation Summary 31 July 2022
23	PC104 – Annex O1.2 – Engagement Summary 19 June 2024
24	PC104 – Annex O2.1 – Consultation: Central Government
25	PC104 – Annex O2.2 – Consultation attachments: Hon K Mcnaulty
26	PC104 – Annex O3 – Consultation: Auckland Council
27	PC104 – Annex O4 – Consultation: Ōrākei Local Board
28	PC104 – Annex O5 – Consultation: Local Business Association
29	PC104 – Annex O6.1 – Consultation: Neighbours
30	PC104 – Annex O6.2 – Final Graphics: Stake Holder Engagement
31	PC104 – Annex O6.3 – Final Graphics: Apartment View 1
32	PC104 – Annex O6.4 – Final Graphics: Apartment View 2
33	PC104 – Annex O6.5 – Final Graphics: Apartment View 3
34	PC104 – Annex O7 – Consultation: Media Information

35	PC104 – Annex O8 – Cultural Impact Assessment: Ngāi Tai ki Tāmaki
36	PC104 – Annex O9 – Cultural Impact Assessment: Ngaati Whanaunga
37	PC104 – Annex O10 – Cultural Impact Assessment: Ngaati Te Ata Waiohua
38	PC104 – Annex O11 – Hui Presentations
39	PC104 – Annex O12 – Meeting Minutes
40	PC104 – Annex O13 – Ngāti Whātua o Ōrākei Written Support
41	PC104 – Annex O14 – Post Resource Consents Hui Minutes
42	PC104 – Annex O15 – Engagement Plan
43	PC104 – Annex O16 – Presentations 2023
44	PC104 – Annex O17 – Neighbours Meeting Minutes
45	PC104 – Annex P – Section 32 Evaluation of Provisions

Clause 23 – Request for Further Information 16 April 2024

1	PC104 – Clause 23 Letter 16 April 2024
2	PC104 – Clause 23 Response to 14 April 2024 Request
3	PC104 – Limited Notification Letter to Auckland Council 16 May 2024

Clause 23 – Request for Further Information 08 February 2024

1	PC104 – Initial Council comments and responses 13 December 2023
2	PC104 – Clause 23 Letter 08 February 2024
3	PC104 – Clause 23 Response to 08 February 2024 Request
4	PC104 – Auckland Council Encumbrance 12817716.5 - Irrigation Pond (38609942.1)
5	PC104 – Scheme Plans

APPENDIX 3

SUMMARY OF CONSULTATION UNDERTAKEN INCLUDING LOCAL BOARD VIEWS

Activity & Stakeholder	Dates	Category	Channel / Tool	Who's Responsible for Delivery	Outcome
Development of a strategy and communication and stakeholder plan.	Feb - April 2022	Internal	Meetings/ Emails/ Phone	FRL ATR	Detailed planning and sign off by all parties of communication and stakeholder activity required for once we had approval from Minister for Environment and it is formally gazetted.
Notification that the development was to be gazetted by Minister	29 th March 2022	Internal	Letter	FRL/ATR	Plan put into action, letters prepared
Letter Drop to Neighbours	31 st March 2022	Neighbours	Letter	FRL	150 letters delivered to neighbours around the site. Invite was included to first drop-in session for neighbours
Parliament formally gazette The Hill housing development has approval to proceed through the Fast-Track Covid Response Panel	1 st April 2022	Media	Letter	FRL/ATR	Triggered further communications out to wider stakeholder group. FB Comms/ ATR contacted select media with offers of information and interviews
Other key stakeholders informed (See below):	1 st April 2022	All	Letter/ Emails/ Phone Calls	FRL/ATR	Wider key stakeholders informed that The Hill development had received approval to proceed through the Fast-Track Covid Response Panel.
Hon David Seymour	1 st April 2022	Politician	Phone	FRL	Spoke to him, he noted that The Hill was outside of his electorate but was grateful for the heads up. We discussed the project and he did not have any issues
Mayor Phil Goff	1 st April 2022	Councillor	Phone / text	FRL	Rang and spoke to his EA who informed us that Phil is aware of the project and if he requires any further information he will contact Steve Evans
Hon Priyancea Radhakrishnan	1 st April 2022	Politician	Phone / e mail / letter	FRL	Spoke to her and updated her on the project, very appreciate of the heads up.
Hon Michael Wood	1 st April 2022	Politician	Phone / e mail / letter	FRL	Spoke to him, he noted that The Hill was outside of his electorate but was grateful for the heads up. We discussed the project and he did not have any issues
Hon Megan Woods	1 st April 2022	Politician	Text / e mail / letter	FRL	Rang and left message, followed up with email and letter, text her to ask her to ring if she required more information
Deputy Mayor Bill Cashmore	1 st April 2022	Councillor	Text	FRL	Aware of the project and will contact Steve Evans if he needs more information
Hon Simon O'Connor	1 st April 2022	Politician		ATR	Phoned and arranged a meeting and site walk over, very appreciative.
Josephine Barclay	1 st April 2022	Councillor	Phone / e mail / letter	FRL	Phoned and had a brief conversation, followed up with a letter and offer of a site visit
Chris Darby	1 st April 2022	Councillor	Phone / e mail / letter	FRL	Phoned and he knew and was very supportive of the project. Follow up letter sent
Desley Simpson	1 st April 2022	Councillor	Phone / letter	FRL	She is very supportive and she was aware of the project, only issue raised was transport and impact on Ladies Mile. It was explained that we had a series of entrances and none on which are at Abbots Way
Scott Milne	1 st April 2022	Local Board Chair	Phone/ email/ letter	FRL	Spoke for a few minutes, Scott was concerned about the Fast Track Process and Traffic. Invited him to the drop-in session. Followed up with Letter
Ministry of Education	1 st April 2022	Planning Team	Phone/ email/ letter		Left message and followed up with an email and letter.
Announcement to media	2 nd April 2022	Media	Newspaper report	FRL/ATR	Articles published in the NZ Herald by Anne Gibson picked up by other media outlets.
Drop-in Session for neighbours	6 th April 2022	Neighbours	Drop-in Session	FRL/ATR/ Tattico	Drop-In session was held on site between 1pm – 5pm. Representatives from both ATR and FRL present to introduce us and talk with our neighbours and field any concerns that they may have about the project. Perceived increase in traffic was a concern, overall, well received with offers made to buy into the development when possible. The session was also attended by members of Orakei Local Board. Estimate 50 -80 people attended.
Ellerslie Residents Association	13 th April	Local residents' group	Meeting	FRL	Meeting with Glen McCabe (chair) which was very productive and appreciated. Glen offered to assist going forward with any future engagement.
Ministry of Education	14 th April 2022	Government Department	Email	FRL	Email sent to begin discussion regarding school zoning for The Hill as it is currently un-zoned.
Ellerslie Business Association	14 th April 2022	Local business group	Email	FRL	Introduced myself to Megan Darrow and offered to meet up with her to discuss the project. Agreed to meet up post Easter/ Anzac Weekends.
Letter Drop to Neighbours	26 th April 2022	Neighbours	Letter	FRL	150 letters delivered to neighbours around the site. Invite was included to second drop-in session for neighbours. ERA posted invite on their Facebook page also.
Invite Iwi to Hui	27 th April 2022	Iwi	Email	FRL	Invite sent to all iwi identified on Auckland Council web site for a hui regarding the project. The Hui will take place on 19 th May 2022
Drop-in Session for neighbours	30 th April 2022	Neighbours	Drop-in Session	FRL/ATR	Second Drop-In session was held on site between 11.30am – 4pm. Representatives from both ATR and FRL present to introduce us and talk with our neighbours and field any concerns that they may have about the project. Perceived increase in traffic was again a concern, but the TMP had moved on and we were able to demonstrate progress. Again overall, well received with offers made to buy into the development when possible. Estimate 80+ people attended.
Ellerslie Business Association	3 rd May 2022	Local business group	Meeting	FRL	Meeting with Megan Darrow (EBA Town Centre Manager) went very well. She was impressed by the plans and is looking forward to seeing how it will progress. I have committed to keeping her and the Ellerslie community informed and said that we are looking at how we can best incorporate a new community into the existing one.
Orakei Local Board	17 th May 2022	Local Board / Council	Presentation	FRL/ATR/ Tattico	This was held at the local board office in Meadowbank. The board made it clear that they don't support the fast-track process but that they supported the development and would assist where possible with wider engagement.
Iwi Hui	19 th May 2022	Iwi	Presentation / Hui Option of attending via Teams Option of site visit	FRL/ATR/ Tattico/ Boffa Miskell	Lucy Rutherford – Ngāti Tamaoho, Danelle Roebeck - Ngāti Pāoa Dave Roebeck - Ngāti Pāoa, Mike Baker - Ngāti Whanaunga (CVA) The Hui was held at the racecourse and was attended by mana whenua, they were talked through the presentation, and this was followed by a hui. The project was well received with general concerns regarding stormwater, cultural values, landscaping however they were happy that this consultation/hui process had began and are looking forward to working with us going forward. Next hui mid-June 2022 Minutes sent out
					Gabriel Kirkwood - Ngāi Tai ki Tāmaki

Iwi Hui	24 th May 2022	Iwi	Presentation / Hui (+ option of site walk-over)	FRL/ATR/Tattico	This hui was held at Fletcher Building, it took place because Gabriel had technical issues and could join the previous hui. He was talked through the presentation, and this was followed by a Hui and site visit. The project was well received with general concerns regarding stormwater, cultural values, landscaping. Further discussion regarding Gabriel's CVA and amendments agreed. This was followed up with a site visit. Minutes sent out
Iwi Hui	27 th May 2022	Iwi	Presentation / Hui (Attending via Teams at Iwi request)	FRL/ATR/Tattico	Karl Flavell - Ngāti Te Ata, Paora Puru - Ngāti Te Ata This hui was held via teams at iwi's request. Ngāti Te Ata had decided that they would like a separate hui so their voice could be heard. We talked Karl and Paora through the presentation and answered question. Karl has taken the information and he will discuss with his iwi. An additional meeting will be held to go through the CVA.
Ministry of Education	30 th May 2022	Government Department	Phone	FRL	Follow up phone call to Nick Blyth to begin discussion regarding school zoning for The Hill as it is currently un-zoned. Arranging meeting with Nick and Janet Schofield TBC
Meeting with residents Derby Downs Place/Hunterville Close	1 st June 2022	Neighbours	Zoom Meeting	FRL	Request from [REDACTED] to attend neighbours meeting. They had provided Written feedback previously to masterplan and development after drop-in sessions. The residents sent through a list of questions and queries beforehand to discuss, mostly happy except traffic on ladies Mile and access to the development via Derby Downs Place. 8 families took part
Meeting with residents Derby Downs Place/Hunterville Close	2 nd June 2022	Neighbours	Zoom Meeting	FRL	Because we ran out of time on Zoom call a second meeting took place. Finished going through their questions and committed to future engagement, confirmed their concerns would be included and heard.
Remuera Heritage Association	2 nd June 2022	Local interest group	Meeting	FRL	Meeting with Chair Sue Cooper of RHA at suggestion of local board, meeting went very well, showed Sue through the plans and discussed some of the standout features. Sue was happy with landscape strategy and the nod to local historical features.
Remuera Residents Association	9 th June 2022	Local interest group	Meeting	FRL	Meeting with Grant Dickson of RRA, talked through masterplan and presentation. He had no concerns apart from traffic and welcomed the development, especially happy it was a Fletcher project.
Ministry of Education	9 th June 2022	Government Department	Meeting	FRL	Janet Schofield of MoE Lead of Planning Team and Nick Blyth. MoE have looked through the masterplan and we fall between to schools which would mean half of the development being zoned for Remuera and the other Ellerslie. After discussion MoE has agreed to approach both schools with the aim of the development being dual zoned to give parents choice. This is a good outcome for the development. MoE will now proceed with their process to initiate that with the schools.
Iwi Hui	14 th June 2022	Iwi	Meeting	FRL/ Tattico	Mike Baker - Ngāti Whanaunga (CVA) and Stephanie May - Ngāti Whanaunga Meeting to discuss CVA Ngāti Whanaunga had produced. Agreement was reach on several points brought up and was a successful meeting.
Iwi Hui	23 rd June 2022	Iwi	Workshop/ Hui	FRL/ATR/ Tattico	Ngāti Whātua o Ōrākei, Ngāti Maru, Ngāti Tamaoho, Ngāti Pāoa, General update to mana whenua on progress, discussions started on opportunities and cultural narrative. Ngāti Whātua o Ōrākei, Ngāti Maru, Ngāti Tamaoho, Ngāti Pāoa, all additionally expressed an interest to provide CVA for the development.
Ellerslie Residents Association	18 th July 2022	Local residents' group	Meeting	FRL	Email sent to Glen suggesting that we would be available to attend ERA meeting.
Ellerslie Business Association	3rd May 2022	Local bussiness group	Meeting	FRL	Meeting with Megan Darrow (EBA Town Centre Manager) went very well. She was impressed by the plans and is looking forward to seeing how it will progress. I have committed to keeping her and the Ellerslie community informed and said that we are looking at how we can best incorporate a new community into the existing one.
Orakei Local Board	17th May 2022	Local Board / Council	Presentation	FRL/ATR/ Tattico	This was held at the local board office in Meadowbank. The board made it clear that they don't support the fast-track process but that they supported the development and would assist where possible with wider engagement.
Iwi Hui	19th May 2022	Iwi	Presentation / Hui Option of attending via Teams Option of site visit	FRL/ATR/ Tattico/ Boffa Miskell	Nick Hawke - Ngāti Whātua o Ōrākei, Eru Rarerer Wilton - Ngāti Maru Lucy Rutherford - Ngāti Tamaoho, Danelle Roebeck - Ngāti Pāoa, Dave Roebeck - Ngāti Pāoa, Mike Baker - Ngāti Whanaunga (CVA) The Hui was held at the racecourse and was attended by mana whenua, they were talked through the presentation, and this was followed by a hui. The project was well received with general concerns regarding stormwater, cultural values, landscaping however they were happy that this consultation/hui process had begun and are looking forward to working with us going forward. Next hui mid-June 2022 Minutes sent out
Iwi Hui	24th May 2022	Iwi	Presentation / Hui Option of site visit	FRL/ATR/Tattico	Gabriel Kirkwood - Ngāi Tai ki Tāmaki This hui was held at Fletcher Building, it took place because Gabriel had technical issues and could join the previous hui. He was talked through the presentation, and this was followed by a Hui and site visit. The project was well received with general concerns regarding stormwater, cultural values, landscaping. Further discussion regarding Gabriel's CVA and amendments agreed. This was followed up with a site visit. Minutes sent out
Iwi Hui	27th May 2022		Presentation / Hui	FRL/ATR/Tattico	Karl Flavell - Ngāti Te Ata, Paora Puru - Ngāti Te Ata
			Attending via Teams at Iwi request		This hui was held via teams at iwi's request. Ngāti Te Ata had decided that they would like a separate hui so their voice could be heard. We talked Karl and Paora through the presentation and answered question. Karl has taken the information and he will discuss with his iwi. An additional meeting will be held to go through the CVA.
Iwi Hui	30th May 2022	Iwi	Minutes	FRL/ATR/Tattico	Minutes issued to all attendees
Ministry of Education	30th May 2022	Planning Team	Phone	FRL	Follow up phone call to Nick Blyth to begin discussion regarding school zoning for The Hill as it is currently un-zoned. Arranging meeting with Nick and Janet Schofield TBC

Meeting with residents Derby Downs Place/ Hunterville Close	1st June 2022	Neighbours	Zoom Meeting	FRL	Request from [REDACTED] to attend neighbours meeting. They had provided written feedback previously to masterplan and development after drop-in sessions. The residents sent through a list of questions and queries beforehand to discuss, mostly happy except traffic on ladies Mile and access to the development via Derby Downs Place. 8 families took part.
Meeting with residents Derby Downs Place/ Hunterville Close	2nd June 2022	Neighbours	Zoom Meeting	FRL	Because we ran out of time on Zoom call a second meeting took place. Finished going through their questions and committed to future engagement, confirmed their concerns would be included and heard.
Remuera Heritage Association	2nd June 2022	Local interest group	Meeting	FRL	Meeting with Chair Sue Cooper of RHA at suggestion of local board, meeting went very well, showed Sue through the plans and discussed some of the standout features. Sue was happy with landscape strategy and the nod to local historical features.
Remuera Residents Association	9th June 2022	Local interest group	Meeting	FRL	Meeting with Grant Dickson of RRA, talked through masterplan and presentation. He had no concerns apart from traffic and welcomed the development, especially happy it was a Fletcher project.
Ministry of Education	9th June 2022	Planning Team	Meeting	FRL	Janet Schofield of MoE Lead of Planning Team and Nick Blyth. MoE have looked through the masterplan and we fall between to schools which would mean half of the development being zoned for Remuera and the other Ellerslie. After discussion MoE has agreed to approach both schools with the aim of the development being dual zoned to give parents choice. This is a good outcome for the development. MoE will now proceed with their process to initiate that with the schools.
Iwi Hui	14th June 2022	Iwi	Meeting	FRL/ Tattico	Mike Baker - Ngāti Whanaunga (CVA) and Stephanie May - Ngāti Whanaunga Meeting to discuss CVA Ngāti Whanaunga had produced. Agreement was reached on several points brought up and was a successful meeting.
Iwi Hui	23rd June 2022	Iwi	Workshop/ Hui	FRL/ATR/ Tattico	Ngāti Whātua o Ōrākei, Ngāti Maru, Ngāti Tamaoho, Ngāti Pāoa. General update to mana whenua on progress, discussions started on opportunities and cultural narrative. Ngāti Whātua o Ōrākei, Ngāti Maru, Ngāti Tamaoho, Ngāti Pāoa, all additionally expressed an interest to provide CVA for the development.
Meeting with owners of [REDACTED]	1st July 2022	Neighbours	Meeting	FRL/ ATR	Meeting at the request of ATR with owners [REDACTED] to discuss their concerns about the development and the impact of new dwellings on their boundary. Although we can't change the outcome it was agreed that FRL would explore other options and get back to them.
Iwi Hui re CVA	3rd July 2022	Iwi	Email/ Phone call	FRL/ATR/ Tattico	Lucie Rutherford - Ngati Tamaoho is unable to prepare a CVA report
Iwi Hui	4th July 2022	Iwi	Phone call/Email	FRL/ATR/ Tattico	Andrew Brown from Ngati Whatua, confirms they don't need to prepare a CIA and will just be involved in ongoing engagement through the hui etc.
Iwi Hui	12th July 2022	iwi	Minutes	FRL/ATR/ Tattico	Minutes issued to attendees
Iwi Hui	19th July 2022	Iwi	Email / Phone call	FRL/ATR/ Tattico	Follow up phone calls to Ngāti Maru and, Ngāti Pāoa to chase their response to CIA, they both stated that they had forgotten about it and so I followed up with an email
Iwi Hui	21st July 2022	Iwi	Email / Phone call	FRL/ATR/ Tattico	David Roebuck from Ngāti Pāoa, has confirmed they do not need to produce a CIA and are happy to continue to attend the project hui.
Follow up meeting with owners of [REDACTED]	21st July 2022	Neighbours	Meeting	FRL/ATR	Provided an update to [REDACTED] (owners) and explained and went through the changes that had been made to the plan of the house that will be in front of their home. They appreciated that we had made some changes that hopefully give them a better outcome. It was another cordial meeting. We will close this out with a letter that confirms the changes we are making.
Iwi Hui	25th July 2022	Iwi	Email / Phone call	FRL/ATR/ Tattico	To Geoff Cook from Ngāti Maru, to get written confirmation that they are not proceeding with CIA, nothing back as yet.
Iwi Hui	4th August 2022	Iwi	Workshop/Hui	FRL/ATR/ Tattico	Provide an Update
Key stakeholders informed that RC has been lodged	15th August 2022 TBC	TBC	Email / Phone call	FRL/ATR/ Tattico	Provide an update post RC lodged
Ellerslie Resident Association	22nd August 2022 - TBC	Local residents' group	Meeting	FRL	Monthly Ellerslie Residents Association meeting, presentation by FRL invite from Chair Glen McCabe.
Ellerslie Stables Precinct Limited and Rockfield Group Limited	11-Apr-22	Adjacent occupier neighbour	Open Day	ATR	As part of this consultation, the leasehold owners of the adjacent Ellerslie 1 Precinct (Ellerslie Stables Precinct Limited and Rockfield Group Limited) attended the open day. General Manager Josh Penny subsequently emails ATR on 11 April 2022 confirming Rockfield is happy to support Fletchers and The Club on the greater site.

The Hill - Fletcher Living Engagement Summary Feb 2022 – April 2024

Activity & Stakeholder	Timing	Chanel /Tool	Who's Responsible for Delivery	Outcome
Development of a strategy and communication and stakeholder plan.	Feb - April 2022	Meetings/ Emails/ Phone	FRL ATR	Detailed planning and sign off by all parties of communication and stakeholder activity required for once we had approval from Minister for Environment and it is formally gazetted.
Notification that the development was to be gazetted by Minister	29 th March 2022	Letter	FRL/ATR	Plan put into action; letters prepared
Letter Drop to Neighbours	31 st May 2022	Letter	FRL	150 letters delivered to neighbours around the site. Invite was included to first drop-in session for neighbours
Parliament formally gazette The Hill housing development has approval to proceed through the Fast-Track Covid Response Panel	1 st April 2022	Letter	FRL/ATR	Triggered further communications out to wider stakeholder group. FB Comms/ ATR contacted select media with offers of information and interviews
Other key stakeholders informed	1 st April 2022	Letter/ Emails/ Phone Calls	FRL/ATR	Wider key stakeholders informed that The Hill development had received approval to proceed through the Fast-Track Covid Response Panel.
Announcement to media	2 nd April 2022		FRL/ATR	Articles published in the NZ Herald by Anne Gibson picked up by other media outlets.
Drop-in Session for neighbours	6 th April 2022	Drop-in Session	FRL/ATR/ Tattico	Drop-In session was held on site between 1pm – 5pm. Representatives from both ATR and FRL present to introduce us and talk with our neighbours and field any concerns that they may have about the project. Perceived increase in traffic was a concern, overall, well received with offers made to buy into the development when possible. The session was also attended by members of Orakei Local Board. Estimate 50 -80 people attended.
Ellerslie Residents Association	13 th April	Meeting	FRL	Meeting with Glen McCabe (chair) which was very productive and appreciated. Glen offered to assist going forward with any future engagement.
Ministry of Education	14 th April 2022	Email	FRL	Email sent to begin discussion regarding school zoning for The Hill as it is currently un-zoned.

Ellerslie Business Association	14 th April 2022	Email	FRL	Introduced myself to Megan Darrow and offered to meet up with her to discuss the project. Agreed to meet up post Easter/ Anzac Weekends.
Letter Drop to Neighbours	26 th April 2022	Letter	FRL	150 letters delivered to neighbours around the site. Invite was included to second drop-in session for neighbours. ERA posted invite on their Facebook page also.
Invite Iwi to Hui	27 th April 2022	Email	FRL	Invite sent to all iwi identified on Auckland Council web site for a hui regarding the project. The Hui will take place on 19 th May 2022
Drop-in Session for neighbours	30 th April 2022	Drop-in Session	FRL/ATR	Second Drop-In session was held on site between 11.30am – 4pm. Representatives from both ATR and FRL present to introduce us and talk with our neighbours and field any concerns that they may have about the project. Perceived increase in traffic was again a concern, but the TMP had moved on and we were able to demonstrate progress. Again overall, well received with offers made to buy into the development when possible. Estimate 80+ people attended.
Ellerslie Business Association	3 rd May 2022	Meeting	FRL	Meeting with Megan Darrow (EBA Town Centre Manager) went very well. She was impressed by the plans and is looking forward to seeing how it will progress. I have committed to keeping her and the Ellerslie community informed and said that we are looking at how we can best incorporate a new community into the existing one.
Orakei Local Board	17 th May 2022	Presentation	FRL/ATR/ Tattico	This was held at the local board office in Meadowbank. The board made it clear that they don't support the fast-track process but that they supported the development and would assist where possible with wider engagement.
Iwi Hui	19 th May 2022	Presentation / Hui Option of attending via Teams Option of site visit	FRL/ATR/ Tattico/ Boffa Miskell	Nick Hawke - Ngāti Whātua o Ōrākei, Eru Rarere Wilton - Ngāti Maru Lucy Rutherford – Ngāti Tamaoho, Danelle Roebeck - Ngāti Pāoa Dave Roebeck - Ngāti Pāoa, Mike Baker - Ngāti Whanaunga (CVA) The Hui was held at the racecourse and was attended by mana whenua, they were talked through the presentation, and this was followed by a hui. The project was well received with general concerns regarding stormwater, cultural values, landscaping however they were happy that this consultation/hui process had begun and are looking forward to working with us going forward. Next hui mid-June 2022 Minutes sent out
Iwi Hui	24 th May 2022	Presentation / Hui	FRL/ATR/Tattico	Gabriel Kirkwood - Ngāi Tai ki Tāmaki

		Option of site visit		This hui was held at Fletcher Building, it took place because Gabriel had technical issues and could join the previous hui. He was talked through the presentation, and this was followed by a Hui and site visit. The project was well received with general concerns regarding stormwater, cultural values, landscaping. Further discussion regarding Gabriel's CVA and amendments agreed. This was followed up with a site visit. Minutes sent out
Iwi Hui	27 th May 2022	Presentation / Hui Attending via Teams at Iwi request	FRL/ATR/Tattico	Karl Flavell - Ngāti Te Ata, Paora Puru - Ngāti Te Ata This hui was held via teams at iwi's request. Ngāti Te Ata had decided that they would like a separate hui so their voice could be heard. We talked Karl and Paora through the presentation and answered question. Karl has taken the information and he will discuss with his iwi. An additional meeting will be held to go through the CVA.
Iwi Hui	30 th May 2022	Minutes	FRL/ATR/Tattico	Minutes issued to all attendees
Ministry of Education	30 th May 2022	Phone	FRL	Follow up phone call to Nick Blyth to begin discussion regarding school zoning for The Hill as it is currently un-zoned. Arranging meeting with Nick and Janet Schofield TBC
Meeting with residents Derby Downs Place/ Hunterville Close	1 st June 2022	Zoom Meeting	FRL	Request from [REDACTED] to attend neighbours meeting. They had provided Written feedback previously to masterplan and development after drop-in sessions. The residents sent through a list of questions and queries beforehand to discuss, mostly happy except traffic on ladies Mile and access to the development via Derby Downs Place. 8 families took part
Meeting with residents Derby Downs Place/ Hunterville Close	2 nd June 2022	Zoom Meeting	FRL	Because we ran out of time on Zoom call a second meeting took place. Finished going through their questions and committed to future engagement, confirmed their concerns would be included and heard.
Remuera Heritage Association	2 nd June 2022	Meeting	FRL	Meeting with Chair Sue Cooper of RHA at suggestion of local board, meeting went very well, showed Sue through the plans and discussed some of the standout features. Sue was happy with landscape strategy and the nod to local historical features.
Remuera Residents Association	9 th June 2022	Meeting	FRL	Meeting with Grant Dickson of RRA, talked through masterplan and presentation. He had no concerns apart from traffic and welcomed the development, especially happy if was a Fletcher project.

Ministry of Education	9 th June 2022	Meeting	FRL	Janet Schofield of MoE Lead of Planning Team and Nick Blyth. MoE have looked through the masterplan and we fall between to schools which would mean half of the development being zoned for Remuera and the other Ellerslie. After discussion MoE has agreed to approach both schools with the aim of the development being dual zoned to give parents choice. This is a good outcome for the development. MoE will now proceed with their process to initiate that with the schools.
Iwi Hui	14 th June 2022	Meeting	FRL/ Tattico	Mike Baker - Ngāti Whanaunga (CVA) and Stephanie May - Ngāti Whanaunga Meeting to discuss CVA Ngāti Whanaunga had produced. Agreement was reach on several points brought up and was a successful meeting.
Iwi Hui	23 rd June 2022	Workshop/ Hui	FRL/ATR/ Tattico	Ngāti Whātua o Ōrākei, Ngāti Maru, Ngāti Tamaoho, Ngāti Pāoa, Ngāti Pāoa. General update to mana whenua on progress, discussions started on opportunities and cultural narrative. Ngāti Whātua o Ōrākei, Ngāti Maru, Ngāti Tamaoho, Ngāti Pāoa, all additionally expressed an interest to provide CVA for the development.
Meeting with owners of [REDACTED]	1 st July 2022	Meeting	FRL/ ATR	Meeting at the request of ATR with owners [REDACTED] to discuss their concerns about the development and the impact of new dwellings on their boundary. Although we can't change the outcome it was agreed that FRL would explore other options and get back to them.
Iwi Hui re CVA	3 rd July 2022	Email/ Phone call	FRL/ATR/ Tattico	Lucie Rutherford - Ngati Tamaoho is unable to prepare a CVA report
Iwi Hui	4 th July 2022	Phone call/Email	FRL/ATR/ Tattico	Andrew Brown from Ngati Whatua, confirms they don't need to prepare a CIA and will just be involved in ongoing engagement through the hui's etc.
Iwi Hui	12thJuly 2022	Minutes	FRL/ATR/ Tattico	Minutes issued to attendees
Iwi Hui	19 th July 2022	Email / Phone call	FRL/ATR/ Tattico	Follow up phone calls to Ngāti Maru and, Ngāti Pāoa to chase their response to CIA, they both stated that they had forgotten about it and so I followed up with an email
Iwi Hui	21 st July 2022	Email / Phone call	FRL/ATR/ Tattico	David Roebuck from Ngāti Pāoa, has confirmed they do not need to produce a CIA and are happy to continue to attend the project hui's.
Follow up meeting with owners of [REDACTED]	21 st July 2022	Meeting	FRL/ATR	Provided an update to [REDACTED] (owners) and explained and went through the changes that had been made to the plan of the house that will be in front of their home. They appreciated that we had made some

				changes that hopefully give them a better outcome. It was another cordial meeting. We will close this out with a letter that confirms the changes we are making.
Iwi Hui	25 th July 2022	Email / Phone call	FRL/ATR/ Tattico	To Geoff Cook from Ngāti Maru, to get written confirmation that they are not proceeding with CIA, nothing back as yet.
Iwi Hui	4 th August 2022	Workshop/Hui	FRL/ATR/ Tattico	Provide an Update prior to RC been lodged
Iwi Hui	8 th August 2022	Minutes	FRL/ATR/ Tattico	Minutes sent to all iwi and presentation
Letter sent to the owners of [REDACTED]	8 th August 2022	Letter/ email	FRL/ATR	Letter and plans sent to [REDACTED] closing out and confirming actions
Key stakeholders informed that RC has been lodged	15 th August 2022	Email / Phone call	FRL/ATR/ Tattico	Provided an update
Ellerslie Residents Association	22 nd August 2022	Meeting	FRL	Monthly Ellerslie Residents Association meeting, presentation delivered by FRL who were invited by the Chair Glen McCabe.
Iwi Hui	15 th November 2023	Hui/Minutes	FRL	Minutes issued to all iwi and submitted with PPC documentation
Iwi Hui	1 st February 2024	Hui/Minutes	FRL	Minutes issued to all iwi and submitted with PPC documentation
Iwi Hui	30 th April 2024	Hui/Minutes	FRL	Minutes issued to all iwi and submitted with PPC documentation

Precedence of Business

Resolution number OR/2024/131

MOVED by Chairperson S Milne, seconded by Member T Churton:

That the Ōrākei Local Board:

- a) **agree that Item 15 - 140C Bassett Road, Remuera - private use occupation easement be considered after Item 24 - Chairperson and Board Members' Report.**

CARRIED

Note: Item 15 - 140C Bassett Road, Remuera - private use occupation easement was considered after Item 24 - Chairperson and Board Members' Report.

16 Local board views on Plan Change 104 (Private) Remuera Precinct

Clare Wall Shaw (Planning Central/South Team Leader) was in attendance to speak to the item.

A document was tabled in support of this item. A copy of the tabled document has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

Resolution number OR/2024/132

MOVED by Chairperson S Milne, seconded by Member D Wong:

That the Ōrākei Local Board:

- a) **note the purpose of the plan change is to rezone the property from Special Purpose – Major Recreation Facility zone to a combination of Residential - Terrace Housing and Apartment Buildings zone and Residential – Mixed Housing Urban zone. The property reflects the area of current construction.**
- b) **acknowledge the effects and issues raised by locals regarding the Fletcher proposal and existing development (concerns about traffic, height, infrastructure etc.) and agree that these are adverse effects on the surrounding environment.**
- c) **note the impacts of private plan changes - they often have dramatic impact on the need for improved infrastructure and involve considerable loss of biodiversity which has been the case with The Hill development of what was known as Ellerslie Racecourse.**
- d) **highlight that private plan change applications need to be considered in a holistic context. Large recreational areas traditionally used for certain purposes such as golf or horseracing need to be re-purposed with new recreational uses to meet future needs and sustainability, rather than given over to densification.**
- e) **note concern at the potential for further variations to existing proposals within the subject area and densification in adjacent areas to be applied for once this type of Plan Change is approved on the grounds that there is a permitted baseline of densification creeping into the area.**
- f) **note that Fletcher Residential has already been granted resource consent and started construction.**
- g) **support moving away from a Special Purpose – Major Recreation Facility zone to a combination of Residential - Terrace Housing and Apartment Buildings zone, and Residential – Mixed Housing Urban zone, as maintaining the Special**

Purpose – Major Recreation Facility zone MAY undermine council’s ability to VALUE and appropriately rate residential units, and to control housing density.

- h) appoint Member Troy Churton to speak to the local board views at a hearing on private plan change 104.**
- i) delegate authority to the Chairperson of Ōrākei Local Board to make a replacement appointment in the event the local board member appointed in resolution h) is unable to attend the private plan change hearing.**

CARRIED

Attachments

- A 17 October 2024, Ōrākei Business Meeting: Item 16 - Local board views on Plan Change 104 (Private) Remuera Precinct - Plan Change 104 (Private): Remuera Precinct - Attachment A - PDF**

17 Local board views on draft changes to dog policy and bylaw

Resolution number OR/2024/133

MOVED by Chairperson S Milne, seconded by Deputy Chairperson S Powrie:

That the Ōrākei Local Board:

- a) note that the standardisation of rules has enabled policy settings to be lowered in the interest of making them understandable.**
- b) highlight the significant difficulties in implementing prompt enforcement and recommend that animal control officer resources include additional contracted officers to maximise efficiency.**
- c) discourage multiple dog walking as it facilitates dog owners delegating their duty of care to another and discounts the duty to manage their own animal directly.**
- d) emphasise that multiple dogs should never be off-leash due to incidents from single off-leash dogs requiring high management and control, along with the ability for one individual to manage more than two off-leash dogs appropriately as unlikely.**
- e) recommend that to efficiently manage multiple dog walking and ensure multiple dogs are not off-leash, dog walkers should be licensed and have undertaken unique, specific training to the trade.**
- f) recommend the following in relation to regional park dog access rules:**
 - i) All regional park dog access rules must be amended so that the starting position for any regional park is ‘dogs are prohibited’ and concessions are made from that starting reference. This reinforces a behaviour of respect and improves an awareness of our taonga, and that exercising domestic animals in regional parks is a privilege and not a right. This default prohibition rule sets a clear prioritisation of regional parks as places of environmental and recreational sanctity.**
 - ii) Any foreshore area in any regional park known as a bird nesting area and any native forest area in any regional park must be dog prohibited areas and any dog exercise concession should be restricted to ON-leash only.**
 - iii) Dog access rules in regional parks should be scheduled to acknowledge some defined areas which may be suitably used for ON-leash dog access without generating nuisance or disturbance to wildlife or other park users.**
 - iv) The dispensation areas should be independently assessed to ensure dog access will not jeopardise the park environment and returned to boards**

Please find material on PC 104 web page;

<https://www.aucklandcouncil.govt.nz/plans-projects-policies-reports-bylaws/our-plans-strategies/unitary-plan/auckland-unitary-plan-modifications/Pages/details.aspx?UnitaryPlanId=270>

APPENDIX 4

SUBMISSIONS AND SUMMARY OF DECISIONS REQUESTED

From: UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 104 - Kelsey Bergin
Date: Thursday, 25 July 2024 9:00:31 am

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Kelsey Bergin
Organisation name:
Agent's full name:
Email address: kelseylubergin@gmail.com
Contact phone number:
Postal address:

Submission details

This is a submission to:

Plan change number: Plan Change 104
Plan change name: PC 104 (Private): Remuera Precinct

My submission relates to

Rule or rules:
All
Property address:
Map or maps:
Other provisions:
All

Do you support or oppose the provisions you have specified? I or we support the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:
The application aligns with an already approved fast track and the zoning proposed is appropriate. Development, especially housing, in this area should be actively supported

I or we seek the following decision by council: Approve the plan change without any amendments | 1.1

Details of amendments:
Submission date: 25 July 2024

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

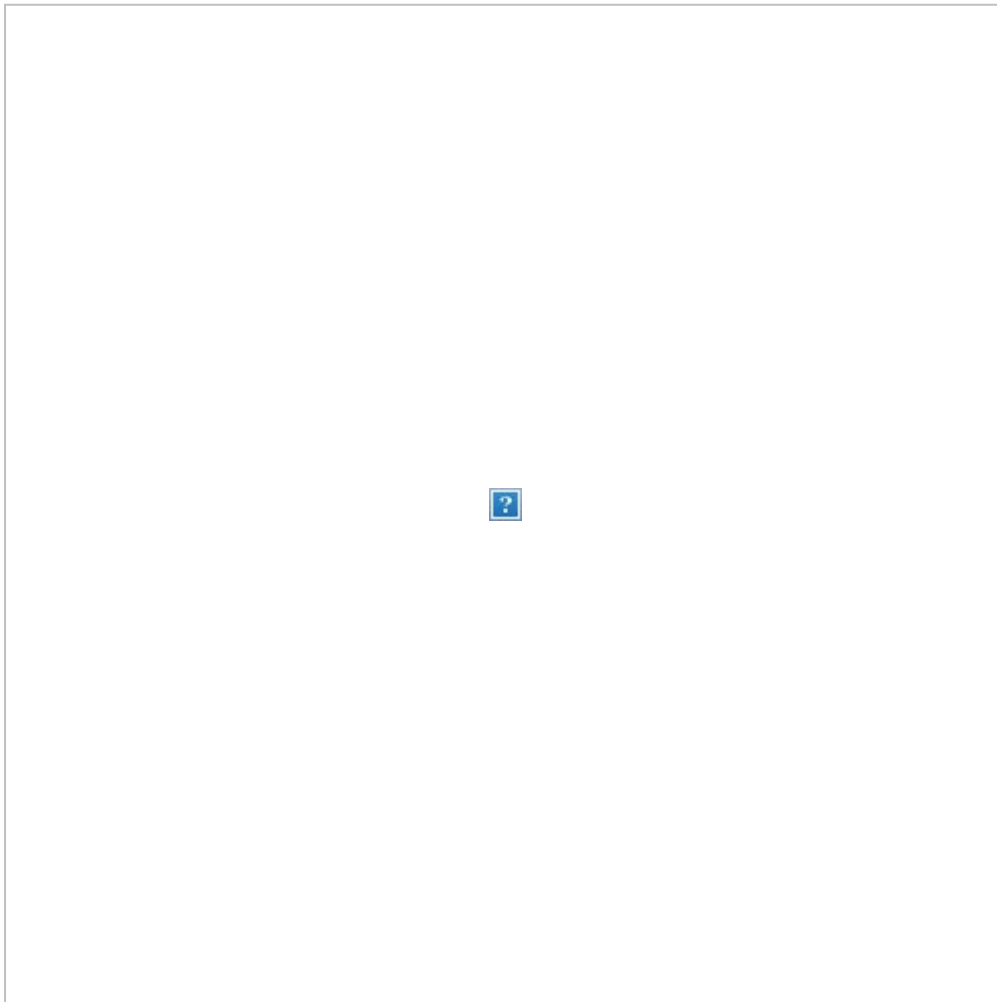
Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 104 - Stephanie Gale
Date: Friday, 26 July 2024 9:15:43 am

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Stephanie Gale

Organisation name:

Agent's full name:

Email address: stephaniegalez@gmail.com

Contact phone number:

Postal address:

84 Park Road

Titirangi

Auckland 0604

Submission details

This is a submission to:

Plan change number: Plan Change 104

Plan change name: PC 104 (Private): Remuera Precinct

My submission relates to

Rule or rules:

Rezoning of land from Special Purpose Major Recreation Zone to THAB residential

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we support the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

Making more central Auckland land available for medium / high density housing is exactly what is needed to alleviate the housing shortage.

I or we seek the following decision by council: Approve the plan change without any amendments

2.1

Details of amendments:

Submission date: 26 July 2024

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

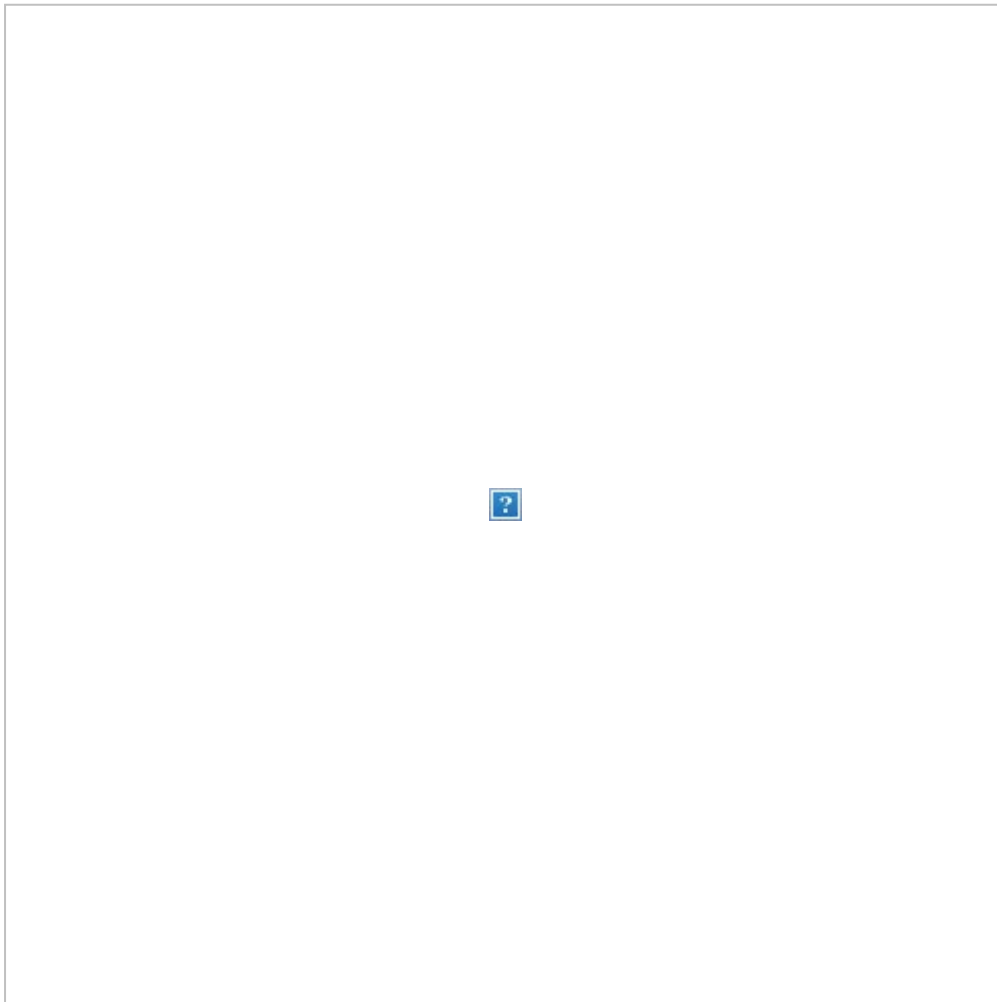
Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 104 - Samuel Fielding
Date: Monday, 29 July 2024 3:31:00 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Samuel Fielding

Organisation name:

Agent's full name:

Email address: smfielding833@gmail.com

Contact phone number:

Postal address:

124 Ladies Mile

Ellerslie

Auckland 1051

Submission details

This is a submission to:

Plan change number: Plan Change 104

Plan change name: PC 104 (Private): Remuera Precinct

My submission relates to

Rule or rules:

Roading

Property address: 124 Ladies Mile

Map or maps: Drawings PP01 and PP05

Other provisions:

The congestion on and around Ladies Mile is already far too much for the road to manage, causing massive travel delays each morning and evening. Creating more high density housing here is only going to exacerbate the issue. There needs to be roading that links Ladies Mile to Greenlane East and/or Peach Parade. The current plan for crescents and roundabouts is going to make the traffic unbearable.

3.1

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

Adding thousands more residents to an already heavily populated area is going to cause public unrest.

I or we seek the following decision by council: Decline the plan change, but if approved, make the amendments I requested

Details of amendments: As above.

Submission date: 29 July 2024

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

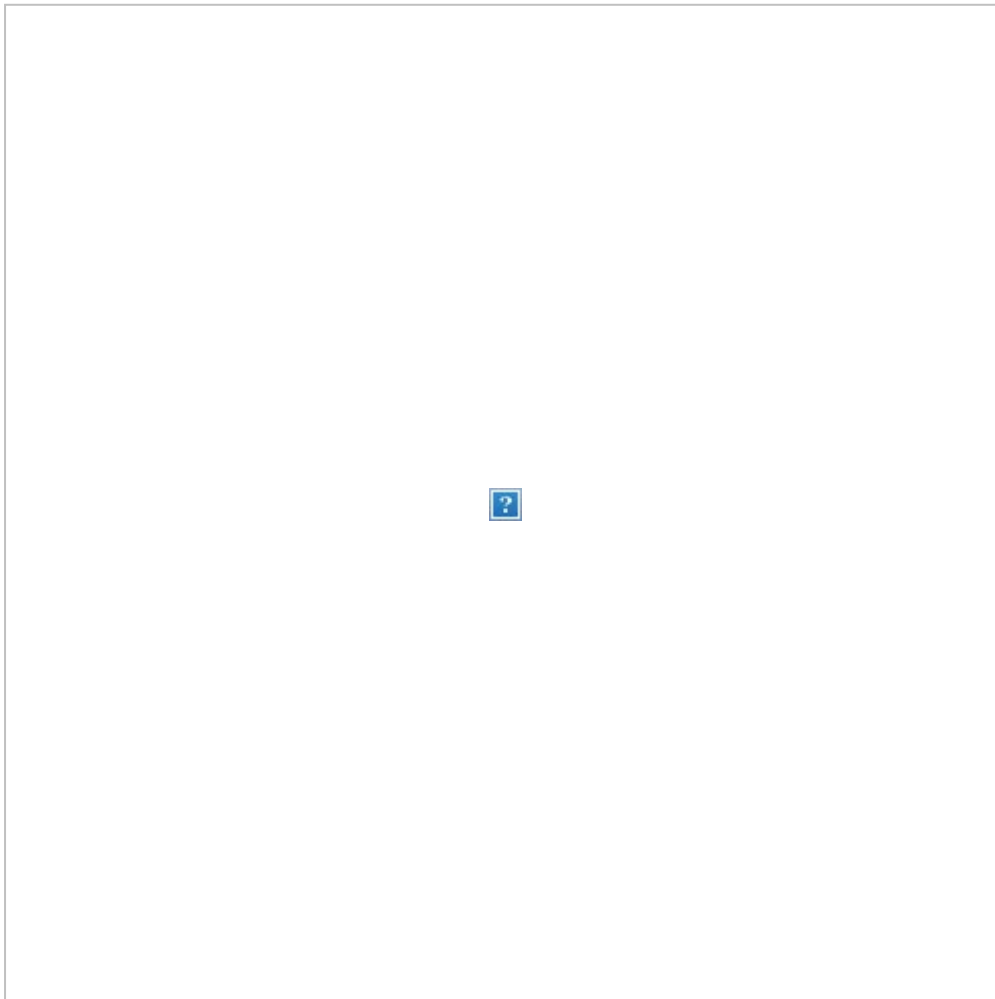
Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 104 - Katarina Pochyba
Date: Thursday, 1 August 2024 7:30:26 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Katarina Pochyba

Organisation name:

Agent's full name:

Email address: pochyba@hotmail.com

Contact phone number: 0272277321

Postal address:
86 Ladies Mile Remuera
Remuera
Auckland 1050

Submission details

This is a submission to:

Plan change number: Plan Change 104

Plan change name: PC 104 (Private): Remuera Precinct

My submission relates to

Rule or rules:
Rezoning of land at 79 Ladies Mile Remuera

Property address: 86 ladies mile remuera

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:
I own and live in the property at 86 Ladies Mile in Remuera and am opposed to the following plan change for the below reasons.

The proposed 25 metre high buildings will block significant sunlight from the front of my property where the two main bedrooms are. Further having seven stories of apartments facing directly into my bedroom makes me feel uncomfortable due to the lack of privacy, and I oppose the decision.

The traffic on the main road is already very heavy in the morning and the afternoons and sometimes I struggle to get in and out of my driveway safely, the proposed "upper loop road" is directly in front of my property and will cause further significant traffic and congestion.

The construction is significant and highly disruptive, i intend to sell my property in the next 24

months and will struggle to achieve the sale price I otherwise would if the construction didnt proceed.

If someone can please get in touch with me that would be much appreciated as I am finding this highly stressful.

Regards

Katarina Pochyba

I or we seek the following decision by council: Decline the plan change

Submission date: 1 August 2024

4.1

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?
Yes

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

Do you know your flood risk? Check your address and get prepared.

CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 104 - Keith Whitlow
Date: Thursday, 1 August 2024 11:15:42 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Keith Whitlow
Organisation name: Vita Nova Projects Ltd
Agent's full name: Keith Whitlow
Email address: info@plastertech.co.nz
Contact phone number:
Postal address:
PO Box 64101 Botany Downs
Auckland
Auckland 0626

Submission details

This is a submission to:
Plan change number: Plan Change 104
Plan change name: PC 104 (Private): Remuera Precinct

My submission relates to

Rule or rules:
79 LADIES MILE
Property address:
Map or maps:
Other provisions:
REZONING OF LAND

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:
The area needs more recreation areas, not less, and will adversely affect traffic and values, with too much housing infill.

I or we seek the following decision by council: Decline the plan change

Submission date: 1 August 2024

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

| 5.1

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

[Do you know your flood risk? Check your address and get prepared.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 104 - Simon McMullen
Date: Wednesday, 14 August 2024 8:15:27 pm
Attachments: [Ladies Mile Slip Lane.pdf](#)

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Simon McMullen
Organisation name:
Agent's full name: Simon McMullen
Email address: simon.c.mcmullen@gmail.com
Contact phone number: 021440195
Postal address:
84 Ladies Mile
Remuera
AUCKLAND 1050

Submission details

This is a submission to:

Plan change number: Plan Change 104
Plan change name: PC 104 (Private): Remuera Precinct

My submission relates to

Rule or rules:
Property address: 84 Ladies Mile
Map or maps:
Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:
Our property at 84 Ladies Mile is located within a residential slip lane between 82-88 Ladies Mile immediately opposite the new development. We are relatively new to the property and appreciate this opportunity to express our thoughts on the plan change.

We have five main areas of concern:

1. There does not appear to be any mention of the above residential slip lane in the transport assessments provided. The properties at 82-88 rely on entering and exiting right out of the slip lane, at approx no.82 Ladies Mile. The addition of vehicles turning left and right out of the proposed north west upper loop will make what is already a difficult manoeuvre even more dangerous exiting our property.

We are already concerned with turning right into our property with three young children onboard and

the way it aggravates held up traffic. We would like confirmation a full sized flush median strip will be installed along Ladies Mile to help mitigate this impact. This is especially critical during peak traffic times. | 6.1

We are also concerned with the accuracy of the assumed roading layouts (figures 4.5-4.12) shown in the current PC104 transport assessment, and recommend these are illustrated in further detail to consider vehicles entering and exiting the residential slip lane noted above. | 6.2

2. We would also like to query the design and strength of the current slip lane barrier, and the increased risk of this being struck by errant vehicles with the new roads and layouts. | 6.3
| 6.4

3. On road parking is already limited and we are concerned this will be reduced with the new roading layout, please confirm the plans. | 6.5

4. What is being proposed to reduce the single lane traffic congestion between 70-88 Ladies Mile at peak times? | 6.6

5. We are concerned how the new Remuera Precinct and building heights up to 25m will impact our privacy and access to daylight/sunlight. Our property is in the residential single house zone, and we are concerned how this will impact the zones character. | 6.7

I or we seek the following decision by council: Decline the plan change, but if approved, make the amendments I requested

Details of amendments: Further consideration of impact on existing Ladies Mile residential slip lane and properties opposite the development.

Submission date: 14 August 2024

Supporting documents
Ladies Mile Slip Lane.pdf

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?
Yes

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

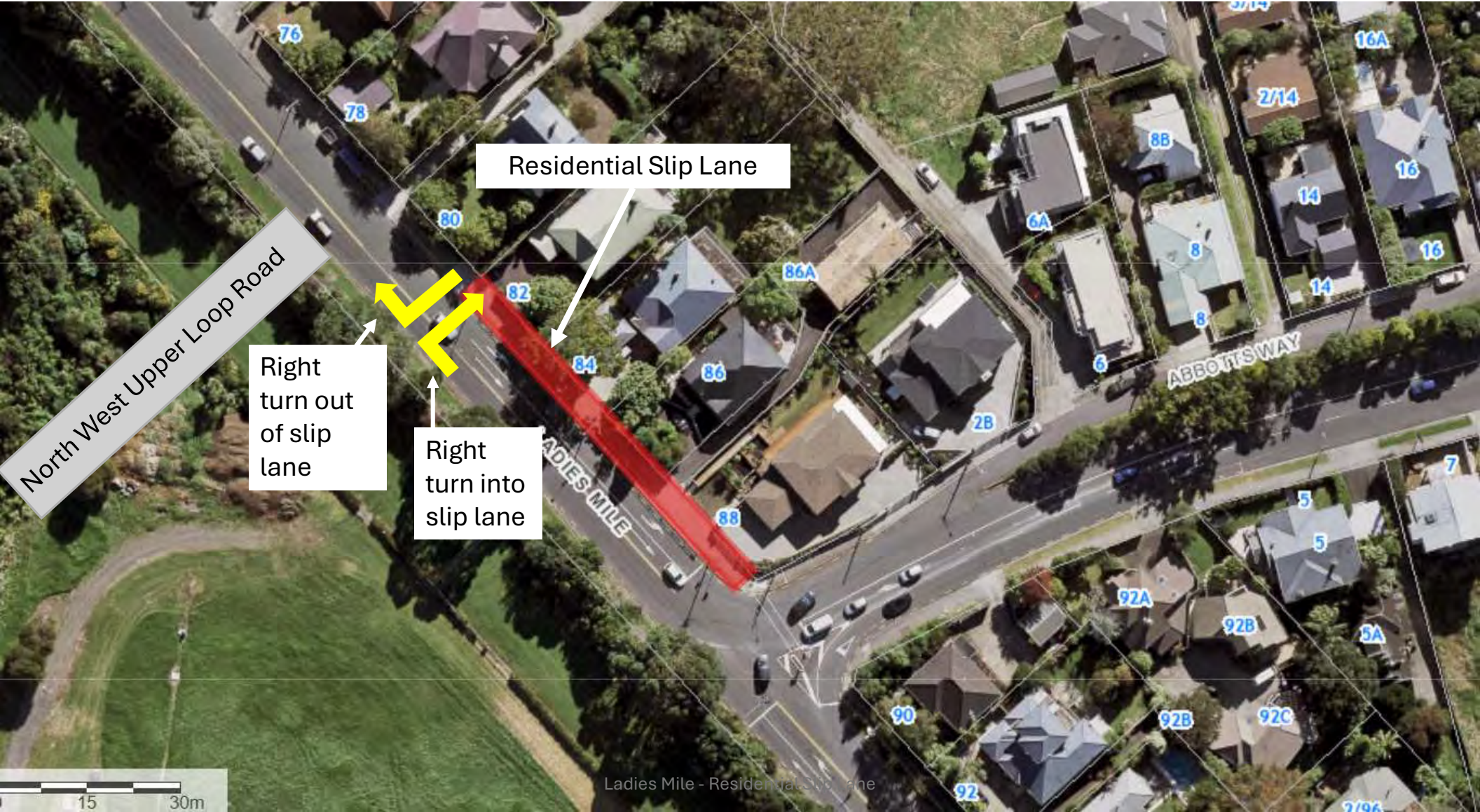
No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

Do you know your flood risk? Check your address and get prepared.



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.



Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 16, 135 Albert Street
Private Bag 92300
Auckland 1142

For office use only
Submission No:
Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

Ian Calhaem

Organisation Name (if submission is made on behalf of Organisation)

Address for service of Submitter

6 Hunterville Court,

Ellerslie, 1051

Telephone:

21936795

Email:

ian@hunterville.org

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PC 104 (Private)

Plan Change/Variation Name

Remuera Precinct

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

Location of Interface Control Zone, changes to MHU and THAB zone rules

Or

Property Address

Pedestrian Crossing on Derby Downs Place to Lonsdale St

Or

Map

Or

Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended Yes No

The reasons for my views are:

As on attached sheet

(continue on a separate sheet if necessary)

I seek the following decision by Council:

Accept the proposed plan change / variation

Accept the proposed plan change / variation with amendments as outlined below

Decline the proposed plan change / variation

If the proposed plan change / variation is not declined, then amend it as outlined below.

The existing Interface Control Zone be moved from the boundary with dwellings on Hunterville Court/Derby Downs to the boundary between the racecourse and the new development, as already proposed for the boundary along Peach Parade.

The existing provisions of MHU and THAB are retained and

The existing height to boundary conditions as Consented by the Fast Track application are retained.

Proposed Plan change 104 must include provision for safe pedestrian access from the site to Lonsdale Street. As a minimum PPC104 should include a pedestrian crossing opposite 15 Derby Downs Place.

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

If others make a similar submission, I will consider presenting a joint case with them at a hearing

7.1
7.2
7.3
7.4
7.5
7.6

08/18/2024

Signature of Submitter
(or person authorised to sign on behalf of submitter)

Date

Notes to person making submission:
If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could /could not gain an advantage in trade competition through this submission.
If you could gain an advantage in trade competition through this submission please complete the following:
I am / am not directly affected by an effect of the subject matter of the submission that:
(a) adversely affects the environment; and
(b) does not relate to trade competition or the effects of trade competition.

Proposed Plan Change 104

Background

The zoning of residential housing in Hunterville Court and Derby Downs was changed by PC78 from MHS to MHU.

The purpose of PC78 was to allow an increase in residential intensification in locations closer than 800m from train stations in a controlled manner.

The Developers have acknowledged that the development is outside this 800m radius and are trying to argue that the established rules should not apply to them.

This is an insidious lowering of standards that were only recently established by PC78.

Contrary to the Developer's statements, the site is not well provided for by public transport, and AT in the fast-track application commented that an increase in bus services is restricted by the already constricted roading system surrounding the site.

An increase in the height overlay in the proposed THAB zones from 16m + 2m roof form to 25m is again a subtle dilution of the standards only recently established in PC78.

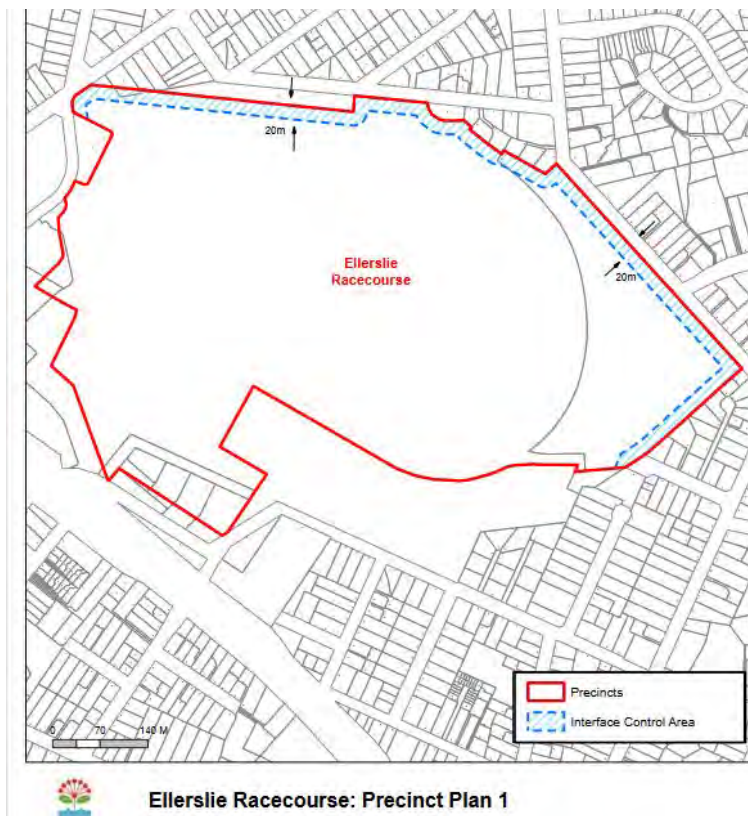
The fast-track Consent permits two level detached housing along Ladies Mile due to the Single House Zone and two level detached housing along the southern boundary due to existing neighbouring houses.

The Developer states in the proposed PPC104 that "The maximum volumes shown in Figure 20b are a **Significant Improvement** and are consistent with the neighbourhood context. They therefore recognise that the change the zoning from MHS to MHU along this boundary is detrimental to the neighbours, and contrary to what was proposed and consented to.

The Developers acknowledge that the roading network is close to capacity in the morning and afternoon peak periods. However, they are proposing that up to 100 residential movements per hour can be accommodated in the northern portion and 150 vehicle movements per hour in the southern portion if the Derby Downs and Ladies Mile intersection is upgraded to a signalised intersection. They further argue that there is a good and convenient path from the Development to the Ellerslie Train Station across Derby Downs and via Lonsdale Street.

During the Fast Track process residents raised the current issues with the volume of traffic using Derby Downs to access the Racecourse which conflicts with pedestrians, including school children getting to Ellerslie School and the train station. The addition of up to 150 further traffic movements per hour will further compound the problem.

A. Interface Control Zone



Precinct Plan page 29 (consolidated 1313)

1313.10. Precinct plans

1313.10.1. Ellerslie Racecourse: Precinct plan 1



Proposed by Plan PPC104

1313.10. Precinct plans

1313.10.1. Ellerslie Racecourse: Precinct plan 1



Proposed by residents

The relationship between the existing houses and the activities on the Racecourse precinct are currently protected by the Interface Control Zone as specified in the Unitary Plan, 1311.10. The PPC 104 proposes the construction of 357 dwellings in the north east corner of the precinct in accordance with the fast-track consent. The presence of these dwellings does not alter the relationship between the existing dwellings and the activities on the racecourse.

Therefore, we propose that:

- The existing Interface Control Zone be moved from the boundary with dwellings on Hunterville Court/Derby Downs to the boundary between the racecourse and the new development, as already proposed for the boundary along Peach Parade.

7.1

B. Changes to Zoning

The proposed increase in dwellings per site from 1 to 3 within the MHU and THAB zones is contrary to the Consented approval given by the Fast Track application. The Developers are insisting that the Consent limits the total number of dwellings to 357 and that they do not intend to alter this, however there is no guarantee that the plans submitted for the Fast Track Application will be adhered to. Further, the proposal is to increase the permitted volume by changing the height to boundary requirement of 2m by 45 degrees, to 4m and 60 degrees.

We propose that:

- The existing provisions of MHU and THAB are retained and
- The existing height to boundary conditions as Consented by the Fast Track application are retained.

7.2

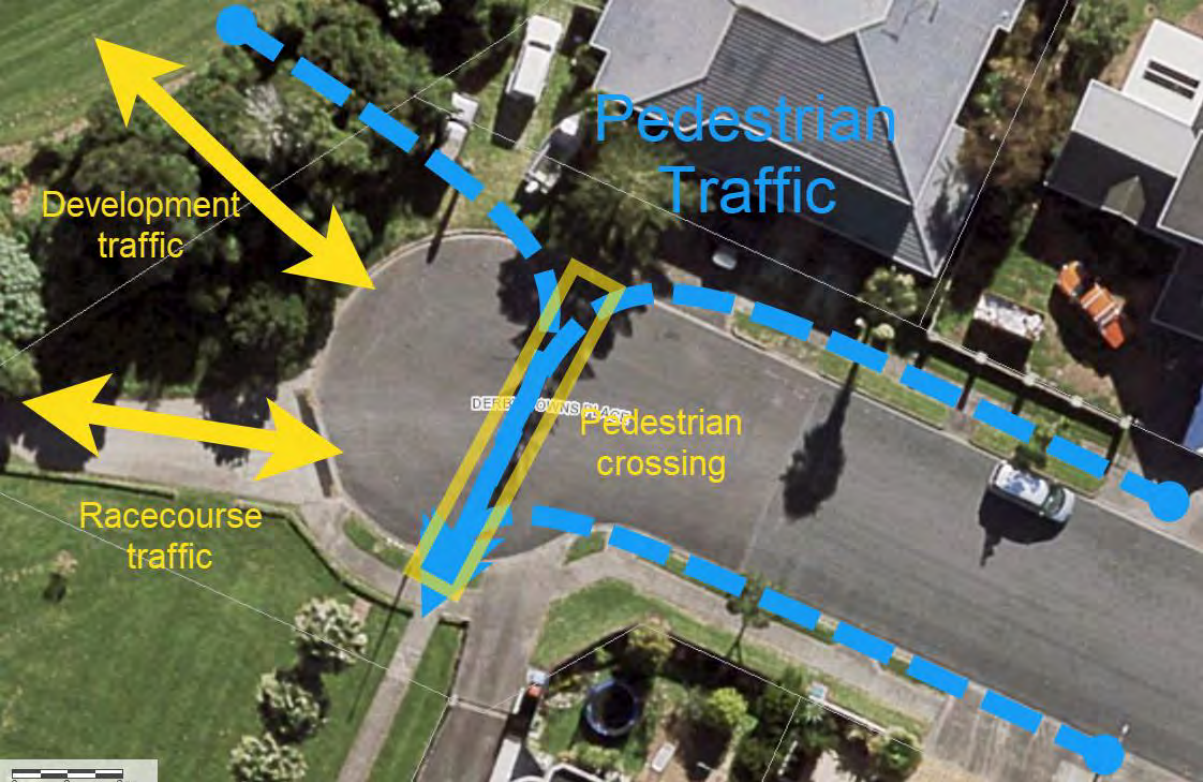
7.3

7.4

I note that both these concerns (A & B) were also raised by Auckland Council in P3 and T11 of their request for further information.

We disagree with the responses from the applicant, where they argue that their “policy is...” as this does not ensure adherence to the current “policy” in the future. The maximum cap of 357 dwellings does not define where these dwelling will be located and changing the provisions of MHU would allow adverse changes affecting neighbourhood dwellings with no comeback available.

C. Pedestrian access to Ellerslie train station



- Proposed Plan change 104 must include provision for safe pedestrian access from the site to Lonsdale Street. As a minimum PPC104 should include a pedestrian crossing opposite 15 Derby Downs Place.
- A further recommendation would be to ask Council to consider an additional pedestrian crossing across Morrin St to Robert St.

7.5

7.6

Ian Calhaem
 18th August 2024

From: UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 104 - Deborah Anne Keightley
Date: Monday, 19 August 2024 4:01:01 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Deborah Anne Keightley

Organisation name:

Agent's full name:

Email address: debbie@keightley.co.nz

Contact phone number:

Postal address:
1/18 Lonsdale Street,
Ellerslie
Auckland 1051

Submission details

This is a submission to:

Plan change number: Plan Change 104

Plan change name: PC 104 (Private): Remuera Precinct

My submission relates to

Rule or rules:
My submission relates to changing the present zoning to Terraced Housing/Apartments

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

Changing the zoning from special reserve to Terraced Housing/Apartments is taking the nuclear option what would also work for increasing dwellings is to zone the area Medium density and that would then mean (that as the development is the the north and west of us) the neighbours that are already living in the area will not have their housing shaded by tall apartment buildings looking into their back yards.

The upper change, on Ladies Mile is not so bad as Remuera already has a horrible record of placing tall apartment blocks on ridge lines but the bottom plan change is for a commercial property (Retirement Village) where in fact there is plenty of land, at the moment, for the village to spread horizontally to say 3/4 stories rather than a very tall apartment block, in Ellerslie (the bottom plan change area is in Ellerslie, not Remuera) Ellerslie has NO high rise buildings so the bottom property will be entirely out of character in an area with 2 story bungalows and 90's infill housing, for what? a commercial complex!

Additionally has anyone thought to contact Ellerslie Primary School (the zoning area for this

development) to see whether they can take the students that will be generated from this development? My understanding is that they are VERY limited for space.

My proposal is that the upper area (by Ladies Mile goes ahead and is changed to Terraced Housing/Apartments for the main reason that it is a new development and subsequent housing can be built to mitigate the downsides of living by an apartment tower.

8.1

I propose that the lower request for a plan change is refused and the limit of the development there be 3/4 stories.

8.2

I or we seek the following decision by council: Approve the plan change with the amendments I requested

Details of amendments: Approve the upper Ladies Mile Apartment block. Decline the lower/southerly request for plan change but change the whole Hill area to Medium density housing

8.1

8.2

Submission date: 19 August 2024

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

Do you know your flood risk? Check your address and get prepared.

CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

IN THE MATTER of the Resource
Management Act 1991
(**RMA**)

A N D

IN THE MATTER of a submission under
clause 6 of the First
Schedule to the RMA on
Private Plan Change 104:
Remuera Precinct

**SUBMISSION ON NOTIFIED PROPOSAL FOR PRIVATE PLAN CHANGE 104
TO THE AUCKLAND UNITARY PLAN (OPERATIVE IN PART)**

To: Auckland Council

Name of submitter: Auckland Council
(contact: Warren Maclennan)

Address for service: 35 Albert Street
Private Bag 92300
Auckland 1142

INTRODUCTION

1. This is a submission on Private Plan Change 104: Remuera Precinct (the **plan change**) to the Auckland Unitary Plan (Operative in Part) (**AUP**) by Fletcher Residential Limited (the **Applicant**).
2. This submission by Auckland Council is in its capacity as submitter (**ACS**).
3. ACS could not gain an advantage in trade competition through this submission.

THE SPECIFIC PROVISIONS OF THE PROPOSAL THE SUBMISSION RELATES TO

4. This submission relates to the plan change in its entirety and all provisions including:
 - a. the Remuera Precinct (the **Precinct**); and
 - b. the Auckland Unitary Plan Maps.

SUBMISSION

5. ACS opposes the plan change, unless the matters raised in this submission are addressed. Specifically, ACS opposes the following aspects of the plan change:
 - a. The manner in which zoning has been incorporated into the precinct. Zoning should not be shown on precinct plans, and the zoning of a reserve outside the proposed precinct should not be included.
 - b. Lack of utilisation of existing AUP controls / methods, which may prevent consistent administration of the plan. For example, ACS seeks whether the existing Height Variation Control and Vehicle Access Restriction Control should be applied, rather than creating bespoke new rules within the precinct.
 - c. Lack of consistency with AUP *Best Practice Guide for Plan Changes to the Auckland Unitary Plan* (December 2018). For example, sub-precinct areas are not correctly named, and policy verbs used are not always in accordance with the style guide.
 - d. It is unclear whether all aspects of the Medium Density Residential Standards (MDRS) have been properly incorporated, as the approach used by the applicant appears to be different than the typical approach. This needs to be reviewed.
 - e. Rules that are qualifying matters must be annotated.

References to Zoning in Precinct Provisions & Plans

6. ACS is concerned about the manner in which zoning has been incorporated into the precinct. The underlying THAB and MHU zoning are shown on Precinct Plan 1, and the zone names are referenced throughout the precinct. The maps and associated provisions should instead be changed to 'Sub-Precinct A' and 'Sub-Precinct B' (instead of 'THAB zoned areas of the Precinct' and 'Mixed Housing Urban zoned areas of the Precinct'), to be consistent with how other precincts are presented. The current drafting creates the potential for future implementation issues, particularly should the underlying zoning be changed in the future.

9.1

7. Additionally, showing Open Space Zoning of a reserve that is outside the proposed precinct is misleading, and should be removed from the plan change. 9.1

Consistency with existing AUP controls

8. ACS is concerned that there are inconsistencies with the methods proposed in the drafting of this precinct that will prevent consistent administration of the plan. The precinct proposes bespoke new controls, rather than using the controls that already exist in the AUP to manage these same matters.
9. Heights should be shown in the Height Variation Control (HVC) layer in the AUP Map Viewer, rather than shown on Precinct Plan 1. Using the HVC instead of the static precinct plan is a better approach, because the AUP Map Viewer will be regularly updated with any changes to cadastral information (meaning danger of misalignment of control with boundaries is minimised), application of spatial method will be easily understood, and the special height control will be clearly visible in AUP Map Viewer property summary. 9.2
10. The suggestion above of labelling this area as ‘Sub-Precinct A’ instead of ‘THAB zoned areas of the Precinct’ will allow the maps to read more clearly, and will help set clear objectives for the outcomes sought in this high-density part of the precinct. 9.3
11. Similarly, the proposed Arterial Road Access Restriction appears to be a variation on the Vehicle Access Restriction – General Control, which already exists elsewhere in the AUP (see chapter E27). ACS considers that utilising this existing tool may be a better way to restrict vehicle access along Ladies Mile, rather than creating a new rule that is specific to this precinct. A notable difference is that an infringement to the Vehicle Access Restriction is a Non-Complying activity, whereas the precinct proposes a Discretionary activity. Further study of this issue is likely needed, with particular attention paid to plan consistency. 9.4

Consistency with AUP style guide

12. The plan change does generally appear to be drafted appropriately, but ACS is concerned that the plan change does not in all instances reflect the *Best Practice Guide for Plan Changes to the Auckland Unitary Plan* (December 2018). 9.5
13. For example, the use of ‘Ensure’ in Policy IXXX.3(5) should be amended to the policy verb of ‘Require’ instead. The provisions should be thoroughly checked against the AUP best practice guide and be amended as required to ensure consistency with this guide. 9.6

Medium Density Residential Standards

- 14. The plan change has incorporated the Medium Density Residential Standards (**MDRS**), as required under Section 77G of the RMA. It has done so through the listing of separate provisions in 'Appendix B', rather than incorporating these directly into the objectives, policies, and activity tables. 9.7
- 15. However, it is not clear whether all the standards under MDRS have been properly reflected in the plan change. For example, there is no activity table referencing the full suite of use, development, and subdivision activities. Instead, there is a 'Rule' stating 'There must be no more than three dwellings per site'. This does not appear to reflect the MDRS requirement for 'Up to three dwellings per site' to be provided for as a permitted activity, and 'Four or more dwellings per site' as a restricted discretionary activity. 9.7
- 16. ACS therefore suggests that further work is required to amend the provisions and/or otherwise justify that *all* aspects of MDRS have been incorporated. 9.8
- 17. ACS is also concerned about incorporating specific reference to PC78, as this is a separate process that may or may not proceed in its current form, and could cause implementation issues with the precinct in future. It is recommended references to PC78 be reconsidered, and where appropriate removed from the plan change. 9.9

Qualifying Matters

- 18. The Section 32 Assessment Report identifies qualifying matters proposed within this plan change that relate to the setback of apartment buildings along the Ladies Mile frontage, the retention of existing trees, the proposed Notable Tree, and the maximum cap of 357 residential dwellings.
- 19. Rules related to these qualifying matters do appear to be properly annotated in the plan change provisions, but ACS requests that the annotation of qualifying matters continues to be reviewed, particularly in the event that there are any further amendments to the provisions that occur as the result of submissions. This is needed in order to properly meet the requirements of sections 77I-K of the RMA. 9.10

DECISION SOUGHT

- 20. ACS seeks the that the plan change is declined in its entirety, unless the matters raised in this submission are addressed.
- 21. In the alternative to the primary relief, ACS seeks the following decisions if the plan change is approved:

- a. Amend the Precinct Plans to remove the underlying zoning, and any zones outside the precinct. | 9.1
 - b. Amend the Precinct Plans to remove the 25m height limit, and instead use the Height Variation Control layer to show this information. | 9.2
 - c. Change reference to 'THAB zoned areas of the Precinct' to 'Sub-Precinct A' and 'Mixed Housing Urban zoned areas' to 'Sub-Precinct B' to align with AUP style and improve consistency with other precincts. | 9.3
 - d. Review the plan change provisions and amend as necessary to reflect the AUP style guide. | 9.5
 - e. Amend the provisions to incorporate all MDRS requirements, to ensure compliance with section 77G of the RMA. | 9.7
 - f. Ensure that the provisions continue to clearly annotate or identify any Qualifying Matters, to ensure compliance with sections 77I-K of the RMA. | 9.10
22. ACS seeks any other alternative or consequential relief to address the matters outlined in this submission.

APPEARANCES AT THE HEARING

- 23. ACS wishes to be heard in support of its submission.
- 24. If others make a similar submission, ACS will consider presenting a joint case with them at the hearing.

DATED 20 August 2024

On behalf of Auckland Council as submitter:



Warren Maclennan, Manager Planning - Regional, North, West & Islands, Planning & Resource Consents

Address for service:

Warren Maclennan
Email: Warren.Maclennan@aucklandcouncil.govt.nz
Telephone: 09 301 0101

Postal address:
Auckland Council
135 Albert Street
Private Bag 92300
Auckland 1142

From: UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 104 - Karl Flavell
Date: Wednesday, 21 August 2024 4:15:56 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Karl Flavell
Organisation name: Ngaati Te Ata Waiohua
Agent's full name: Karl Flavell
Email address: karl_flavell@hotmail.com
Contact phone number: 0279328998
Postal address:
PO BOX 437
Pukekohe Auckland
Pukekohe Auckland 2120

Submission details

This is a submission to:
Plan change number: Plan Change 104
Plan change name: PC 104 (Private): Remuera Precinct

My submission relates to

Rule or rules:
All of the Application
Property address:
Map or maps:
Other provisions:
Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified
Do you wish to have the provisions you have identified above amended? Yes
The reason for my or our views are:
That the CIA Report recommendations are provided for.
I or we seek the following decision by council: Approve the plan change with the amendments I requested
Details of amendments: To be provided
Submission date: 21 August 2024

Attend a hearing

Do you wish to be heard in support of your submission? Yes

10.1

Would you consider presenting a joint case at a hearing if others have made a similar submission?
No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

[Do you know your flood risk? Check your address and get prepared.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

Auckland Council
Private Bag 92300
Auckland 1142

Attn.: Planning Technician

unitaryplan@aucklandcouncil.govt.nz

TO: Auckland Council

SUBMISSION ON: Plan Change 104 (Private): Remuera Precinct

FROM: Watercare Services Limited

ADDRESS FOR SERVICE: planchanges@water.co.nz

DATE: 21 August 2024

Watercare could not gain an advantage in trade competition through this submission.

1 WATERCARE'S PURPOSE AND MISSION

- 1.1 Watercare Services Limited ("Watercare") is New Zealand's largest provider of water and wastewater services. Watercare is a council-controlled organisation under the Local Government Act 2002 and is wholly owned by the Auckland Council ("Council").
- 1.2 As Auckland's water and wastewater services provider, Watercare has a significant role in helping Auckland Council achieve its vision for the Auckland region. Watercare's mission is to provide reliable, safe, and efficient water and wastewater services to Auckland's communities.
- 1.3 Watercare is required to manage its operations efficiently with a view to keeping overall costs of water supply and wastewater services to its customers (collectively) at minimum levels, consistent with the effective conduct of its undertakings and the maintenance of the long-term integrity of its assets. Watercare must also give effect to relevant aspects of the Council's Long-Term Plan, and act consistently with other plans and strategies of the Council, including the Auckland Unitary Plan (Operative in Part) ("AUP OP"), the Auckland Plan 2050, and the Auckland Future Development Strategy 2023-2053.¹

¹ Local Government (Auckland Council) Act 2009, s58.

2 SUBMISSION

General

- 2.1 This is a submission on a private plan change requested by Fletcher Residential Limited (“Applicant”) to the AUP OP that was publicly notified on 25 July 2024 (“Plan Change 104”).
- 2.2 Plan Change 104 affects approximately 6.2 ha of land at 79 Ladies Mile Remuera (“Site”), to the east of the Ellerslie Racecourse. Resource consent for approximately 357 residential dwellings on the Site has already been granted through the fast-track process.²
- 2.3 The Plan Change includes:
- (a) Re-zoning of the Site from the existing Special Purpose – Major Recreation Facility zone to a combination of the Residential – Terrace Housing and Apartment Building zone and the Residential – Mixed Housing Urban zone.
 - (b) A new precinct (Remuera Precinct) with associated provisions to reflect the built form, site layout, connections and landscaped areas that have been consented through the approved Fast-track Consent.
- 2.4 Watercare opposes the Plan Change in its current form and has proposed amended precinct provisions in Attachment 1 to address the concerns set out in this submission.
- 2.5 The purpose of this submission is to address the technical feasibility of the proposed water and wastewater servicing to ensure that the effects of future development enabled under Plan Change 104 on Watercare’s existing and planned water and wastewater network are appropriately considered and managed in accordance with the Resource Management Act 1991 (“RMA”).
- 2.6 In making its submission, Watercare has considered the relevant provisions of the Auckland Plan 2050, Long-term Plan 2024-2034 (10-year Budget), the Auckland Future Development Strategy 2023-2053, the Water Supply and Wastewater Network Bylaw 2015, the Water and Wastewater Code of Practice for Land Development and Subdivision and the Watercare Asset Management Plan FY25-FY34. Watercare has also considered the relevant RMA documents including the AUP OP and the National Policy Statement on Urban Development 2020 (updated in May 2022).

Specific parts of the Plan Change

- 2.7 The specific parts of the Plan Change that this submission relates to are:
- (a) the extent of development to be enabled by the Plan Change, beyond that already authorised by the Fast-track Consent;
 - (b) the proposed water and wastewater servicing arrangements; and
 - (c) the effects of the Plan Change on Watercare’s existing and planned water and wastewater network.

² Refer decision of the Expert Consenting Panel for The Hill - Ellerslie, 17 April 2023 (“Fast-track Consent”).

Yield

- 2.8 The Engineering Report supporting Plan Change 104 has assessed the infrastructure requirements based on a total yield of 357 dwellings as enabled under the existing Fast-track Consent. The impact of development in excess of 357 dwellings on the water supply and wastewater networks servicing the Site has not been assessed by the Applicant.
- 2.9 As notified, Plan Change 104 incorporates density and subdivision rules that replicate the Medium Density Residential Standards (“MDRS”) introduced by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021. The density of development possible where the more permissive MDRS are incorporated can result in significantly higher yield.
- 2.10 Watercare's experience to date has been that when resource consents for subdivision and development enabled by approved plan changes are lodged, development proposals are often considerably more intensive than what was indicated and assessed during the plan change process (i.e. in terms of infrastructure capacity and constraints). Where this increase in yield has occurred previously, water and wastewater capacity has been taken up faster than planned which means that applications for connections to the network may not be able to be approved by Watercare for some time.
- 2.11 Similarly, under Plan Change 104, the proposed re-zoning could ultimately result in an intensity of future development well in excess of the consented scenario. In other words, the Site, if re-zoned, has the potential to accommodate significantly more than the 357 dwellings specified in the application (and against which water supply and wastewater infrastructure requirements have been assessed). Therefore, Watercare seeks amendments to the precinct provisions to ensure that development in excess of 357 dwellings on the Site requires an assessment of the capacity of the water and wastewater networks as part of any resource consent application to ensure that additional plan-enabled development can be appropriately accommodated.

11.1

Wastewater servicing

- 2.12 In its feedback to the Fast-track Consent Watercare indicated that the Branch 1 sewer had existing capacity constraints, with three engineered overflow point (“EOP”) structures downstream (in the vicinity of Woodley Avenue and Entrican Avenue) that were predicted to overflow frequently. The 357 dwelling development proposed in the Fast-track Consent was anticipated to increase overflow frequency and the volume of those EOPs to an unacceptable level.
- 2.13 The application states that wastewater connections from the Site to Ellerslie Branch 1B transmission sewer and the Derby Downs sewer have since been completed, consented and constructed under Engineering Approval No. ENG60396803, and include stormwater separation works necessary to provide capacity in the transmission sewer. This available capacity, however, is based on 357 dwellings and may be insufficient if future enabled development exceeds that yield.
- 2.14 Development in excess of 357 dwellings as approved under the Fast-track Consent will need to be reassessed by Watercare as part of any future resource consent to ensure that any additional yield can be accommodated.

11.2

Water supply servicing

- 2.15 In its feedback to the Fast-track Consent Watercare advised that the existing connections at Ladies Mile and Marua Road are required to be upgraded to 150mm diameter pipes.

- 2.16 An additional new watermain is also required from Peach Parade along the frontage at Ladies Mile, connecting to the Ladies Mile main near Marua Road.
- 2.17 The developer will also be responsible for internal reticulation to the above and firefighting requirements.
- 2.18 Development in excess of the 357 dwellings approved under the Fast-track Consent will need to be reassessed by Watercare as part of any future resource consent. | 11.2

Protection of wastewater and water infrastructure assets

- 2.19 The Fast-track Consent records Watercare's concern regarding the impact of construction and vibration on existing wastewater and water infrastructure. Conditions of consent were accordingly imposed to explicitly require:³
- (a) Protection of Watercare's 450mm Branch 1B Ellerslie wastewater and 810mm Hunua Treated Watermain from damage.
 - (b) Building surveys and repair of any damage caused by vibration from construction activities.
 - (c) Consultation with Watercare in the preparation of a Construction Noise and Vibration Management Plan.
- 2.20 Given the importance of this critical infrastructure and its recognition in the Fast-track Consent, Watercare considers that providing for its protection as part of the Plan Change is also appropriate. | 11.3

Precinct provisions

- 2.21 Watercare supports precinct provisions that require subdivision and development to be coordinated with the provision of adequate water supply and wastewater infrastructure and to ensure that its critical infrastructure is protected.
- 2.22 In that regard, Watercare therefore seeks the following amendments (as set out in Attachment 1) to the proposed Remuera Precinct provisions:
- a) Amendments to Objective 4 for consistency with other AUP OP precincts. | 11.4
 - b) New Objective 6 to acknowledge the need to protect Watercare's critical infrastructure against potential adverse effects of construction and vibration. | 11.5
 - c) New Policies 9 and 10 to give effect to Objective 4. | 11.6
| 11.7
 - d) New Special information requirement for a water supply and wastewater Infrastructure Capacity Assessment for any development and/or subdivision that will result in the precinct exceeding 357 dwellings. | 11.8

³ Refer decision of the Expert Consenting Panel for The Hill - Ellerslie, 17 April 2023, conditions 14(c), 15(g), and 67.

3 DECISION SOUGHT

3.1 Watercare seeks a decision that ensures that the water and wastewater servicing requirements of the Plan Change will be adequately met, such that water and wastewater related effects are appropriately managed.

11.9

3.2 Watercare seeks the following relief:

- (a) That the Plan Change be amended as set out in Attachment 1 (or similar amendments that address the concerns raised in this submission).
- (b) In the absence of amendments as set out in 3.2(b), that the Plan Change be declined.
- (c) Any such alternative or consequential relief that addresses the concerns raised in this submission.

4 HEARING

4.1 Watercare wishes to be heard in support of its submission.

21 August 2024

Mark Iszard

Mark Iszard
Head of Major Developments
Watercare Services Limited

Address for Service:
Amber Taylor
Development Planning Lead
Watercare Services Limited
Private Bag 92521
Victoria Street West
Auckland 1142
Phone: 022 158 4426
Email: Planchanges@water.co.nz

ATTACHMENT 1 – Amendments requested by Watercare

(based on Precinct Provisions proposed in the Application dated 18 June 2024)

Black Text – Notified Precinct provisions

Red Text – Watercare’s proposed amendments

Additions **underlined and bold**, deletions ~~struck through~~)

IXXX Remuera**IXXX.1 Precinct description**

The Remuera Precinct (Precinct) comprises approximately 6.2 hectares of sloping land which was formerly part of the Ellerslie Racecourse Precinct. The Precinct is located at the eastern end of the racecourse site and is bound by Ladies Mile and Derby Downs Place.

The Precinct enables housing choice including both medium to high density living opportunities with development up to 25m in height provided within the Terrace House and Apartment Building zones. Development of the Precinct is defined by identified publicly accessible open spaces, areas of private open space, existing mature Pohutukawa trees on Ladies Mile (combined with a 6m setback in their vicinity) and garden streets.

Movement through the Precinct is provided by two new public roads, one of which connects to Ladies Mile while the other connects to Derby Downs Place. Entry markers are proposed at these locations. A series of interconnected commonly owned access lots in combination with identified pedestrian routes provide internal linkages within and through the Precinct. An existing tunnel also connects Derby Downs Place with the infield of the racecourse.

Stormwater from the precinct is managed by the approved Stormwater Management Plan for the precinct.

The zoning of the land within the Precinct is Residential - Terrace Housing and Apartment Buildings and Residential – Mixed Housing Urban. All relevant overlay, Auckland-wide and zone provisions apply in this Precinct unless otherwise specified below.

The objectives, policies, rules and other provisions in Appendix B apply to and modify the Residential Mixed Housing Urban and Residential Terrace House and Apartment Building zoned land within the Precinct until Plan Change 78 becomes operative, after which point the provisions no longer apply.

IXXX.2 Objectives

- (1) The Precinct is a well-functioning urban environment that is serviced with adequate infrastructure and which recognises the importance of intensification of this locality in proximity to the Ellerslie Rail Station. Development is based around an integrated and connected series of public streets, publicly accessible open spaces, garden streets and publicly accessible pedestrian routes.

...

(4) Subdivision and development within the Precinct is coordinated with the supply delivery of sufficient adequate three waters, energy and communications infrastructure.

(5) Adverse effects on the safe and efficient operation of the road network are avoided.

(6) Adverse effects on the safe and efficient operation of the stormwater, water and wastewater network are avoided.

IXXX.3 Policies

...

(9) Require subdivision and development in the Precinct to be coordinated with the provision of adequate stormwater, wastewater, and water supply infrastructure with capacity for the proposed development.

(10) Avoid subdivision or development exceeding 357 dwellings within the Precinct where it cannot be demonstrated that there is sufficient capacity in the water supply and wastewater reticulated network to service the development in the Infrastructure Capacity Assessment required by IXXX.X Special information requirements.

...

IXXX.4 Activity table

All relevant overlay, Auckland-wide, and zone activity tables apply unless the activity is listed in Activity table IXXX.4.1 below.

Table IXXX.4.1 specifies the activity status of land use and subdivision activities in the Precinct pursuant to sections 9(3) and section 11 of the Resource Management Act 1991.

Table IXXX.4.1 Activity table

Activity		Activity status
(A1)	Any activity, development and/or subdivision that does not comply with Standards IXXX.6.1 – IXXX.6.11	RD
(A2)	Any activity, development and/or subdivision that does not comply with Standard IXXX.6.12 Arterial Road Access	D
(A3)	Any activity, development and/or subdivision that does not comply with Standard IXXX.6.13 Development Staging & Transport D D Network Infrastructure Requirements and Table IX.6.13.1	D

(A4)	Any activity, development and/or subdivision that would result in more than 357 dwellings within the Precinct	NC
------	---	----

...

IXXX.8 Special information requirements

An application for any subdivision or development must be accompanied by:

Water supply and wastewater Infrastructure Capacity Assessment

(1) As part of any development and/or subdivision that will result in the precinct exceeding 357 dwellings¹, the applicant is required to produce a water supply and wastewater Infrastructure Capacity Assessment for the precinct to demonstrate there is sufficient capacity in the local and bulk water and wastewater reticulated network.

¹ Consented under the decision of the Expert Consenting Panel for The Hill - Ellerslie, 17 April 2023

From: UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 104 - Elizabeth Leuchars
Date: Thursday, 22 August 2024 3:01:04 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Elizabeth Leuchars

Organisation name: NA

Agent's full name: Lizzie

Email address: lizzieleuchars@gmail.com

Contact phone number:

Postal address:
lizzieleuchars@gmail.com
Auckland
Auckland 1051

Submission details

This is a submission to:

Plan change number: Plan Change 104

Plan change name: PC 104 (Private): Remuera Precinct

My submission relates to

Rule or rules:
The Auckland Unitary Plan
Proposed Plan Change 104 (Private) - Remuera Precinct

Property address: 79 Ladies Mile, Remuera.

Map or maps:

Other provisions:
Proposed Plan Change 104 (Private) Remuera Precinct

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

It is in relation to the height of the buildings; the density of living (ie the number of people living in this block). The lack of infrastructure i.e. Roads, drainage, sewage, and local schools which are already under severe pressure, and developments such as Stonefields and other such Remuera developments have already compounded this problem. These critical factors have not been addressed. Fletcher Living is slicing the salami on top of the concessions that have already been made to them.

I or we seek the following decision by council: Decline the plan change

Submission date: 22 August 2024

12.1

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

[Do you know your flood risk? Check your address and get prepared.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 16, 135 Albert Street
Private Bag 92300
Auckland 1142

For office use only
Submission No:
Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

Craig McErlane

Organisation Name (if submission is made on behalf of Organisation)

Address for service of Submitter

68 Ladies Mile ,

Ellerslie, 1051

Telephone:

64274821116

Email:

mactech@xtra.co.nz

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PC 104 (Private)

Plan Change/Variation Name

Remuera Precinct

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

Location of Interface Control Zone, changes to MHU and THAB zone rules

Or

Property Address

Pedestrian Crossing on Derby Downs Place to Lonsdale St

Or

Map

Or

Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended Yes No

The reasons for my views are:

As on attached sheet

(continue on a separate sheet if necessary)

I seek the following decision by Council:

Accept the proposed plan change / variation

Accept the proposed plan change / variation with amendments as outlined below

Decline the proposed plan change / variation

If the proposed plan change / variation is not declined, then amend it as outlined below.

The existing Interface Control Zone be moved from the boundary with dwellings on Hunterville Court/Derby Downs to the boundary between the racecourse and the new development, as already proposed for the boundary along Peach Parade.

13.1

The existing provisions of MHU and THAB are retained and

13.2

The existing height to boundary conditions as Consented by the Fast Track application are retained.

13.3

Proposed Plan change 104 must include provision for safe pedestrian access from the site to Lonsdale Street. As a minimum PPC104 should include a pedestrian crossing opposite 15 Derby Downs Place.

13.4

13.5

I wish to be heard in support of my submission

13.6

I do not wish to be heard in support of my submission

If others make a similar submission, I will consider presenting a joint case with them at a hearing

C F McElane

08/22/2024

Signature of Submitter
(or person authorised to sign on behalf of submitter)

Date

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could /could not gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am / am not directly affected by an effect of the subject matter of the submission that:

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

Proposed Plan Change 104

Background

The zoning of residential housing in Hunterville Court and Derby Downs was changed by PC78 from MHS to MHU.

The purpose of PC78 was to allow an increase in residential intensification in locations closer than 800m from train stations in a controlled manner.

The Developers have acknowledged that the development is outside this 800m radius and are trying to argue that the established rules should not apply to them.

This is an insidious lowering of standards that were only recently established by PC78.

Contrary to the Developer's statements, the site is not well provided for by public transport, and AT in the fast-track application commented that an increase in bus services is restricted by the already constricted roading system surrounding the site.

An increase in the height overlay in the proposed THAB zones from 16m + 2m roof form to 25m is again a subtle dilution of the standards only recently established in PC78.

The fast-track Consent permits two level detached housing along Ladies Mile due to the Single House Zone and two level detached housing along the southern boundary due to existing neighbouring houses.

The Developer states in the proposed PPC104 that "The maximum volumes shown in Figure 20b are a **Significant Improvement** and are consistent with the neighbourhood context. They therefore recognise that the change the zoning from MHS to MHU along this boundary is detrimental to the neighbours, and contrary to what was proposed and consented to.

The Developers acknowledge that the roading network is close to capacity in the morning and afternoon peak periods. However, they are proposing that up to 100 residential movements per hour can be accommodated in the northern portion and 150 vehicle movements per hour in the southern portion if the Derby Downs and Ladies Mile intersection is upgraded to a signalised intersection. They further argue that there is a good and convenient path from the Development to the Ellerslie Train Station across Derby Downs and via Lonsdale Street.

During the Fast Track process residents raised the current issues with the volume of traffic using Derby Downs to access the Racecourse which conflicts with pedestrians, including school children getting to Ellerslie School and the train station. The addition of up to 150 further traffic movements per hour will further compound the problem.

A. Interface Control Zone



Precinct Plan page 29 (consolidated 1313)

I313.10. Precinct plans
I313.10.1. Ellerslie Racecourse: Precinct plan 1



Proposed by Plan PPC104

1313.10. Precinct plans

1313.10.1. Ellerslie Racecourse: Precinct plan 1



Proposed by residents

The relationship between the existing houses and the activities on the Racecourse precinct are currently protected by the Interface Control Zone as specified in the Utitary Plan, 1311.10. The PPC 104 proposes the construction of 357 dwellings in the north east corner of the precinct in accordance with the fast-track consent. The presence of these dwellings does not alter the relationship between the existing dwellings and the activities on the racecourse.

Therefore, we propose that:

- The existing Interface Control Zone be moved from the boundary with dwellings on Hunterville Court/Derby Downs to the boundary between the racecourse and the new development, as already proposed for the boundary along Peach Parade.

13.1

B. Changes to Zoning

The proposed increase in dwellings per site from 1 to 3 within the MHU and THAB zones is contrary to the Consented approval given by the Fast Track application. The Developers are insisting that the Consent limits the total number of dwellings to 357 and that they do not intend to alter this, however there is no guarantee that the plans submitted for the Fast Track Application will be adhered to. Further, the proposal is to increase the permitted volume by changing the height to boundary requirement of 2m by 45 degrees, to 4m and 60 degrees.

We propose that:

- The existing provisions of MHU and THAB are retained and
- The existing height to boundary conditions as Consented by the Fast Track application are retained.

13.2

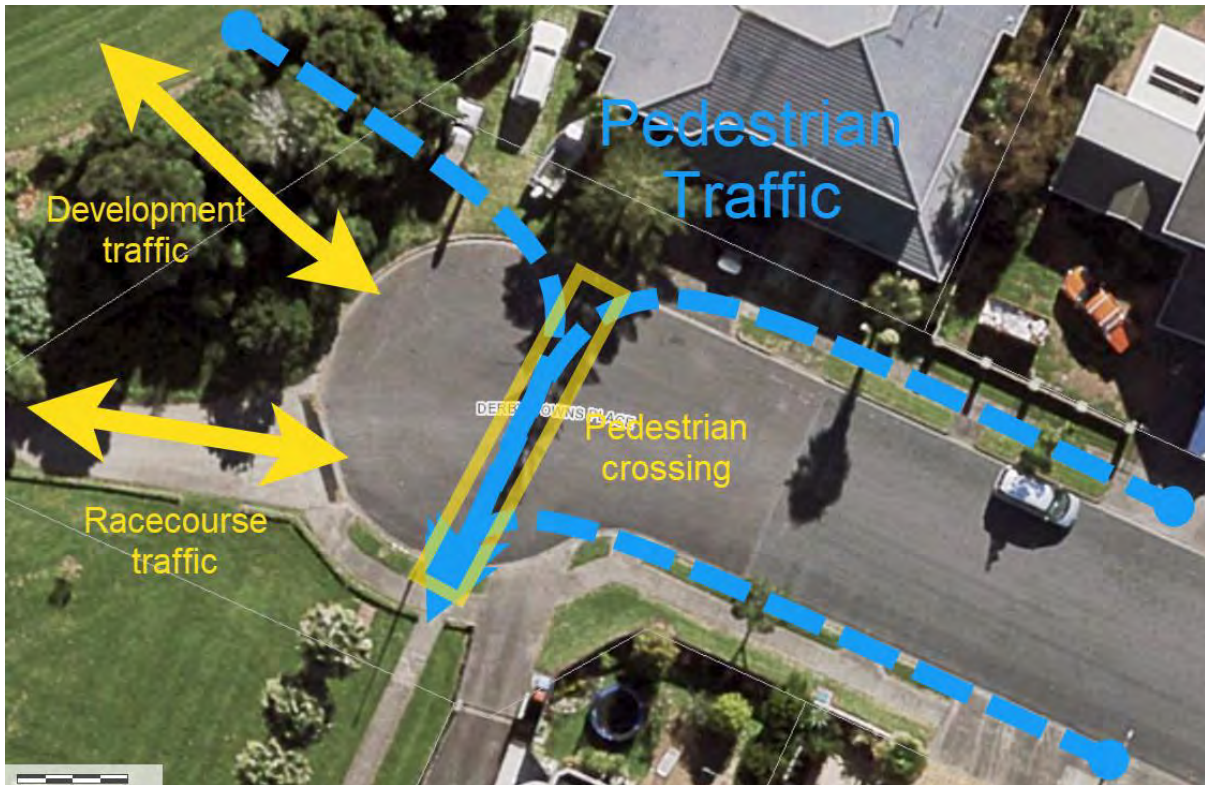
13.3

13.4

I note that both these concerns (A & B) were also raised by Auckland Council in P3 and T11 of their request for further information.

We disagree with the responses from the applicant, where they argue that their “policy is...” as this does not ensure adherence to the current “policy” in the future. The maximum cap of 357 dwellings does not define where these dwelling will be located and changing the provisions of MHU would allow adverse changes affecting neighbourhood dwellings with no comeback available.

C. Pedestrian access to Ellerslie train station



- Proposed Plan change 104 must include provision for safe pedestrian access from the site to Lonsdale Street. As a minimum PPC104 should include a pedestrian crossing opposite 15 Derby Downs Place. | 13.5
- A further recommendation would be to ask Council to consider an additional pedestrian crossing across Morrin St to Robert St. | 13.6

Ian Calhaem

18th August 2024

Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 16, 135 Albert Street
Private Bag 92300
Auckland 1142

For office use only

Submission No:

Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full
Name)

Craig McErlane (McErlane Investment trust on be halve of our tenants)

Organisation Name (if submission is made on behalf of Organisation)

Address for service of Submitter

66 Ladies Mile

Ellerslie, 1051

Telephone:

274821116

Email:

mactech@xtra.co.nz

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PC 104 (Private)

Plan Change/Variation Name

Remuera Precinct

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

Location of Interface Control Zone, changes to MHU and THAB zone rules

Or

Property Address

Pedestrian Crossing on Derby Downs Place to Lonsdale St

Or

Map

Or

Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended Yes No

The reasons for my views are:

As on attached sheet

(continue on a separate sheet if necessary)

I seek the following decision by Council:

Accept the proposed plan change / variation

Accept the proposed plan change / variation with amendments as outlined below

Decline the proposed plan change / variation

If the proposed plan change / variation is not declined, then amend it as outlined below.

The existing Interface Control Zone be moved from the boundary with dwellings on Hunterville Court/Derby Downs to the boundary between the racecourse and the new development, as already proposed for the boundary along Peach Parade.

• The existing provisions of MHU and THAB are retained and 14.1

• The existing height to boundary conditions as Consented by the Fast Track application are retained. 14.2

• Proposed Plan change 104 must include provision for safe pedestrian access from the site to Lonsdale Street. As a minimum PPC104 should include a pedestrian crossing opposite 15 Derby Downs Place. 14.3

I wish to be heard in support of my submission 14.4

I do not wish to be heard in support of my submission 14.5

If others make a similar submission, I will consider presenting a joint case with them at a hearing 14.6

CFMcErlane

08/22/2024

Signature of Submitter
(or person authorised to sign on behalf of submitter)

Date

Notes to person making submission:
If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could /could not gain an advantage in trade competition through this submission.
If you could gain an advantage in trade competition through this submission please complete the following:
I am / am not directly affected by an effect of the subject matter of the submission that:
(a) adversely affects the environment; and
(b) does not relate to trade competition or the effects of trade competition.

Proposed Plan Change 104

Background

The zoning of residential housing in Hunterville Court and Derby Downs was changed by PC78 from MHS to MHU.

The purpose of PC78 was to allow an increase in residential intensification in locations closer than 800m from train stations in a controlled manner.

The Developers have acknowledged that the development is outside this 800m radius and are trying to argue that the established rules should not apply to them.

This is an insidious lowering of standards that were only recently established by PC78.

Contrary to the Developer's statements, the site is not well provided for by public transport, and AT in the fast-track application commented that an increase in bus services is restricted by the already constricted roading system surrounding the site.

An increase in the height overlay in the proposed THAB zones from 16m + 2m roof form to 25m is again a subtle dilution of the standards only recently established in PC78.

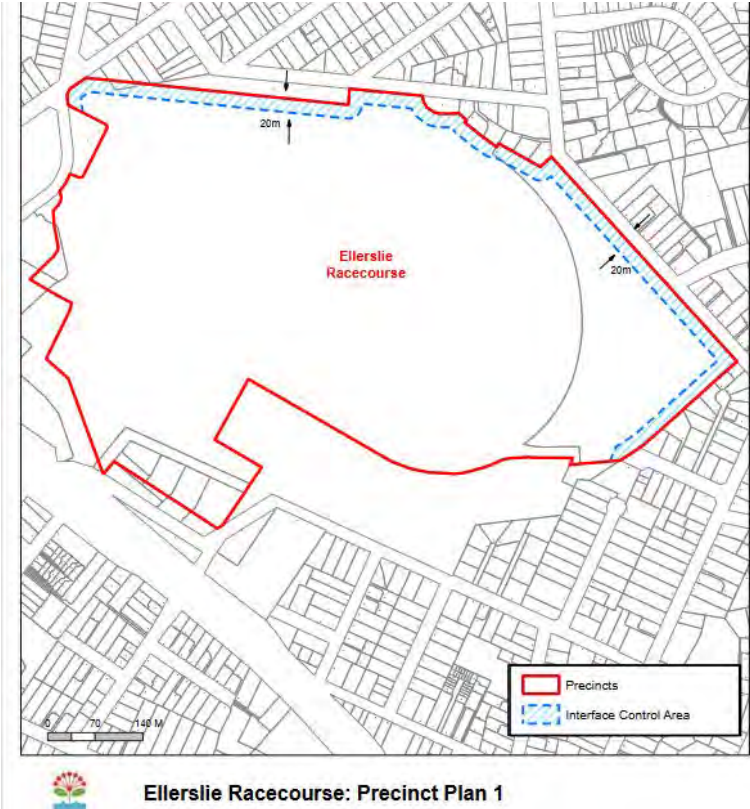
The fast-track Consent permits two level detached housing along Ladies Mile due to the Single House Zone and two level detached housing along the southern boundary due to existing neighbouring houses.

The Developer states in the proposed PPC104 that "The maximum volumes shown in Figure 20b are a **Significant Improvement** and are consistent with the neighbourhood context. They therefore recognise that the change the zoning from MHS to MHU along this boundary is detrimental to the neighbours, and contrary to what was proposed and consented to.

The Developers acknowledge that the roading network is close to capacity in the morning and afternoon peak periods. However, they are proposing that up to 100 residential movements per hour can be accommodated in the northern portion and 150 vehicle movements per hour in the southern portion if the Derby Downs and Ladies Mile intersection is upgraded to a signalised intersection. They further argue that there is a good and convenient path from the Development to the Ellerslie Train Station across Derby Downs and via Lonsdale Street.

During the Fast Track process residents raised the current issues with the volume of traffic using Derby Downs to access the Racecourse which conflicts with pedestrians, including school children getting to Ellerslie School and the train station. The addition of up to 150 further traffic movements per hour will further compound the problem.

A. Interface Control Zone



Precinct Plan page 29 (consolidated 1313)

I313.10. Precinct plans
I313.10.1. Ellerslie Racecourse: Precinct plan 1



Proposed by Plan PPC104

1313.10. Precinct plans
1313.10.1. Ellerslie Racecourse: Precinct plan 1



Proposed by residents

The relationship between the existing houses and the activities on the Racecourse precinct are currently protected by the Interface Control Zone as specified in the Utitary Plan, 1311.10. The PPC 104 proposes the construction of 357 dwellings in the north east corner of the precinct in accordance with the fast-track consent. The presence of these dwellings does not alter the relationship between the existing dwellings and the activities on the racecourse.

Therefore, we propose that:

- The existing Interface Control Zone be moved from the boundary with dwellings on Hunterville Court/Derby Downs to the boundary between the racecourse and the new development, as already proposed for the boundary along Peach Parade.

14.1

B. Changes to Zoning

The proposed increase in dwellings per site from 1 to 3 within the MHU and THAB zones is contrary to the Consented approval given by the Fast Track application. The Developers are insisting that the Consent limits the total number of dwellings to 357 and that they do not intend to alter this, however there is no guarantee that the plans submitted for the Fast Track Application will be adhered to. Further, the proposal is to increase the permitted volume by changing the height to boundary requirement of 2m by 45 degrees, to 4m and 60 degrees.

We propose that:

- The existing provisions of MHU and THAB are retained and
- The existing height to boundary conditions as Consented by the Fast Track application are retained.

14.2

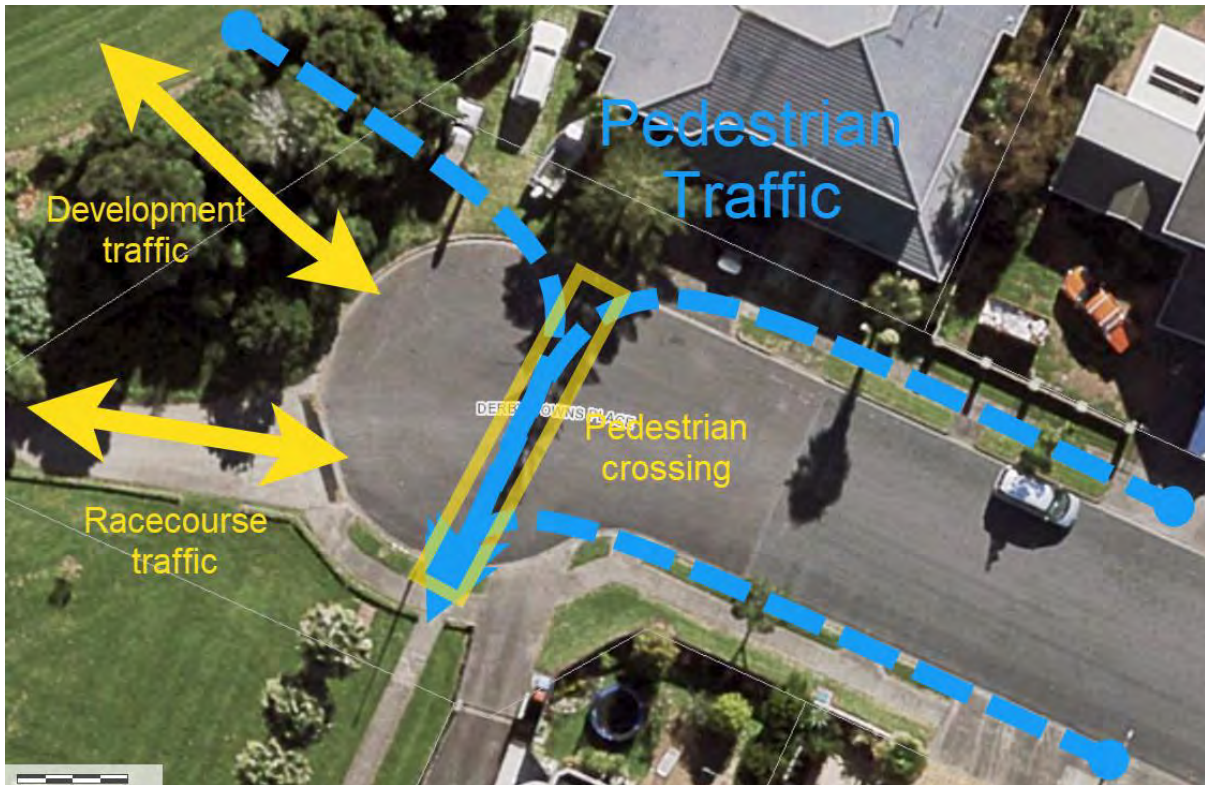
14.3

14.4

I note that both these concerns (A & B) were also raised by Auckland Council in P3 and T11 of their request for further information.

We disagree with the responses from the applicant, where they argue that their “policy is...” as this does not ensure adherence to the current “policy” in the future. The maximum cap of 357 dwellings does not define where these dwelling will be located and changing the provisions of MHU would allow adverse changes affecting neighbourhood dwellings with no comeback available.

C. Pedestrian access to Ellerslie train station



- Proposed Plan change 104 must include provision for safe pedestrian access from the site to Lonsdale Street. As a minimum PPC104 should include a pedestrian crossing opposite 15 Derby Downs Place. | 14.5
- A further recommendation would be to ask Council to consider an additional pedestrian crossing across Morrin St to Robert St. | 14.6

Ian Calhaem

18th August 2024

AUCKLAND UNITARY PLAN OPERATIVE IN PART

PROPOSED PLAN CHANGE 104 (Private): Remuera Precinct

SUMMARY OF DECISIONS REQUESTED

Enclosed:

- **Explanation**
- **Summary of Decisions Requested**
- **Submissions**

Explanation

- You may make a “further submission” to support or oppose any submission already received (see summaries that follow).
- You should use Form 6.
- Your further submission must be received by 10 October 2024
- Send a copy of your further submission to the original submitter as soon as possible after submitting it to the Council.

Summary of Decisions Requested

Plan Change 104 (Private): Remuera Precinct				
Summary of Decisions Requested				
Sub #	Sub Point	Submitter Name	Address for Service	Summary of Decisions Requested
1	1.1	Kelsey Bergin	kelseyubergin@gmail.com	Approve the plan change without amendments
2	2.1	Stephanie Gale	stephaniegalez@gmail.com	Approve the plan change without amendments
3	3.1	Samuel Fielding	smfielding833@gmail.com	Seeks additional roading that links Ladies Mile to Greenlane East and/or Peach Parade
4	4.1	Katarina Pochyba	pochyba@hotmail.com	Decline the plan change - no specific decision requested
5	5.1	Vita Nova Projects Ltd	info@plastertech.co.nz	Decline the plan change - no specific decision requested
6	6.1	Simon McMullen	simon.c.mcmullen@gmail.com	Clarify that a full sized flush median strip will be installed along Ladies Mile, and in particular properties at 82-88 Ladies Mile, opposite the development.
6	6.2	Simon McMullen	simon.c.mcmullen@gmail.com	Seeks further details of roading layouts (figures 4.5-4.12 in the Plan Change Transport Assessment), to consider vehicles entering and exiting the residential slip lane at 82-88 Ladies Mile.
6	6.3	Simon McMullen	simon.c.mcmullen@gmail.com	Clarify design and strength of the current slip lane barrier
6	6.4	Simon McMullen	simon.c.mcmullen@gmail.com	Clarify increased risk of the current slip lane barrier being struck by vehicles based on the new roads and layouts.
6	6.5	Simon McMullen	simon.c.mcmullen@gmail.com	Confirm plans for on road parking
6	6.6	Simon McMullen	simon.c.mcmullen@gmail.com	Clarify what is proposed to reduce the single lane congestion between 70-88 Ladies Mile at peak times.
6	6.7	Simon McMullen	simon.c.mcmullen@gmail.com	Clarify impact of 25m building heights on privacy and access to sunlight and daylight and to the zone's [inferred to be Single House Zone] character.
7	7.1	Ian Calhaem	ian@hunterville.org	Amend Precinct Plan 1 1313.10.1 of the Ellerslie Racecourse Precinct by moving the Interface Control Zone from the boundary with dwellings on Hunterville Court / Derby Downs to the boundary between the racecourse and new development, as already proposed [inferred exists] along the boundary of properties along Peach Parade. Refer to map on page 5 for details.
7	7.2	Ian Calhaem	ian@hunterville.org	Retain existing provisions of Residential - Mixed Housing Urban Zone.
7	7.3	Ian Calhaem	ian@hunterville.org	Retain existing provisions of Residential - Terrace Housing and Apartment Building Zone.

Plan Change 104 (Private): Remuera Precinct				
Summary of Decisions Requested				
Sub #	Sub Point	Submitter Name	Address for Service	Summary of Decisions Requested
7	7.4	Ian Calhaem	lan@huntermville.org	Retain existing height to boundary conditions as consented by the Fast Track application for this development.
7	7.5	Ian Calhaem	lan@huntermville.org	Provide for safe pedestrian access from the site to Lonsdale Street. At a minimum, include a pedestrian crossing opposite 15 Derby Downs Place. Refer to plan on page 7 for details
7	7.6	Ian Calhaem	lan@huntermville.org	Seek an additional pedestrian crossing across Morrin St to Robert St.
8	8.1	Deborah Anne Keightley	debbie@keightley.co.nz	Rezone the upper Ladies Mile apartment block [inferred from Special Purpose - Major Recreation Facility] to Residential - Terrace Housing and Apartment Building Zone].
8	8.2	Deborah Anne Keightley	debbie@keightley.co.nz	Rezone the lower/southerly area of the site [inferred from Special Purpose - Major Recreation Facility] to Medium Density housing.
9	9.1	Auckland Council	warren.maclennan@aucklandcouncil.govt.nz	Amend Precinct Plan 1 - Zoning and Building Controls to remove proposed zoning within the Precinct and of any zones outside the precinct.
9	9.2	Auckland Council	warren.maclennan@aucklandcouncil.govt.nz	Amend Precinct Plan 1 - Zoning and Building Controls to remove the 25m height limit, and instead use the Height Variation Control layer in the AUP plan viewer to show this information.
9	9.3	Auckland Council	warren.maclennan@aucklandcouncil.govt.nz	Amend references of 'THAB zoned areas of the Precinct' to 'Sub-Precinct A' and 'Mixed Housing Urban zoned areas' to 'Sub-Precinct B' to align with AUP style and improve consistency with other precincts.
9	9.4	Auckland Council	warren.maclennan@aucklandcouncil.govt.nz	Review the proposed Precinct-specific Arterial Road Access Restriction rule [inferred as rule IXXX.4.1(A2) and standard IXXX.6.12] and consider utilising the existing Vehicle Access Restriction – General Control in chapter E27 of the AUP.
9	9.5	Auckland Council	warren.maclennan@aucklandcouncil.govt.nz	Review the plan change provisions and amend as necessary to reflect the AUP style guide.
9	9.6	Auckland Council	warren.maclennan@aucklandcouncil.govt.nz	Amend Policy IXXX.3(5) by replacing the word "Ensure" with "Require".
9	9.7	Auckland Council	warren.maclennan@aucklandcouncil.govt.nz	Amend the provisions to properly incorporate all MDRS requirements by incorporating these directly into the objectives, policies and activity table, notification rule and standards.
9	9.8	Auckland Council	warren.maclennan@aucklandcouncil.govt.nz	Clarify that all aspects of the MDRS have been incorporated into the Precinct.
9	9.9	Auckland Council	warren.maclennan@aucklandcouncil.govt.nz	Review and where appropriate remove references to PC78 from the plan change.
9	9.10	Auckland Council	warren.maclennan@aucklandcouncil.govt.nz	Clearly annotate or identify any Qualifying Matters, to ensure compliance with sections 771-K of the RMA.

Plan Change 104 (Private): Remuera Precinct				
Summary of Decisions Requested				
Sub #	Sub Point	Submitter Name	Address for Service	Summary of Decisions Requested
10	10.1	Ngāti Te Ata Waiohua	karl_flavell@hotmail.com	Requests that the Cultural Impact Assessment Report recommendations are provided for.
11	11.1	Watercare Services Limited	Planchanges@water.co.nz	Amend the precinct provisions to ensure that development in excess of 357 dwellings on the site requires an assessment of the capacity of the water and wastewater networks as part of any resource consent application.
11	11.2	Watercare Services Limited	Planchanges@water.co.nz	Require development in excess of 357 dwellings as approved under the Fast-track Consent to be reassessed by Watercare as part of any future resource consent.
11	11.3	Watercare Services Limited	Planchanges@water.co.nz	Provide for protection of wastewater and water infrastructure assets as part of the Plan Change.
11	11.4	Watercare Services Limited	Planchanges@water.co.nz	Amend IXXX.2 Objective 4 to read: (4) Subdivision and development within the Precinct is coordinated with the supply delivery of sufficient adequate three waters, energy and communications infrastructure (refer Attachment 1 to the submission).
11	11.5	Watercare Services Limited	Planchanges@water.co.nz	Add new Objective 6: <u>(6) Adverse effects on the safe and efficient operation of the stormwater, water and wastewater network are avoided.</u> (refer Attachment 1 to the submission).
11	11.6	Watercare Services Limited	Planchanges@water.co.nz	Add new Policy IXXX.3(9) under IXXX.3 Policies: <u>(9) Require subdivision and development in the Precinct to be coordinated with the provision of adequate stormwater, wastewater, and water supply infrastructure with capacity for the proposed development.</u> (refer Attachment 1 to the submission).
11	11.7	Watercare Services Limited	Planchanges@water.co.nz	Add new Policy IXXX.3(10) under IXXX.3 Policies: <u>(10) Avoid subdivision or development exceeding 357 dwellings within the Precinct where it cannot be demonstrated that there is sufficient capacity in the water supply and wastewater reticulated network to service the development in the Infrastructure Capacity Assessment required by IXXX.X Special information requirements.</u> (refer Attachment 1 to the submission).
11	11.8	Watercare Services Limited	Planchanges@water.co.nz	Add a new Special information requirement to read: <u>IXXX.8 Special information requirements</u> <u>An application for any subdivision or development must be accompanied by:</u> <u>Water supply and wastewater Infrastructure Capacity Assessment</u> <u>(1) As part of any development and/or subdivision that will result in the precinct exceeding 357 dwellings¹, the applicant is required to produce a water supply and wastewater Infrastructure Capacity Assessment for the precinct to demonstrate there is sufficient capacity in the local and bulk water and wastewater reticulated network.</u> ¹ Consented under the decision of the Expert Consenting Panel for The Hill - Ellerslie, 17 April 2023 (refer Attachment 1 to the submission).
11	11.9	Watercare Services Limited	Planchanges@water.co.nz	Require that the water and wastewater servicing requirements of the Plan Change will be adequately met, such that water and wastewater related effects are appropriately managed.

Plan Change 104 (Private): Remuera Precinct				
Summary of Decisions Requested				
Sub #	Sub Point	Submitter Name	Address for Service	Summary of Decisions Requested
12	12.1	Elizabeth Leuchars	lizzieleuchars@gmail.com	Decline the plan change - no specific decision requested
13	13.1	Craig McErlane	mactech@xtra.co.nz	Amend Precinct Plan 1 1313.10.1 of the Ellerslie Racecourse Precinct by moving the Interface Control Zone from the boundary with dwellings on Hunterville Court / Derby Downs to the boundary between the racecourse and new development, as already proposed [inferred exists] along the boundary of properties along Peach Parade. Refer to map on page 5 for details.
13	13.2	Craig McErlane	mactech@xtra.co.nz	Retain existing provisions of Residential - Mixed Housing Urban Zone.
13	13.3	Craig McErlane	mactech@xtra.co.nz	Retain existing provisions of Residential - Terrace Housing and Apartment Building Zone.
13	13.4	Craig McErlane	mactech@xtra.co.nz	Retain existing height to boundary conditions as consented by the Fast Track application for this development.
13	13.5	Craig McErlane	mactech@xtra.co.nz	Provide for safe pedestrian access from the site to Lonsdale Street. At a minimum, include a pedestrian crossing opposite 15 Derby Downs Place. Refer to plan on page 7 for details
13	13.6	Craig McErlane	mactech@xtra.co.nz	Seek an additional pedestrian crossing across Morrin St to Robert St.
14	14.1	McErlane Investment Trust	mactech@xtra.co.nz	Amend Precinct Plan 1 1313.10.1 of the Ellerslie Racecourse Precinct by moving the Interface Control Zone from the boundary with dwellings on Hunterville Court / Derby Downs to the boundary between the racecourse and new development, as already proposed [inferred exists] along the boundary of properties along Peach Parade. Refer to map on page 5 for details.
14	14.2	McErlane Investment Trust	mactech@xtra.co.nz	Retain existing provisions of Residential - Mixed Housing Urban Zone.
14	14.3	McErlane Investment Trust	mactech@xtra.co.nz	Retain existing provisions of Residential - Terrace Housing and Apartment Building Zone.
14	14.4	McErlane Investment Trust	mactech@xtra.co.nz	Retain existing height to boundary conditions as consented by the Fast Track application for this development.
14	14.5	McErlane Investment Trust	mactech@xtra.co.nz	Provide for safe pedestrian access from the site to Lonsdale Street. At a minimum, include a pedestrian crossing opposite 15 Derby Downs Place. Refer to plan on page 7 for details
14	14.6	McErlane Investment Trust	mactech@xtra.co.nz	Seek an additional pedestrian crossing across Morrin St to Robert St.

Submissions

From: UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 104 - Kelsey Bergin
Date: Thursday, 25 July 2024 9:00:31 am

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Kelsey Bergin
Organisation name:
Agent's full name:
Email address: kelseylubergin@gmail.com
Contact phone number:
Postal address:

Submission details

This is a submission to:

Plan change number: Plan Change 104
Plan change name: PC 104 (Private): Remuera Precinct

My submission relates to

Rule or rules:
All
Property address:
Map or maps:
Other provisions:
All

Do you support or oppose the provisions you have specified? I or we support the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:
The application aligns with an already approved fast track and the zoning proposed is appropriate. Development, especially housing, in this area should be actively supported

I or we seek the following decision by council: Approve the plan change without any amendments | 1.1

Details of amendments:
Submission date: 25 July 2024

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

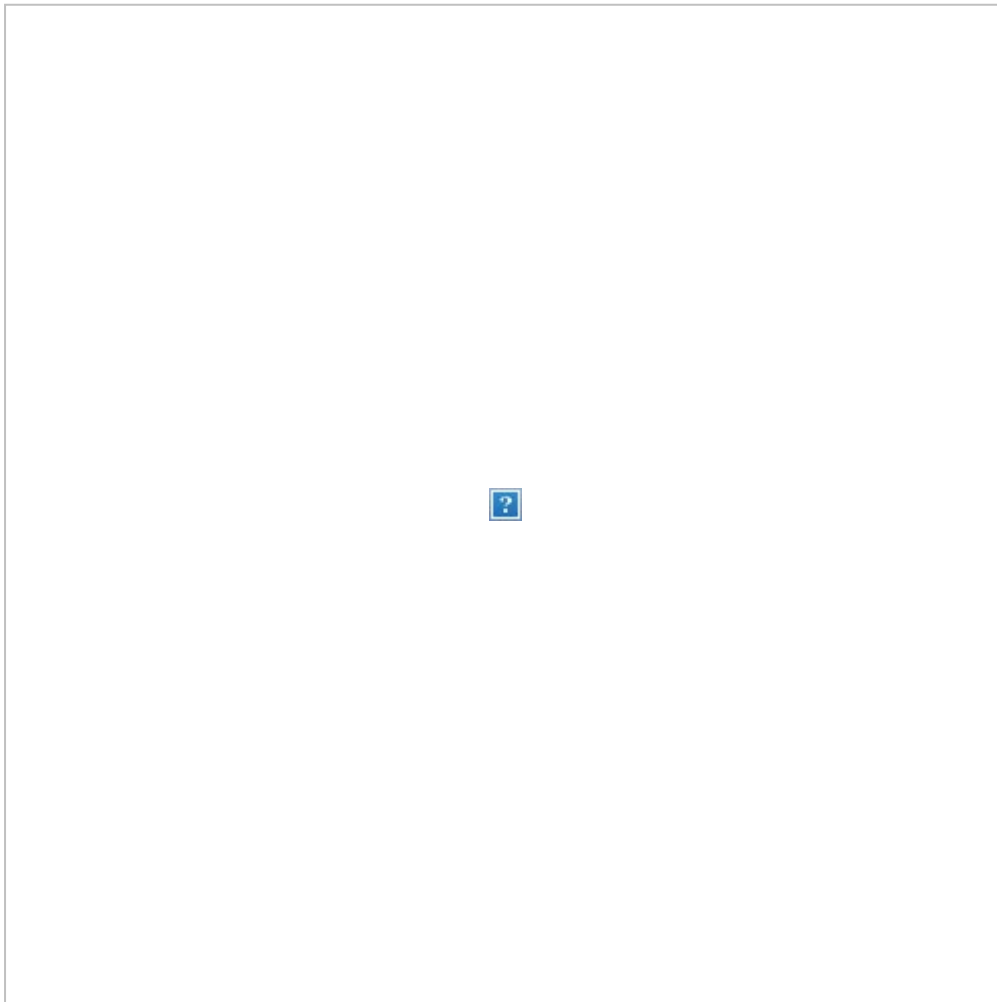
Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 104 - Stephanie Gale
Date: Friday, 26 July 2024 9:15:43 am

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Stephanie Gale
Organisation name:
Agent's full name:
Email address: stephaniegalez@gmail.com
Contact phone number:
Postal address:
84 Park Road
Titirangi
Auckland 0604

Submission details

This is a submission to:
Plan change number: Plan Change 104
Plan change name: PC 104 (Private): Remuera Precinct

My submission relates to

Rule or rules:
Rezoning of land from Special Purpose Major Recreation Zone to THAB residential
Property address:
Map or maps:
Other provisions:

Do you support or oppose the provisions you have specified? I or we support the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:
Making more central Auckland land available for medium / high density housing is exactly what is needed to alleviate the housing shortage.

I or we seek the following decision by council: Approve the plan change without any amendments | 2.1

Details of amendments:

Submission date: 26 July 2024

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

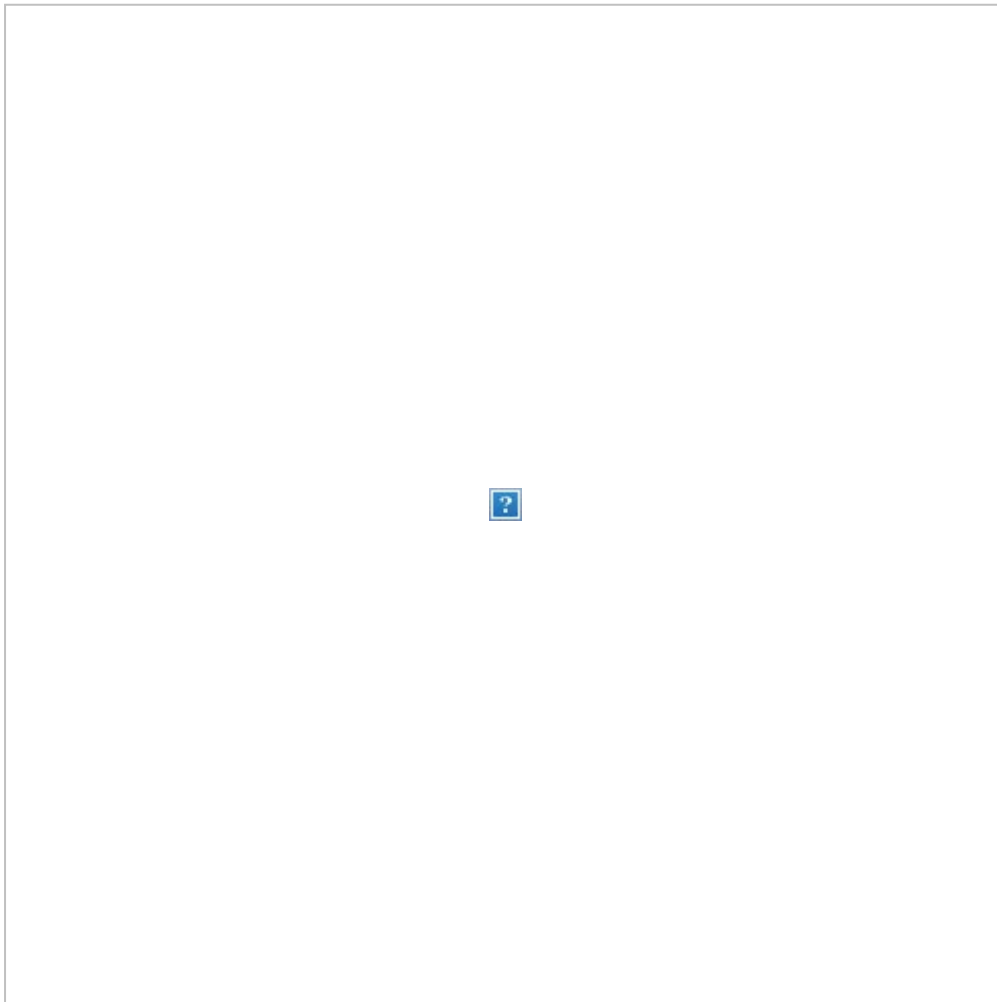
Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 104 - Samuel Fielding
Date: Monday, 29 July 2024 3:31:00 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Samuel Fielding

Organisation name:

Agent's full name:

Email address: smfielding833@gmail.com

Contact phone number:

Postal address:

124 Ladies Mile

Ellerslie

Auckland 1051

Submission details

This is a submission to:

Plan change number: Plan Change 104

Plan change name: PC 104 (Private): Remuera Precinct

My submission relates to

Rule or rules:

Roading

Property address: 124 Ladies Mile

Map or maps: Drawings PP01 and PP05

Other provisions:

The congestion on and around Ladies Mile is already far too much for the road to manage, causing massive travel delays each morning and evening. Creating more high density housing here is only going to exacerbate the issue. There needs to be roading that links Ladies Mile to Greenlane East and/or Peach Parade. The current plan for crescents and roundabouts is going to make the traffic unbearable.

3.1

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

Adding thousands more residents to an already heavily populated area is going to cause public unrest.

I or we seek the following decision by council: Decline the plan change, but if approved, make the amendments I requested

Details of amendments: As above.

Submission date: 29 July 2024

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

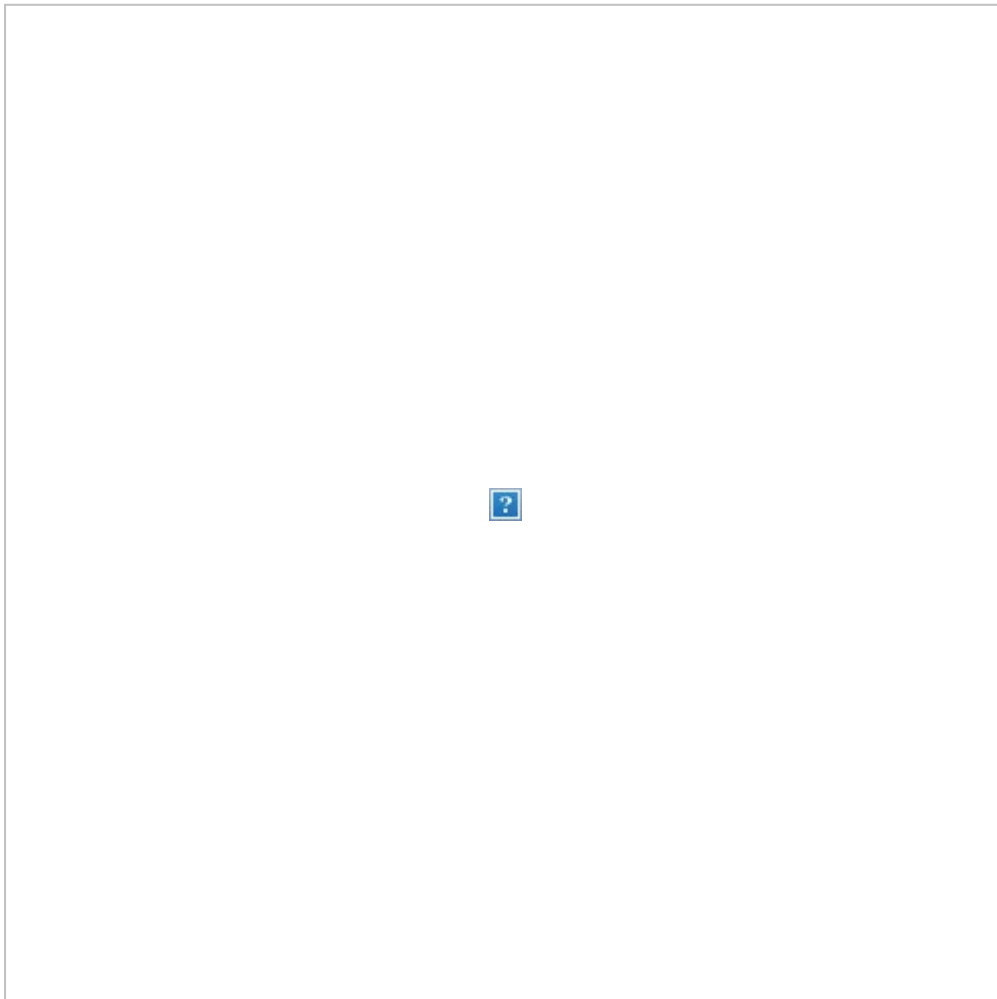
Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 104 - Katarina Pochyba
Date: Thursday, 1 August 2024 7:30:26 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Katarina Pochyba

Organisation name:

Agent's full name:

Email address: pochyba@hotmail.com

Contact phone number: 0272277321

Postal address:
86 Ladies Mile Remuera
Remuera
Auckland 1050

Submission details

This is a submission to:

Plan change number: Plan Change 104

Plan change name: PC 104 (Private): Remuera Precinct

My submission relates to

Rule or rules:
Rezoning of land at 79 Ladies Mile Remuera

Property address: 86 ladies mile remuera

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

I own and live in the property at 86 Ladies Mile in Remuera and am opposed to the following plan change for the below reasons.

The proposed 25 metre high buildings will block significant sunlight from the front of my property where the two main bedrooms are. Further having seven stories of apartments facing directly into my bedroom makes me feel uncomfortable due to the lack of privacy, and I oppose the decision.

The traffic on the main road is already very heavy in the morning and the afternoons and sometimes I struggle to get in and out of my driveway safely, the proposed "upper loop road" is directly in front of my property and will cause further significant traffic and congestion.

The construction is significant and highly disruptive, i intend to sell my property in the next 24

months and will struggle to achieve the sale price I otherwise would if the construction didnt proceed.

If someone can please get in touch with me that would be much appreciated as I am finding this highly stressful.

Regards

Katarina Pochyba

I or we seek the following decision by council: Decline the plan change

Submission date: 1 August 2024

4.1

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?
Yes

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

Do you know your flood risk? Check your address and get prepared.

CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 104 - Keith Whitlow
Date: Thursday, 1 August 2024 11:15:42 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Keith Whitlow
Organisation name: Vita Nova Projects Ltd
Agent's full name: Keith Whitlow
Email address: info@plastertech.co.nz
Contact phone number:
Postal address:
PO Box 64101 Botany Downs
Auckland
Auckland 0626

Submission details

This is a submission to:
Plan change number: Plan Change 104
Plan change name: PC 104 (Private): Remuera Precinct

My submission relates to

Rule or rules:
79 LADIES MILE
Property address:
Map or maps:
Other provisions:
REZONING OF LAND

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:
The area needs more recreation areas, not less, and will adversely affect traffic and values, with too much housing infill.

I or we seek the following decision by council: Decline the plan change

Submission date: 1 August 2024

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

| 5.1

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

[Do you know your flood risk? Check your address and get prepared.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 104 - Simon McMullen
Date: Wednesday, 14 August 2024 8:15:27 pm
Attachments: [Ladies Mile Slip Lane.pdf](#)

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Simon McMullen
Organisation name:
Agent's full name: Simon McMullen
Email address: simon.c.mcmullen@gmail.com
Contact phone number: 021440195
Postal address:
84 Ladies Mile
Remuera
AUCKLAND 1050

Submission details

This is a submission to:

Plan change number: Plan Change 104
Plan change name: PC 104 (Private): Remuera Precinct

My submission relates to

Rule or rules:
Property address: 84 Ladies Mile
Map or maps:
Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:
Our property at 84 Ladies Mile is located within a residential slip lane between 82-88 Ladies Mile immediately opposite the new development. We are relatively new to the property and appreciate this opportunity to express our thoughts on the plan change.

We have five main areas of concern:

1. There does not appear to be any mention of the above residential slip lane in the transport assessments provided. The properties at 82-88 rely on entering and exiting right out of the slip lane, at approx no.82 Ladies Mile. The addition of vehicles turning left and right out of the proposed north west upper loop will make what is already a difficult manoeuvre even more dangerous exiting our property.

We are already concerned with turning right into our property with three young children onboard and

the way it aggravates held up traffic. We would like confirmation a full sized flush median strip will be installed along Ladies Mile to help mitigate this impact. This is especially critical during peak traffic times. | 6.1

We are also concerned with the accuracy of the assumed roading layouts (figures 4.5-4.12) shown in the current PC104 transport assessment, and recommend these are illustrated in further detail to consider vehicles entering and exiting the residential slip lane noted above. | 6.2

2. We would also like to query the design and strength of the current slip lane barrier, and the increased risk of this being struck by errant vehicles with the new roads and layouts. | 6.3
| 6.4

3. On road parking is already limited and we are concerned this will be reduced with the new roading layout, please confirm the plans. | 6.5

4. What is being proposed to reduce the single lane traffic congestion between 70-88 Ladies Mile at peak times? | 6.6

5. We are concerned how the new Remuera Precinct and building heights up to 25m will impact our privacy and access to daylight/sunlight. Our property is in the residential single house zone, and we are concerned how this will impact the zones character. | 6.7

I or we seek the following decision by council: Decline the plan change, but if approved, make the amendments I requested

Details of amendments: Further consideration of impact on existing Ladies Mile residential slip lane and properties opposite the development.

Submission date: 14 August 2024

Supporting documents
Ladies Mile Slip Lane.pdf

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?
Yes

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

Do you know your flood risk? Check your address and get prepared.



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.



Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 16, 135 Albert Street
Private Bag 92300
Auckland 1142

For office use only
Submission No:
Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

Ian Calhaem

Organisation Name (if submission is made on behalf of Organisation)

Address for service of Submitter

6 Hunterville Court,

Ellerslie, 1051

Telephone:

21936795

Email:

ian@hunterville.org

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PC 104 (Private)

Plan Change/Variation Name

Remuera Precinct

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

Location of Interface Control Zone, changes to MHU and THAB zone rules

Or

Property Address

Pedestrian Crossing on Derby Downs Place to Lonsdale St

Or

Map

Or

Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended Yes No

The reasons for my views are:

As on attached sheet

(continue on a separate sheet if necessary)

I seek the following decision by Council:

Accept the proposed plan change / variation

Accept the proposed plan change / variation with amendments as outlined below

Decline the proposed plan change / variation

If the proposed plan change / variation is not declined, then amend it as outlined below.

The existing Interface Control Zone be moved from the boundary with dwellings on Hunterville Court/Derby Downs to the boundary between the racecourse and the new development, as already proposed for the boundary along Peach Parade.

The existing provisions of MHU and THAB are retained and

The existing height to boundary conditions as Consented by the Fast Track application are retained.

Proposed Plan change 104 must include provision for safe pedestrian access from the site to Lonsdale Street. As a minimum PPC104 should include a pedestrian crossing opposite 15 Derby Downs Place.

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

If others make a similar submission, I will consider presenting a joint case with them at a hearing

7.1
7.2
7.3
7.4
7.5
7.6

08/18/2024

Signature of Submitter
(or person authorised to sign on behalf of submitter)

Date

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could /could not gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am / am not directly affected by an effect of the subject matter of the submission that:

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

Proposed Plan Change 104

Background

The zoning of residential housing in Hunterville Court and Derby Downs was changed by PC78 from MHS to MHU.

The purpose of PC78 was to allow an increase in residential intensification in locations closer than 800m from train stations in a controlled manner.

The Developers have acknowledged that the development is outside this 800m radius and are trying to argue that the established rules should not apply to them.

This is an insidious lowering of standards that were only recently established by PC78.

Contrary to the Developer's statements, the site is not well provided for by public transport, and AT in the fast-track application commented that an increase in bus services is restricted by the already constricted roading system surrounding the site.

An increase in the height overlay in the proposed THAB zones from 16m + 2m roof form to 25m is again a subtle dilution of the standards only recently established in PC78.

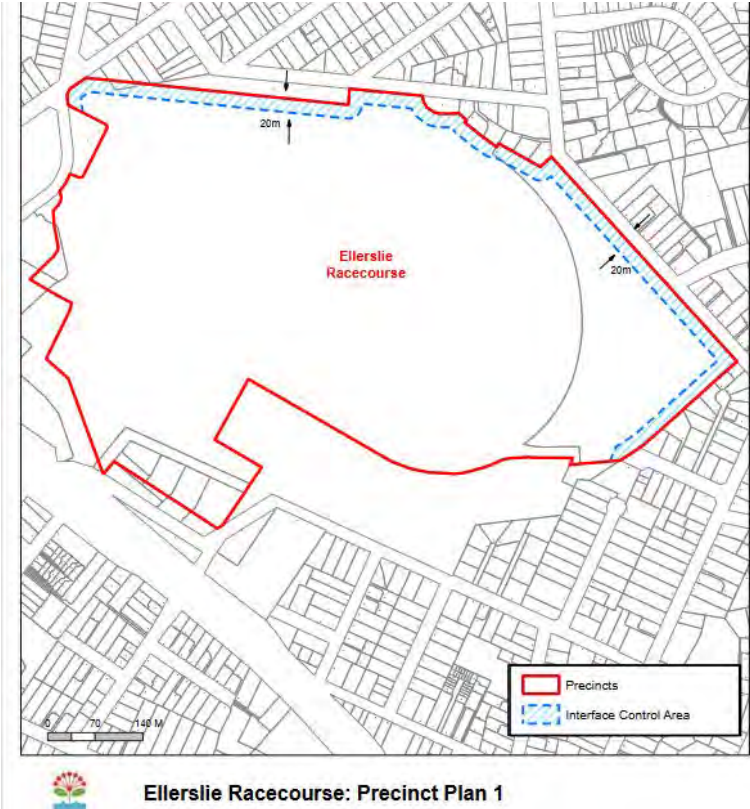
The fast-track Consent permits two level detached housing along Ladies Mile due to the Single House Zone and two level detached housing along the southern boundary due to existing neighbouring houses.

The Developer states in the proposed PPC104 that "The maximum volumes shown in Figure 20b are a **Significant Improvement** and are consistent with the neighbourhood context. They therefore recognise that the change the zoning from MHS to MHU along this boundary is detrimental to the neighbours, and contrary to what was proposed and consented to.

The Developers acknowledge that the roading network is close to capacity in the morning and afternoon peak periods. However, they are proposing that up to 100 residential movements per hour can be accommodated in the northern portion and 150 vehicle movements per hour in the southern portion if the Derby Downs and Ladies Mile intersection is upgraded to a signalised intersection. They further argue that there is a good and convenient path from the Development to the Ellerslie Train Station across Derby Downs and via Lonsdale Street.

During the Fast Track process residents raised the current issues with the volume of traffic using Derby Downs to access the Racecourse which conflicts with pedestrians, including school children getting to Ellerslie School and the train station. The addition of up to 150 further traffic movements per hour will further compound the problem.

A. Interface Control Zone



Precinct Plan page 29 (consolidated 1313)

1313.10. Precinct plans
1313.10.1. Ellerslie Racecourse: Precinct plan 1



Proposed by Plan PPC104

1313.10. Precinct plans

1313.10.1. Ellerslie Racecourse: Precinct plan 1



Proposed by residents

The relationship between the existing houses and the activities on the Racecourse precinct are currently protected by the Interface Control Zone as specified in the Utitary Plan, 1311.10. The PPC 104 proposes the construction of 357 dwellings in the north east corner of the precinct in accordance with the fast-track consent. The presence of these dwellings does not alter the relationship between the existing dwellings and the activities on the racecourse.

Therefore, we propose that:

- The existing Interface Control Zone be moved from the boundary with dwellings on Hunterville Court/Derby Downs to the boundary between the racecourse and the new development, as already proposed for the boundary along Peach Parade.

7.1

B. Changes to Zoning

The proposed increase in dwellings per site from 1 to 3 within the MHU and THAB zones is contrary to the Consented approval given by the Fast Track application. The Developers are insisting that the Consent limits the total number of dwellings to 357 and that they do not intend to alter this, however there is no guarantee that the plans submitted for the Fast Track Application will be adhered to. Further, the proposal is to increase the permitted volume by changing the height to boundary requirement of 2m by 45 degrees, to 4m and 60 degrees.

We propose that:

- The existing provisions of MHU and THAB are retained and
- The existing height to boundary conditions as Consented by the Fast Track application are retained.

7.2

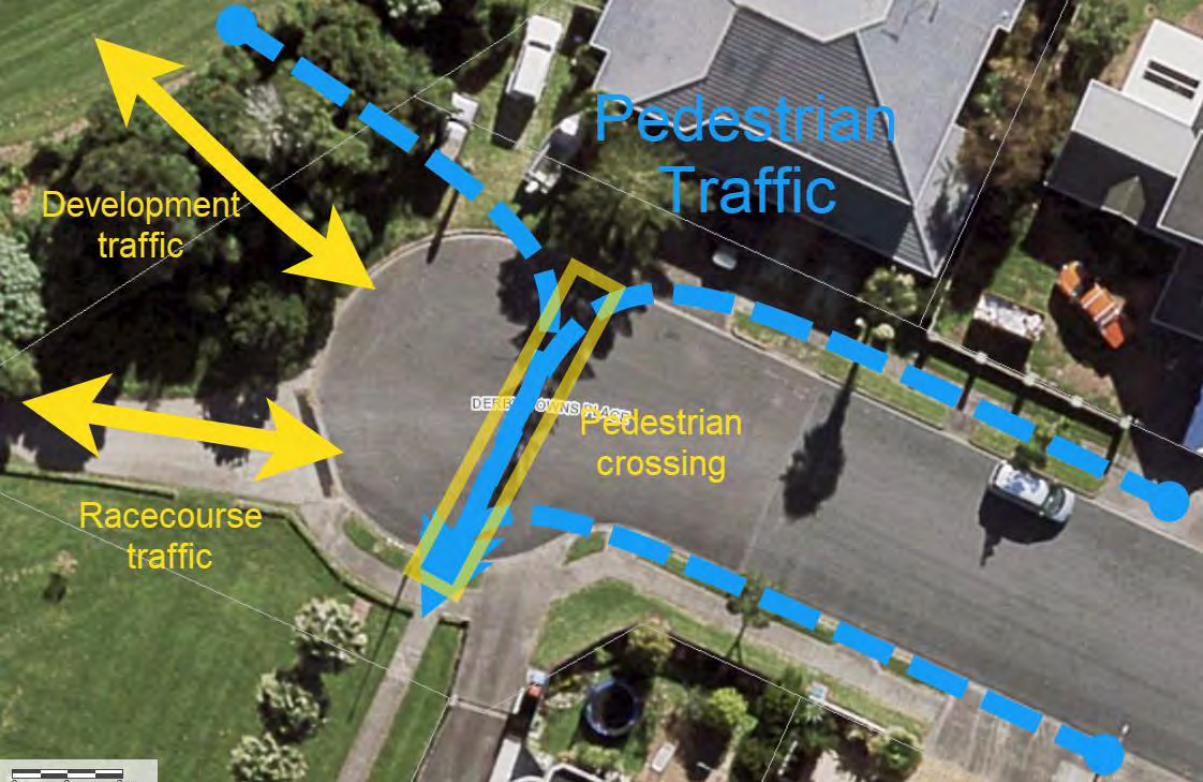
7.3

7.4

I note that both these concerns (A & B) were also raised by Auckland Council in P3 and T11 of their request for further information.

We disagree with the responses from the applicant, where they argue that their “policy is...” as this does not ensure adherence to the current “policy” in the future. The maximum cap of 357 dwellings does not define where these dwelling will be located and changing the provisions of MHU would allow adverse changes affecting neighbourhood dwellings with no comeback available.

C. Pedestrian access to Ellerslie train station



- Proposed Plan change 104 must include provision for safe pedestrian access from the site to Lonsdale Street. As a minimum PPC104 should include a pedestrian crossing opposite 15 Derby Downs Place.
- A further recommendation would be to ask Council to consider an additional pedestrian crossing across Morrin St to Robert St.

7.5

7.6

Ian Calhaem
 18th August 2024

From: UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 104 - Deborah Anne Keightley
Date: Monday, 19 August 2024 4:01:01 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Deborah Anne Keightley

Organisation name:

Agent's full name:

Email address: debbie@keightley.co.nz

Contact phone number:

Postal address:
1/18 Lonsdale Street,
Ellerslie
Auckland 1051

Submission details

This is a submission to:

Plan change number: Plan Change 104

Plan change name: PC 104 (Private): Remuera Precinct

My submission relates to

Rule or rules:

My submission relates to changing the present zoning to Terraced Housing/Apartments

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

Changing the zoning from special reserve to Terraced Housing/Apartments is taking the nuclear option what would also work for increasing dwellings is to zone the area Medium density and that would then mean (that as the development is the the north and west of us) the neighbours that are already living in the area will not have their housing shaded by tall apartment buildings looking into their back yards.

The upper change, on Ladies Mile is not so bad as Remuera already has a horrible record of placing tall apartment blocks on ridge lines but the bottom plan change is for a commercial property (Retirement Village) where in fact there is plenty of land, at the moment, for the village to spread horizontally to say 3/4 stories rather than a very tall apartment block, in Ellerslie (the bottom plan change area is in Ellerslie, not Remuera) Ellerslie has NO high rise buildings so the bottom property will be entirely out of character in an area with 2 story bungalows and 90's infill housing, for what? a commercial complex!

Additionally has anyone thought to contact Ellerslie Primary School (the zoning area for this

development) to see whether they can take the students that will be generated from this development? My understanding is that they are VERY limited for space.

My proposal is that the upper area (by Ladies Mile goes ahead and is changed to Terraced Housing/Apartments for the main reason that it is a new development and subsequent housing can be built to mitigate the downsides of living by an apartment tower.

8.1

I propose that the lower request for a plan change is refused and the limit of the development there be 3/4 stories.

8.2

I or we seek the following decision by council: Approve the plan change with the amendments I requested

Details of amendments: Approve the upper Ladies Mile Apartment block. Decline the lower/southerly request for plan change but change the whole Hill area to Medium density housing

8.1

8.2

Submission date: 19 August 2024

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

Do you know your flood risk? Check your address and get prepared.

CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

IN THE MATTER of the Resource
Management Act 1991
(**RMA**)

A N D

IN THE MATTER of a submission under
clause 6 of the First
Schedule to the RMA on
Private Plan Change 104:
Remuera Precinct

**SUBMISSION ON NOTIFIED PROPOSAL FOR PRIVATE PLAN CHANGE 104
TO THE AUCKLAND UNITARY PLAN (OPERATIVE IN PART)**

To: Auckland Council

Name of submitter: Auckland Council
(contact: Warren Maclennan)

Address for service: 35 Albert Street
Private Bag 92300
Auckland 1142

INTRODUCTION

1. This is a submission on Private Plan Change 104: Remuera Precinct (the **plan change**) to the Auckland Unitary Plan (Operative in Part) (**AUP**) by Fletcher Residential Limited (the **Applicant**).
2. This submission by Auckland Council is in its capacity as submitter (**ACS**).
3. ACS could not gain an advantage in trade competition through this submission.

THE SPECIFIC PROVISIONS OF THE PROPOSAL THE SUBMISSION RELATES TO

4. This submission relates to the plan change in its entirety and all provisions including:
 - a. the Remuera Precinct (the **Precinct**); and
 - b. the Auckland Unitary Plan Maps.

SUBMISSION

5. ACS opposes the plan change, unless the matters raised in this submission are addressed. Specifically, ACS opposes the following aspects of the plan change:
 - a. The manner in which zoning has been incorporated into the precinct. Zoning should not be shown on precinct plans, and the zoning of a reserve outside the proposed precinct should not be included.
 - b. Lack of utilisation of existing AUP controls / methods, which may prevent consistent administration of the plan. For example, ACS seeks whether the existing Height Variation Control and Vehicle Access Restriction Control should be applied, rather than creating bespoke new rules within the precinct.
 - c. Lack of consistency with AUP *Best Practice Guide for Plan Changes to the Auckland Unitary Plan* (December 2018). For example, sub-precinct areas are not correctly named, and policy verbs used are not always in accordance with the style guide.
 - d. It is unclear whether all aspects of the Medium Density Residential Standards (MDRS) have been properly incorporated, as the approach used by the applicant appears to be different than the typical approach. This needs to be reviewed.
 - e. Rules that are qualifying matters must be annotated.

References to Zoning in Precinct Provisions & Plans

6. ACS is concerned about the manner in which zoning has been incorporated into the precinct. The underlying THAB and MHU zoning are shown on Precinct Plan 1, and the zone names are referenced throughout the precinct. The maps and associated provisions should instead be changed to 'Sub-Precinct A' and 'Sub-Precinct B' (instead of 'THAB zoned areas of the Precinct' and 'Mixed Housing Urban zoned areas of the Precinct'), to be consistent with how other precincts are presented. The current drafting creates the potential for future implementation issues, particularly should the underlying zoning be changed in the future.

9.1

7. Additionally, showing Open Space Zoning of a reserve that is outside the proposed precinct is misleading, and should be removed from the plan change. 9.1

Consistency with existing AUP controls

8. ACS is concerned that there are inconsistencies with the methods proposed in the drafting of this precinct that will prevent consistent administration of the plan. The precinct proposes bespoke new controls, rather than using the controls that already exist in the AUP to manage these same matters.
9. Heights should be shown in the Height Variation Control (HVC) layer in the AUP Map Viewer, rather than shown on Precinct Plan 1. Using the HVC instead of the static precinct plan is a better approach, because the AUP Map Viewer will be regularly updated with any changes to cadastral information (meaning danger of misalignment of control with boundaries is minimised), application of spatial method will be easily understood, and the special height control will be clearly visible in AUP Map Viewer property summary. 9.2
10. The suggestion above of labelling this area as ‘Sub-Precinct A’ instead of ‘THAB zoned areas of the Precinct’ will allow the maps to read more clearly, and will help set clear objectives for the outcomes sought in this high-density part of the precinct. 9.3
11. Similarly, the proposed Arterial Road Access Restriction appears to be a variation on the Vehicle Access Restriction – General Control, which already exists elsewhere in the AUP (see chapter E27). ACS considers that utilising this existing tool may be a better way to restrict vehicle access along Ladies Mile, rather than creating a new rule that is specific to this precinct. A notable difference is that an infringement to the Vehicle Access Restriction is a Non-Complying activity, whereas the precinct proposes a Discretionary activity. Further study of this issue is likely needed, with particular attention paid to plan consistency. 9.4

Consistency with AUP style guide

12. The plan change does generally appear to be drafted appropriately, but ACS is concerned that the plan change does not in all instances reflect the *Best Practice Guide for Plan Changes to the Auckland Unitary Plan* (December 2018). 9.5
13. For example, the use of ‘Ensure’ in Policy IXXX.3(5) should be amended to the policy verb of ‘Require’ instead. The provisions should be thoroughly checked against the AUP best practice guide and be amended as required to ensure consistency with this guide. 9.6

Medium Density Residential Standards

- 14. The plan change has incorporated the Medium Density Residential Standards (**MDRS**), as required under Section 77G of the RMA. It has done so through the listing of separate provisions in 'Appendix B', rather than incorporating these directly into the objectives, policies, and activity tables. 9.7
- 15. However, it is not clear whether all the standards under MDRS have been properly reflected in the plan change. For example, there is no activity table referencing the full suite of use, development, and subdivision activities. Instead, there is a 'Rule' stating 'There must be no more than three dwellings per site'. This does not appear to reflect the MDRS requirement for 'Up to three dwellings per site' to be provided for as a permitted activity, and 'Four or more dwellings per site' as a restricted discretionary activity. 9.7
- 16. ACS therefore suggests that further work is required to amend the provisions and/or otherwise justify that *all* aspects of MDRS have been incorporated. 9.8
- 17. ACS is also concerned about incorporating specific reference to PC78, as this is a separate process that may or may not proceed in its current form, and could cause implementation issues with the precinct in future. It is recommended references to PC78 be reconsidered, and where appropriate removed from the plan change. 9.9

Qualifying Matters

- 18. The Section 32 Assessment Report identifies qualifying matters proposed within this plan change that relate to the setback of apartment buildings along the Ladies Mile frontage, the retention of existing trees, the proposed Notable Tree, and the maximum cap of 357 residential dwellings.
- 19. Rules related to these qualifying matters do appear to be properly annotated in the plan change provisions, but ACS requests that the annotation of qualifying matters continues to be reviewed, particularly in the event that there are any further amendments to the provisions that occur as the result of submissions. This is needed in order to properly meet the requirements of sections 77I-K of the RMA. 9.10

DECISION SOUGHT

- 20. ACS seeks the that the plan change is declined in its entirety, unless the matters raised in this submission are addressed.
- 21. In the alternative to the primary relief, ACS seeks the following decisions if the plan change is approved:

- a. Amend the Precinct Plans to remove the underlying zoning, and any zones outside the precinct. | 9.1
 - b. Amend the Precinct Plans to remove the 25m height limit, and instead use the Height Variation Control layer to show this information. | 9.2
 - c. Change reference to 'THAB zoned areas of the Precinct' to 'Sub-Precinct A' and 'Mixed Housing Urban zoned areas' to 'Sub-Precinct B' to align with AUP style and improve consistency with other precincts. | 9.3
 - d. Review the plan change provisions and amend as necessary to reflect the AUP style guide. | 9.5
 - e. Amend the provisions to incorporate all MDRS requirements, to ensure compliance with section 77G of the RMA. | 9.7
 - f. Ensure that the provisions continue to clearly annotate or identify any Qualifying Matters, to ensure compliance with sections 77I-K of the RMA. | 9.10
22. ACS seeks any other alternative or consequential relief to address the matters outlined in this submission.

APPEARANCES AT THE HEARING

- 23. ACS wishes to be heard in support of its submission.
- 24. If others make a similar submission, ACS will consider presenting a joint case with them at the hearing.

DATED 20 August 2024

On behalf of Auckland Council as submitter:



Warren Maclennan, Manager Planning - Regional, North, West & Islands, Planning & Resource Consents

Address for service:

Warren Maclennan
Email: Warren.Maclennan@aucklandcouncil.govt.nz
Telephone: 09 301 0101

Postal address:
Auckland Council
135 Albert Street
Private Bag 92300
Auckland 1142

From: UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 104 - Karl Flavell
Date: Wednesday, 21 August 2024 4:15:56 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Karl Flavell
Organisation name: Ngaati Te Ata Waiohua
Agent's full name: Karl Flavell
Email address: karl_flavell@hotmail.com
Contact phone number: 0279328998
Postal address:
PO BOX 437
Pukekohe Auckland
Pukekohe Auckland 2120

Submission details

This is a submission to:
Plan change number: Plan Change 104
Plan change name: PC 104 (Private): Remuera Precinct

My submission relates to

Rule or rules:
All of the Application

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:
That the CIA Report recommendations are provided for.

10.1

I or we seek the following decision by council: Approve the plan change with the amendments I requested

Details of amendments: To be provided

Submission date: 21 August 2024

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?
No

Declaration

Could you gain an advantage in trade competition through this submission? No

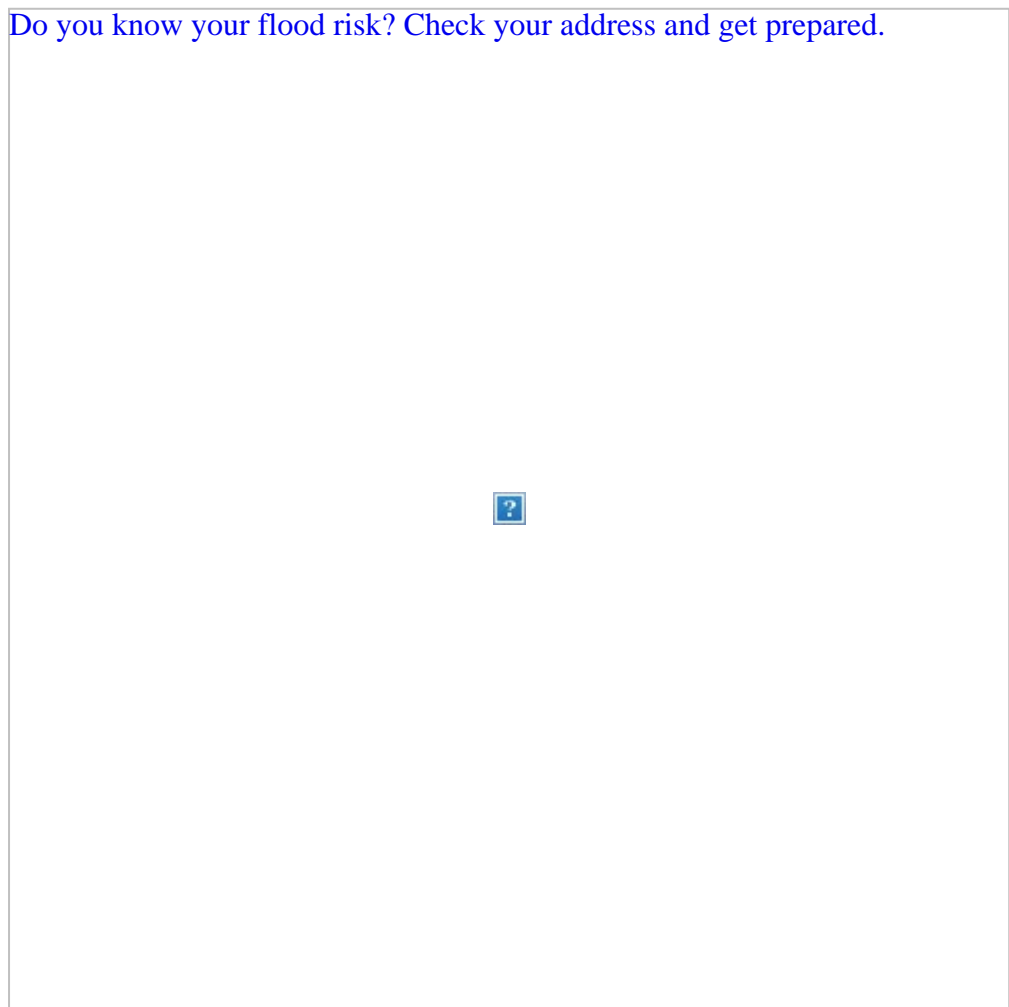
Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

[Do you know your flood risk? Check your address and get prepared.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

Watercare Services Limited73 Remuera Road, Remuera,
Auckland 1050, New ZealandPrivate Bag 92521, Victoria Street West,
Auckland 1142, New Zealand

Telephone +64 9 442 2222

www.watercare.co.nz

Auckland Council
Private Bag 92300
Auckland 1142

Attn.: Planning Technician

unitaryplan@aucklandcouncil.govt.nz

TO: Auckland Council

SUBMISSION ON: Plan Change 104 (Private): Remuera Precinct

FROM: Watercare Services Limited

ADDRESS FOR SERVICE: planchanges@water.co.nz

DATE: 21 August 2024

Watercare could not gain an advantage in trade competition through this submission.

1 WATERCARE'S PURPOSE AND MISSION

- 1.1 Watercare Services Limited ("Watercare") is New Zealand's largest provider of water and wastewater services. Watercare is a council-controlled organisation under the Local Government Act 2002 and is wholly owned by the Auckland Council ("Council").
- 1.2 As Auckland's water and wastewater services provider, Watercare has a significant role in helping Auckland Council achieve its vision for the Auckland region. Watercare's mission is to provide reliable, safe, and efficient water and wastewater services to Auckland's communities.
- 1.3 Watercare is required to manage its operations efficiently with a view to keeping overall costs of water supply and wastewater services to its customers (collectively) at minimum levels, consistent with the effective conduct of its undertakings and the maintenance of the long-term integrity of its assets. Watercare must also give effect to relevant aspects of the Council's Long-Term Plan, and act consistently with other plans and strategies of the Council, including the Auckland Unitary Plan (Operative in Part) ("AUP OP"), the Auckland Plan 2050, and the Auckland Future Development Strategy 2023-2053.¹

¹ Local Government (Auckland Council) Act 2009, s58.

2 SUBMISSION

General

- 2.1 This is a submission on a private plan change requested by Fletcher Residential Limited (“Applicant”) to the AUP OP that was publicly notified on 25 July 2024 (“Plan Change 104”).
- 2.2 Plan Change 104 affects approximately 6.2 ha of land at 79 Ladies Mile Remuera (“Site”), to the east of the Ellerslie Racecourse. Resource consent for approximately 357 residential dwellings on the Site has already been granted through the fast-track process.²
- 2.3 The Plan Change includes:
- (a) Re-zoning of the Site from the existing Special Purpose – Major Recreation Facility zone to a combination of the Residential – Terrace Housing and Apartment Building zone and the Residential – Mixed Housing Urban zone.
 - (b) A new precinct (Remuera Precinct) with associated provisions to reflect the built form, site layout, connections and landscaped areas that have been consented through the approved Fast-track Consent.
- 2.4 Watercare opposes the Plan Change in its current form and has proposed amended precinct provisions in Attachment 1 to address the concerns set out in this submission.
- 2.5 The purpose of this submission is to address the technical feasibility of the proposed water and wastewater servicing to ensure that the effects of future development enabled under Plan Change 104 on Watercare’s existing and planned water and wastewater network are appropriately considered and managed in accordance with the Resource Management Act 1991 (“RMA”).
- 2.6 In making its submission, Watercare has considered the relevant provisions of the Auckland Plan 2050, Long-term Plan 2024-2034 (10-year Budget), the Auckland Future Development Strategy 2023-2053, the Water Supply and Wastewater Network Bylaw 2015, the Water and Wastewater Code of Practice for Land Development and Subdivision and the Watercare Asset Management Plan FY25-FY34. Watercare has also considered the relevant RMA documents including the AUP OP and the National Policy Statement on Urban Development 2020 (updated in May 2022).

Specific parts of the Plan Change

- 2.7 The specific parts of the Plan Change that this submission relates to are:
- (a) the extent of development to be enabled by the Plan Change, beyond that already authorised by the Fast-track Consent;
 - (b) the proposed water and wastewater servicing arrangements; and
 - (c) the effects of the Plan Change on Watercare’s existing and planned water and wastewater network.

² Refer decision of the Expert Consenting Panel for The Hill - Ellerslie, 17 April 2023 (“Fast-track Consent”).

Yield

- 2.8 The Engineering Report supporting Plan Change 104 has assessed the infrastructure requirements based on a total yield of 357 dwellings as enabled under the existing Fast-track Consent. The impact of development in excess of 357 dwellings on the water supply and wastewater networks servicing the Site has not been assessed by the Applicant.
- 2.9 As notified, Plan Change 104 incorporates density and subdivision rules that replicate the Medium Density Residential Standards (“MDRS”) introduced by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021. The density of development possible where the more permissive MDRS are incorporated can result in significantly higher yield.
- 2.10 Watercare's experience to date has been that when resource consents for subdivision and development enabled by approved plan changes are lodged, development proposals are often considerably more intensive than what was indicated and assessed during the plan change process (i.e. in terms of infrastructure capacity and constraints). Where this increase in yield has occurred previously, water and wastewater capacity has been taken up faster than planned which means that applications for connections to the network may not be able to be approved by Watercare for some time.
- 2.11 Similarly, under Plan Change 104, the proposed re-zoning could ultimately result in an intensity of future development well in excess of the consented scenario. In other words, the Site, if re-zoned, has the potential to accommodate significantly more than the 357 dwellings specified in the application (and against which water supply and wastewater infrastructure requirements have been assessed). Therefore, Watercare seeks amendments to the precinct provisions to ensure that development in excess of 357 dwellings on the Site requires an assessment of the capacity of the water and wastewater networks as part of any resource consent application to ensure that additional plan-enabled development can be appropriately accommodated.

11.1

Wastewater servicing

- 2.12 In its feedback to the Fast-track Consent Watercare indicated that the Branch 1 sewer had existing capacity constraints, with three engineered overflow point (“EOP”) structures downstream (in the vicinity of Woodley Avenue and Entrican Avenue) that were predicted to overflow frequently. The 357 dwelling development proposed in the Fast-track Consent was anticipated to increase overflow frequency and the volume of those EOPs to an unacceptable level.
- 2.13 The application states that wastewater connections from the Site to Ellerslie Branch 1B transmission sewer and the Derby Downs sewer have since been completed, consented and constructed under Engineering Approval No. ENG60396803, and include stormwater separation works necessary to provide capacity in the transmission sewer. This available capacity, however, is based on 357 dwellings and may be insufficient if future enabled development exceeds that yield.
- 2.14 Development in excess of 357 dwellings as approved under the Fast-track Consent will need to be reassessed by Watercare as part of any future resource consent to ensure that any additional yield can be accommodated.

11.2

Water supply servicing

- 2.15 In its feedback to the Fast-track Consent Watercare advised that the existing connections at Ladies Mile and Marua Road are required to be upgraded to 150mm diameter pipes.

- 2.16 An additional new watermain is also required from Peach Parade along the frontage at Ladies Mile, connecting to the Ladies Mile main near Marua Road.
- 2.17 The developer will also be responsible for internal reticulation to the above and firefighting requirements.
- 2.18 Development in excess of the 357 dwellings approved under the Fast-track Consent will need to be reassessed by Watercare as part of any future resource consent. | 11.2

Protection of wastewater and water infrastructure assets

- 2.19 The Fast-track Consent records Watercare's concern regarding the impact of construction and vibration on existing wastewater and water infrastructure. Conditions of consent were accordingly imposed to explicitly require:³
- (a) Protection of Watercare's 450mm Branch 1B Ellerslie wastewater and 810mm Hunua Treated Watermain from damage.
 - (b) Building surveys and repair of any damage caused by vibration from construction activities.
 - (c) Consultation with Watercare in the preparation of a Construction Noise and Vibration Management Plan.
- 2.20 Given the importance of this critical infrastructure and its recognition in the Fast-track Consent, Watercare considers that providing for its protection as part of the Plan Change is also appropriate. | 11.3

Precinct provisions

- 2.21 Watercare supports precinct provisions that require subdivision and development to be coordinated with the provision of adequate water supply and wastewater infrastructure and to ensure that its critical infrastructure is protected.
- 2.22 In that regard, Watercare therefore seeks the following amendments (as set out in Attachment 1) to the proposed Remuera Precinct provisions:
- a) Amendments to Objective 4 for consistency with other AUP OP precincts. | 11.4
 - b) New Objective 6 to acknowledge the need to protect Watercare's critical infrastructure against potential adverse effects of construction and vibration. | 11.5
 - c) New Policies 9 and 10 to give effect to Objective 4. | 11.6
| 11.7
 - d) New Special information requirement for a water supply and wastewater Infrastructure Capacity Assessment for any development and/or subdivision that will result in the precinct exceeding 357 dwellings. | 11.8

³ Refer decision of the Expert Consenting Panel for The Hill - Ellerslie, 17 April 2023, conditions 14(c), 15(g), and 67.

3 DECISION SOUGHT

3.1 Watercare seeks a decision that ensures that the water and wastewater servicing requirements of the Plan Change will be adequately met, such that water and wastewater related effects are appropriately managed.

11.9

3.2 Watercare seeks the following relief:

- (a) That the Plan Change be amended as set out in Attachment 1 (or similar amendments that address the concerns raised in this submission).
- (b) In the absence of amendments as set out in 3.2(b), that the Plan Change be declined.
- (c) Any such alternative or consequential relief that addresses the concerns raised in this submission.

4 HEARING

4.1 Watercare wishes to be heard in support of its submission.

21 August 2024

Mark Iszard

Mark Iszard
Head of Major Developments
Watercare Services Limited

Address for Service:
Amber Taylor
Development Planning Lead
Watercare Services Limited
Private Bag 92521
Victoria Street West
Auckland 1142
Phone: 022 158 4426
Email: Planchanges@water.co.nz

ATTACHMENT 1 – Amendments requested by Watercare

(based on Precinct Provisions proposed in the Application dated 18 June 2024)

Black Text – Notified Precinct provisions

Red Text – Watercare’s proposed amendments

Additions **underlined and bold**, deletions ~~struck through~~)

IXXX Remuera**IXXX.1 Precinct description**

The Remuera Precinct (Precinct) comprises approximately 6.2 hectares of sloping land which was formerly part of the Ellerslie Racecourse Precinct. The Precinct is located at the eastern end of the racecourse site and is bound by Ladies Mile and Derby Downs Place.

The Precinct enables housing choice including both medium to high density living opportunities with development up to 25m in height provided within the Terrace House and Apartment Building zones. Development of the Precinct is defined by identified publicly accessible open spaces, areas of private open space, existing mature Pohutukawa trees on Ladies Mile (combined with a 6m setback in their vicinity) and garden streets.

Movement through the Precinct is provided by two new public roads, one of which connects to Ladies Mile while the other connects to Derby Downs Place. Entry markers are proposed at these locations. A series of interconnected commonly owned access lots in combination with identified pedestrian routes provide internal linkages within and through the Precinct. An existing tunnel also connects Derby Downs Place with the infield of the racecourse.

Stormwater from the precinct is managed by the approved Stormwater Management Plan for the precinct.

The zoning of the land within the Precinct is Residential - Terrace Housing and Apartment Buildings and Residential – Mixed Housing Urban. All relevant overlay, Auckland-wide and zone provisions apply in this Precinct unless otherwise specified below.

The objectives, policies, rules and other provisions in Appendix B apply to and modify the Residential Mixed Housing Urban and Residential Terrace House and Apartment Building zoned land within the Precinct until Plan Change 78 becomes operative, after which point the provisions no longer apply.

IXXX.2 Objectives

- (1) The Precinct is a well-functioning urban environment that is serviced with adequate infrastructure and which recognises the importance of intensification of this locality in proximity to the Ellerslie Rail Station. Development is based around an integrated and connected series of public streets, publicly accessible open spaces, garden streets and publicly accessible pedestrian routes.

...

(4) Subdivision and development within the Precinct is coordinated with the supply delivery of sufficient adequate three waters, energy and communications infrastructure.

(5) Adverse effects on the safe and efficient operation of the road network are avoided.

(6) Adverse effects on the safe and efficient operation of the stormwater, water and wastewater network are avoided.

IXXX.3 Policies

...

(9) Require subdivision and development in the Precinct to be coordinated with the provision of adequate stormwater, wastewater, and water supply infrastructure with capacity for the proposed development.

(10) Avoid subdivision or development exceeding 357 dwellings within the Precinct where it cannot be demonstrated that there is sufficient capacity in the water supply and wastewater reticulated network to service the development in the Infrastructure Capacity Assessment required by IXXX.X Special information requirements.

...

IXXX.4 Activity table

All relevant overlay, Auckland-wide, and zone activity tables apply unless the activity is listed in Activity table IXXX.4.1 below.

Table IXXX.4.1 specifies the activity status of land use and subdivision activities in the Precinct pursuant to sections 9(3) and section 11 of the Resource Management Act 1991.

Table IXXX.4.1 Activity table

Activity		Activity status
(A1)	Any activity, development and/or subdivision that does not comply with Standards IXXX.6.1 – IXXX.6.11	RD
(A2)	Any activity, development and/or subdivision that does not comply with Standard IXXX.6.12 Arterial Road Access	D
(A3)	Any activity, development and/or subdivision that does not comply with Standard IXXX.6.13 Development Staging & Transport D D Network Infrastructure Requirements and Table IX.6.13.1	D

(A4)	Any activity, development and/or subdivision that would result in more than 357 dwellings within the Precinct	NC
------	---	----

...

IXXX.8 Special information requirements

An application for any subdivision or development must be accompanied by:

Water supply and wastewater Infrastructure Capacity Assessment

(1) As part of any development and/or subdivision that will result in the precinct exceeding 357 dwellings¹, the applicant is required to produce a water supply and wastewater Infrastructure Capacity Assessment for the precinct to demonstrate there is sufficient capacity in the local and bulk water and wastewater reticulated network.

¹ Consented under the decision of the Expert Consenting Panel for The Hill - Ellerslie, 17 April 2023

From: UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 104 - Elizabeth Leuchars
Date: Thursday, 22 August 2024 3:01:04 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Elizabeth Leuchars

Organisation name: NA

Agent's full name: Lizzie

Email address: lizzieleuchars@gmail.com

Contact phone number:

Postal address:
lizzieleuchars@gmail.com
Auckland
Auckland 1051

Submission details

This is a submission to:

Plan change number: Plan Change 104

Plan change name: PC 104 (Private): Remuera Precinct

My submission relates to

Rule or rules:
The Auckland Unitary Plan
Proposed Plan Change 104 (Private) - Remuera Precinct

Property address: 79 Ladies Mile, Remuera.

Map or maps:

Other provisions:
Proposed Plan Change 104 (Private) Remuera Precinct

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

It is in relation to the height of the buildings; the density of living (ie the number of people living in this block). The lack of infrastructure i.e. Roads, drainage, sewage, and local schools which are already under severe pressure, and developments such as Stonefields and other such Remuera developments have already compounded this problem. These critical factors have not been addressed. Fletcher Living is slicing the salami on top of the concessions that have already been made to them.

I or we seek the following decision by council: Decline the plan change

Submission date: 22 August 2024

12.1

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

[Do you know your flood risk? Check your address and get prepared.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 16, 135 Albert Street
Private Bag 92300
Auckland 1142

For office use only

Submission No:

Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full
Name)

Craig McErlane

Organisation Name (if submission is made on behalf of Organisation)

Address for service of Submitter

68 Ladies Mile ,

Ellerslie, 1051

Telephone:

64274821116

Email:

mactech@xtra.co.nz

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PC 104 (Private)

Plan Change/Variation Name

Remuera Precinct

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

Location of Interface Control Zone, changes to MHU and THAB zone rules

Or

Property Address

Pedestrian Crossing on Derby Downs Place to Lonsdale St

Or

Map

Or

Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended Yes No

The reasons for my views are:

As on attached sheet

(continue on a separate sheet if necessary)

I seek the following decision by Council:

Accept the proposed plan change / variation

Accept the proposed plan change / variation with amendments as outlined below

Decline the proposed plan change / variation

If the proposed plan change / variation is not declined, then amend it as outlined below.

The existing Interface Control Zone be moved from the boundary with dwellings on Hunterville Court/Derby Downs to the boundary between the racecourse and the new development, as already proposed for the boundary along Peach Parade.

13.1

The existing provisions of MHU and THAB are retained and

13.2

The existing height to boundary conditions as Consented by the Fast Track application are retained.

13.3

Proposed Plan change 104 must include provision for safe pedestrian access from the site to Lonsdale Street. As a minimum PPC104 should include a pedestrian crossing opposite 15 Derby Downs Place.

13.4

13.5

I wish to be heard in support of my submission

13.5

I do not wish to be heard in support of my submission

13.6

If others make a similar submission, I will consider presenting a joint case with them at a hearing

C F McElane

08/22/2024

Signature of Submitter
(or person authorised to sign on behalf of submitter)

Date

Notes to person making submission:
If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could /could not gain an advantage in trade competition through this submission.
If you could gain an advantage in trade competition through this submission please complete the following:
I am / am not directly affected by an effect of the subject matter of the submission that:
(a) adversely affects the environment; and
(b) does not relate to trade competition or the effects of trade competition.

Proposed Plan Change 104

Background

The zoning of residential housing in Hunterville Court and Derby Downs was changed by PC78 from MHS to MHU.

The purpose of PC78 was to allow an increase in residential intensification in locations closer than 800m from train stations in a controlled manner.

The Developers have acknowledged that the development is outside this 800m radius and are trying to argue that the established rules should not apply to them.

This is an insidious lowering of standards that were only recently established by PC78.

Contrary to the Developer's statements, the site is not well provided for by public transport, and AT in the fast-track application commented that an increase in bus services is restricted by the already constricted roading system surrounding the site.

An increase in the height overlay in the proposed THAB zones from 16m + 2m roof form to 25m is again a subtle dilution of the standards only recently established in PC78.

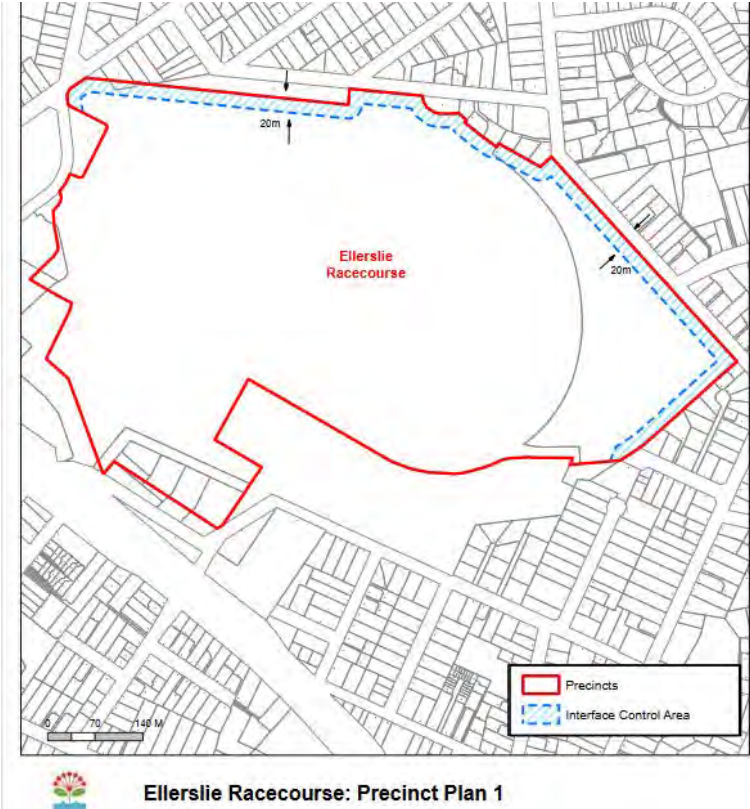
The fast-track Consent permits two level detached housing along Ladies Mile due to the Single House Zone and two level detached housing along the southern boundary due to existing neighbouring houses.

The Developer states in the proposed PPC104 that "The maximum volumes shown in Figure 20b are a **Significant Improvement** and are consistent with the neighbourhood context. They therefore recognise that the change the zoning from MHS to MHU along this boundary is detrimental to the neighbours, and contrary to what was proposed and consented to.

The Developers acknowledge that the roading network is close to capacity in the morning and afternoon peak periods. However, they are proposing that up to 100 residential movements per hour can be accommodated in the northern portion and 150 vehicle movements per hour in the southern portion if the Derby Downs and Ladies Mile intersection is upgraded to a signalised intersection. They further argue that there is a good and convenient path from the Development to the Ellerslie Train Station across Derby Downs and via Lonsdale Street.

During the Fast Track process residents raised the current issues with the volume of traffic using Derby Downs to access the Racecourse which conflicts with pedestrians, including school children getting to Ellerslie School and the train station. The addition of up to 150 further traffic movements per hour will further compound the problem.

A. Interface Control Zone



Precinct Plan page 29 (consolidated 1313)

I313.10. Precinct plans
I313.10.1. Ellerslie Racecourse: Precinct plan 1



Proposed by Plan PPC104

1313.10. Precinct plans
1313.10.1. Ellerslie Racecourse: Precinct plan 1



Proposed by residents

The relationship between the existing houses and the activities on the Racecourse precinct are currently protected by the Interface Control Zone as specified in the Utitary Plan, 1311.10. The PPC 104 proposes the construction of 357 dwellings in the north east corner of the precinct in accordance with the fast-track consent. The presence of these dwellings does not alter the relationship between the existing dwellings and the activities on the racecourse.

Therefore, we propose that:

- The existing Interface Control Zone be moved from the boundary with dwellings on Hunterville Court/Derby Downs to the boundary between the racecourse and the new development, as already proposed for the boundary along Peach Parade.

13.1

B. Changes to Zoning

The proposed increase in dwellings per site from 1 to 3 within the MHU and THAB zones is contrary to the Consented approval given by the Fast Track application. The Developers are insisting that the Consent limits the total number of dwellings to 357 and that they do not intend to alter this, however there is no guarantee that the plans submitted for the Fast Track Application will be adhered to. Further, the proposal is to increase the permitted volume by changing the height to boundary requirement of 2m by 45 degrees, to 4m and 60 degrees.

We propose that:

- The existing provisions of MHU and THAB are retained and
- The existing height to boundary conditions as Consented by the Fast Track application are retained.

13.2

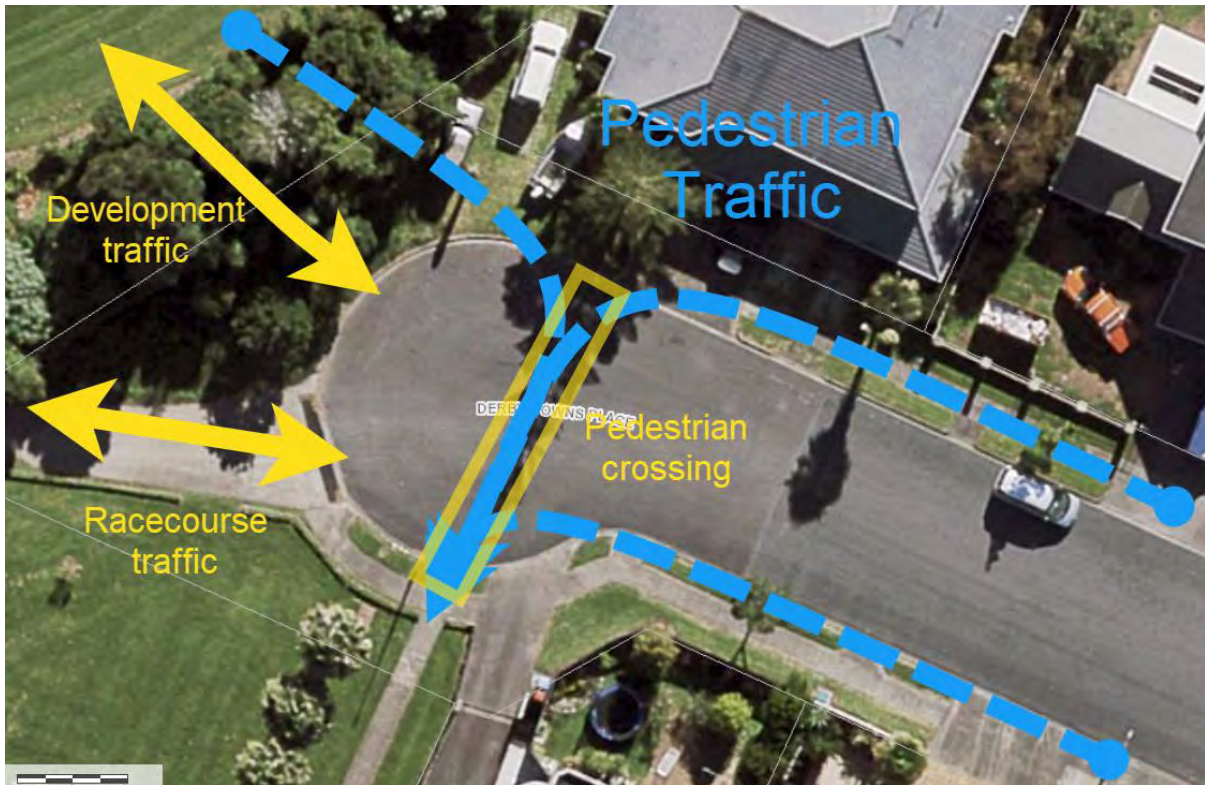
13.3

13.4

I note that both these concerns (A & B) were also raised by Auckland Council in P3 and T11 of their request for further information.

We disagree with the responses from the applicant, where they argue that their “policy is...” as this does not ensure adherence to the current “policy” in the future. The maximum cap of 357 dwellings does not define where these dwelling will be located and changing the provisions of MHU would allow adverse changes affecting neighbourhood dwellings with no comeback available.

C. Pedestrian access to Ellerslie train station



- Proposed Plan change 104 must include provision for safe pedestrian access from the site to Lonsdale Street. As a minimum PPC104 should include a pedestrian crossing opposite 15 Derby Downs Place. | 13.5
- A further recommendation would be to ask Council to consider an additional pedestrian crossing across Morrin St to Robert St. | 13.6

Ian Calhaem

18th August 2024

Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 16, 135 Albert Street
Private Bag 92300
Auckland 1142

For office use only

Submission No:

Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full
Name)

Craig McErlane (McErlane Investment trust on be halve of our tenants)

Organisation Name (if submission is made on behalf of Organisation)

Address for service of Submitter

66 Ladies Mile

Ellerslie, 1051

Telephone:

274821116

Email:

mactech@xtra.co.nz

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PC 104 (Private)

Plan Change/Variation Name

Remuera Precinct

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

Location of Interface Control Zone, changes to MHU and THAB zone rules

Or

Property Address

Pedestrian Crossing on Derby Downs Place to Lonsdale St

Or

Map

Or

Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended Yes No

The reasons for my views are:

As on attached sheet

(continue on a separate sheet if necessary)

I seek the following decision by Council:

Accept the proposed plan change / variation

Accept the proposed plan change / variation with amendments as outlined below

Decline the proposed plan change / variation

If the proposed plan change / variation is not declined, then amend it as outlined below.

The existing Interface Control Zone be moved from the boundary with dwellings on Hunterville Court/Derby Downs to the boundary between the racecourse and the new development, as already proposed for the boundary along Peach Parade.

The existing provisions of MHU and THAB are retained and

The existing height to boundary conditions as Consented by the Fast Track application are retained.

Proposed Plan change 104 must include provision for safe pedestrian access from the site to Lonsdale Street. As a minimum PPC104 should include a pedestrian crossing opposite 15 Derby Downs Place.

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

If others make a similar submission, I will consider presenting a joint case with them at a hearing

14.1
14.2
14.3
14.4
14.5
14.6

CFMcErlane

08/22/2024

Signature of Submitter
(or person authorised to sign on behalf of submitter)

Date

Notes to person making submission:
If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could /could not gain an advantage in trade competition through this submission.
If you could gain an advantage in trade competition through this submission please complete the following:
I am / am not directly affected by an effect of the subject matter of the submission that:
(a) adversely affects the environment; and
(b) does not relate to trade competition or the effects of trade competition.

Proposed Plan Change 104

Background

The zoning of residential housing in Hunterville Court and Derby Downs was changed by PC78 from MHS to MHU.

The purpose of PC78 was to allow an increase in residential intensification in locations closer than 800m from train stations in a controlled manner.

The Developers have acknowledged that the development is outside this 800m radius and are trying to argue that the established rules should not apply to them.

This is an insidious lowering of standards that were only recently established by PC78.

Contrary to the Developer's statements, the site is not well provided for by public transport, and AT in the fast-track application commented that an increase in bus services is restricted by the already constricted roading system surrounding the site.

An increase in the height overlay in the proposed THAB zones from 16m + 2m roof form to 25m is again a subtle dilution of the standards only recently established in PC78.

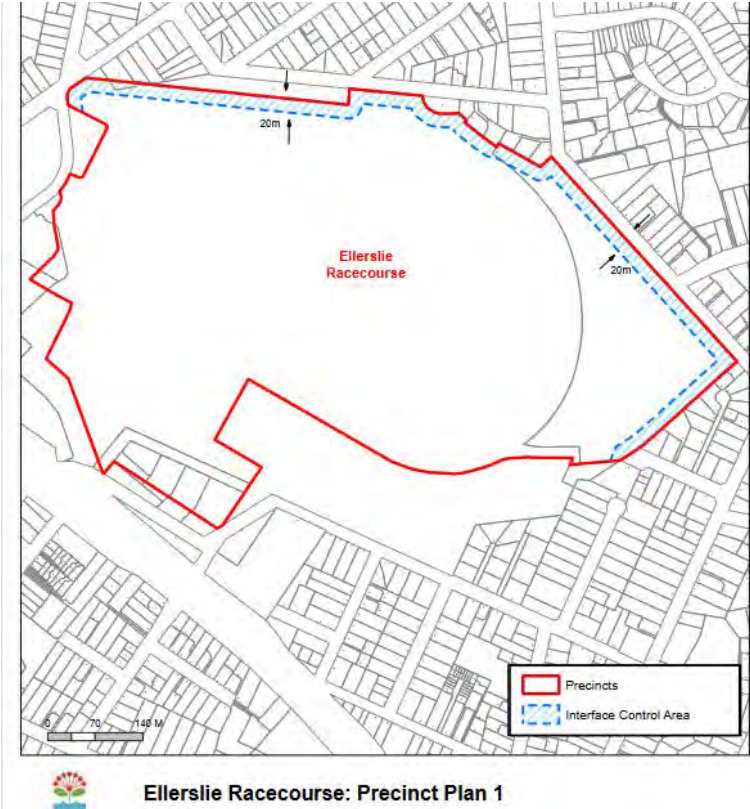
The fast-track Consent permits two level detached housing along Ladies Mile due to the Single House Zone and two level detached housing along the southern boundary due to existing neighbouring houses.

The Developer states in the proposed PPC104 that "The maximum volumes shown in Figure 20b are a **Significant Improvement** and are consistent with the neighbourhood context. They therefore recognise that the change the zoning from MHS to MHU along this boundary is detrimental to the neighbours, and contrary to what was proposed and consented to.

The Developers acknowledge that the roading network is close to capacity in the morning and afternoon peak periods. However, they are proposing that up to 100 residential movements per hour can be accommodated in the northern portion and 150 vehicle movements per hour in the southern portion if the Derby Downs and Ladies Mile intersection is upgraded to a signalised intersection. They further argue that there is a good and convenient path from the Development to the Ellerslie Train Station across Derby Downs and via Lonsdale Street.

During the Fast Track process residents raised the current issues with the volume of traffic using Derby Downs to access the Racecourse which conflicts with pedestrians, including school children getting to Ellerslie School and the train station. The addition of up to 150 further traffic movements per hour will further compound the problem.

A. Interface Control Zone



Precinct Plan page 29 (consolidated 1313)

I313.10. Precinct plans
I313.10.1. Ellerslie Racecourse: Precinct plan 1



Proposed by Plan PPC104

1313.10. Precinct plans
1313.10.1. Ellerslie Racecourse: Precinct plan 1



Proposed by residents

The relationship between the existing houses and the activities on the Racecourse precinct are currently protected by the Interface Control Zone as specified in the Utitary Plan, 1311.10. The PPC 104 proposes the construction of 357 dwellings in the north east corner of the precinct in accordance with the fast-track consent. The presence of these dwellings does not alter the relationship between the existing dwellings and the activities on the racecourse.

Therefore, we propose that:

- The existing Interface Control Zone be moved from the boundary with dwellings on Hunterville Court/Derby Downs to the boundary between the racecourse and the new development, as already proposed for the boundary along Peach Parade.

14.1

B. Changes to Zoning

The proposed increase in dwellings per site from 1 to 3 within the MHU and THAB zones is contrary to the Consented approval given by the Fast Track application. The Developers are insisting that the Consent limits the total number of dwellings to 357 and that they do not intend to alter this, however there is no guarantee that the plans submitted for the Fast Track Application will be adhered to. Further, the proposal is to increase the permitted volume by changing the height to boundary requirement of 2m by 45 degrees, to 4m and 60 degrees.

We propose that:

- The existing provisions of MHU and THAB are retained and
- The existing height to boundary conditions as Consented by the Fast Track application are retained.

14.2

14.3

14.4

I note that both these concerns (A & B) were also raised by Auckland Council in P3 and T11 of their request for further information.

We disagree with the responses from the applicant, where they argue that their “policy is...” as this does not ensure adherence to the current “policy” in the future. The maximum cap of 357 dwellings does not define where these dwelling will be located and changing the provisions of MHU would allow adverse changes affecting neighbourhood dwellings with no comeback available.

C. Pedestrian access to Ellerslie train station



- Proposed Plan change 104 must include provision for safe pedestrian access from the site to Lonsdale Street. As a minimum PPC104 should include a pedestrian crossing opposite 15 Derby Downs Place.
- A further recommendation would be to ask Council to consider an additional pedestrian crossing across Morrin St to Robert St.

14.5

14.6

Ian Calhaem

18th August 2024

APPENDIX 5

QUALIFICATIONS AND EXPERIENCE OF THE S42A REPORTING PLANNER



CURRICULUM VITAE

NAME

Daniel Kinnoch



POSITION

Planner and Director,
CoLab Planning Ltd

QUALIFICATIONS

Bachelor of Urban & Regional Planning,
University of South Australia (2013)

MEMBERSHIPS

New Zealand Planning Institute (Full and Supporter)

EXPERIENCE

13 years of statutory and policy planning in New Zealand and Australia

AREAS OF EXPERTISE

Leadership and Management

- Acting Manager Environmental Planning at Southland District Council, overseeing the resource consent and planning processes, providing leadership and guidance to the planning team, and ensuring efficient and effective delivery of planning services (December 2023 - ongoing)

Planning Assessments

- Assessment of complex land-use and regional resource consent applications on behalf of Auckland Council, including residential, subdivision, city center, business, heritage, infrastructure, and coastal developments (December 2014 – ongoing)
- Experience in leading applications through Council hearings and Environment Court processes, including preparing and presenting expert planning evidence at both Council and Environment Court hearings (2013 – ongoing)
- Assessment of resource consent applications for Christchurch City Council (May 2022 – ongoing)
- Assessment of resource consent applications for Whangarei District Council (August 2023 – ongoing)
- Assessment of resource consent applications for Taranaki Regional Council, including New Zealand's largest proposed offshore wind farm (August 2023 – ongoing)
- Assessment of resource consent applications for Kaipara District Council (October 2023 – ongoing)
- Assessment of resource consent applications for Northland Regional Council (April 2024 – September 2024)
- Preparation of resource consent applications for private and government clients (2022 – ongoing)

Decision-Making

- Making Good Decisions Certificate Holder, issued September 2022, valid until December 2025, renewable for a further 5 years.

- Appointed Commissioner for Southland District Council (2023 – ongoing)
- Delegated decision-maker on applications for planning consent in South Australia (2011-2014)
- Delegated decision-maker on applications for resource consent and other RMA authorisations on behalf of Auckland Council (2016 – ongoing)

Parks and Recreation Planning

- Specialist input for Auckland Council and representing the Parks Sport and Recreation (PSR) view of parks, open space, recreation, and sport for statutory and consent processes (June 2022 – ongoing)

Policy Development

- Review and processing of private plan changes, acting as conduit in Auckland Council resource consents for input on policy development, involvement in providing SME input on proposed national instruments like the NPS-UD and RMA Reform, SME for Auckland City, and section 32 evaluation reporting for PC78 (June 2018 – ongoing)

Training and Technical Procedures

- Creation and provision of training on resource management legislation, plan changes, and their requirements (June 2018 – ongoing)
- Learning and development resources for local government and private sector, including in-person training (June 2018 – ongoing)
- Establishment of processes and procedures to deal with legislation, organisational, and other changes (June 2018 – ongoing)

PROFESSIONAL INVOLVEMENT

Committee Membership and Leadership

- Committee member of the Auckland/Northland Branch of the New Zealand Planning Institute (NZPI), actively contributing to the development and promotion of the planning profession in the region (2022 – 2024)
- Lead of AI-mpact, a specialised group within NZPI's PlanTech Special Interest Group (SIG) focusing on the application of artificial intelligence and GPT technologies in RMA planning in New Zealand, driving innovation and knowledge exchange among professionals (2023 – ongoing)

Advocacy and Education

- Advocate for practitioner learning and awareness of AI applications in New Zealand's planning industry, participating in various talks, events, and workshops in collaboration with organizations such as NZPI, Urban Development Institute of New Zealand (UDINZ), and local universities (2023 – ongoing)

WORK HISTORY

- 2022 – present: Planner and Director, CoLab
- 2021 – 2022: Planning Consultant, Scott Wilkinson Planning Limited
- 2018 – 2021: Principal Specialist Planner, Auckland Council
- 2017 – 2018: Planning Consultant, Jacobs New Zealand Limited
- 2016 – 2017: Senior Planner, Auckland Council
- 2014 – 2016: Intermediate Planner, Auckland Council
- 2011 – 2014: Planner, City of Port Adelaide Enfield, Australia

REFEREES

- Mark White, Streamline Resource Consents, Auckland Council
mark.white2@aucklandcouncil.govt.nz, 021 830 546
- Mal Nash, Team Leader Planning, Christchurch City Council
mal.nash@ccc.govt.nz, (03) 941 5387
- Barry Kaye, Commissioner
barrykaye@xtra.co.nz, 021 764 563

APPENDIX 6
SPECIALIST REPORTING

Daniel Kinnoch

From: Lee-Ann Lucas <Lee-Ann.Lucas@aucklandcouncil.govt.nz>
Sent: Monday, 11 November 2024 9:44 am
To: Daniel Kinnoch
Subject: FW: Comments for PC104

FYI

Nga mihi | kind regards

Lee-Ann Lucas (Ms) Senior Policy Planner
Central South - Planning and Resource Consents
Planning and Governance Division

Te Kaunihera o Tamaki/ Auckland Council
Level 16, Te Wharau o Tamaki Auckland House, 135 Albert Street, Central Auckland
Email: Lee-Ann.Lucas@aucklandcouncil.govt.nz
Mob 021928737

I often work from home on Mondays and Fridays.



From: Alex Jorgensen <alex.jorgensen@aucklandcouncil.govt.nz>
Sent: Monday, November 11, 2024 9:41 AM
To: Lee-Ann Lucas <Lee-Ann.Lucas@aucklandcouncil.govt.nz>
Subject: RE: Comments for PC104

Mōrena Lee-Ann,

Apologies for the delay, I was able to catch up with Sheri-Ann about this late last week. To confirm the discussion you and I had, we note that there are no nominated or scheduled sites of significance to Mana Whenua within the proposed plan change area. This of course does not mean there are no mana whenua values or important sites associated with the relevant property, and mana whenua engagement in relation to this PPC needs to be ongoing. To this end we note your advice that mana whenua have had and continue to have input into PPC 104, and that CVAs have been received from a number of iwi. In particular we note that Ngaati Te Ata have requested to be heard in relation to their CVA at the relevant hearings and will be afforded the opportunity to do so. Accordingly the Māori Heritage Team have no further input to make at this stage, although we are of course available to assist going forward as might be necessary.

Ngā mihi

Alex

Dr Alex Jorgensen | Senior Specialist Māori Heritage
Heritage Unit | Planning and Resource Consents | Policy, Planning and Governance

Mob: 027 276 3106
Auckland Council, Level 16 North, 135 Albert Street, Auckland Central 1010
Visit our website: www.aucklandcouncil.govt.nz

Mon	Tues	Wed	Thurs	Fri
Office	Office	WFH	Office	WFH

From: Lee-Ann Lucas <Lee-Ann.Lucas@aucklandcouncil.govt.nz>
Sent: Monday, 11 November 2024 9:06 am
To: Alex Jorgensen <alex.jorgensen@aucklandcouncil.govt.nz>
Subject: Comments for PC104

Morena

Just wondering if you were able to provide that confirmation of your position in regards to this PPC?

Nga mihi | kind regards

Lee-Ann Lucas (Ms) Senior Policy Planner
Central South - Planning and Resource Consents
Planning and Governance Division

Te Kaunihera o Tamaki/ Auckland Council
Level 16, Te Wharau o Tamaki Auckland House, 135 Albert Street, Central Auckland
Email: Lee-Ann.Lucas@aucklandcouncil.govt.nz
Mob 021928737

I often work from home on Mondays and Fridays.



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

Memo (technical specialist report to contribute towards Council’s section 42A hearing report)

2 October 2024

To: Daniel Kinnoch – Consultant Planner, on behalf of Auckland Council
From: Alicia Wong – Senior Ecologist, Auckland Council

Subject: Private Plan Change – PC104 – Remuera Precinct – Ecological Assessment

1.0 Introduction

1.1 I have undertaken a review of the private plan change, on behalf of Auckland Council in relation to ecological effects.

1.1.1 I hold the qualifications of Bachelor of Science in Biological Sciences (Specialisation in Conservation Ecology and Biosecurity), Bachelor of Arts in Geography, Post Graduate Diploma in Environmental Science, and Master of Science in Environmental Science from The University of Auckland.

1.1.2 I have 7 years’ experience working as an ecologist in private and local government sectors.

1.1.3 I am a professional member of the New Zealand Ecological Society, Environment Institute of Australia, and New Zealand.

1.2 In writing this memo, I have reviewed the application material in full. The following documents specifically address ecological matters:

- *‘Fletcher Residential Limited Request for Private Plan Change Remuera Precinct – Plan Change Report Section 32 Analysis Assessment of Environmental Effects’*, by Tattico Limited, dated December 2023.
- *‘Precinct Plans’*
- *‘Annexure B: Landscape Package for Resource Consent’*, prepared by Boffa Miskell, version 2, dated 23.08.2022.
- *‘Annexure H: Ecological Assessment for the Remuera Precinct Plan Change’*, prepared by Ecological Solutions Ltd, dated 15.11.2023.
- *‘Annexure M: Arborist Assessment Remuera Precinct Plan Change’*, prepared by Arbor Connect Ltd, dated 19.12.2023.
- *‘Annexure N: Memorandum – Notable Tree Assessment’*, prepared by Arbor Connect Ltd, dated 21.02.2024.

1.3 I undertook a site visit of the subject site on 02.02.2024.

2.0 Applicant’s assessment

2.1 The applicants ecological impact assessment report provides an assessment on ecological features across the site.

- 2.2 No freshwater ecological features were identified asides from an artificial irrigation pond.
- 2.3 Similarly, the site lacked terrestrial ecological features apart from 11 mature Pohutukawa trees along the boundary of the site with Ladies Mile. These trees vary in height between 7m – 12m.
- 2.4 It is noted that site wide consented earthworks and vegetation clearance have commenced on the site that had been granted through a separate fast-track consenting process. Associated management measures to address potential adverse ecological effects on lizards and birds had been undertaken to meet granted consent conditions.
- 2.5 No designated Significant Ecological Area (SEA) vegetation is present on the site.
- 2.6 Detailed assessment of the 11 mature Pohutukawa trees are provided in the arboricultural report (Annexure M) and notable tree arborist report (Annexure N).
- 2.7 The applicant proposes “retention of identified mature Pohutukawa trees along the Ladies Mile frontage” under IXXX.3 to act as a visual buffer to the apartment buildings.

3.0 Assessment of ecological effects and management methods

Precinct Plan

- 3.1 Policy IXXX.3(1)(c) states “*Retention of identified mature Pohutukawa trees along the Ladies Mile frontage*”. This is reflected in Standard IXXX.6.5.(1) that restricts “*any activity, development, and/or subdivision within any part of the Precinct must not result in any works within the protected root zone of the existing Pohutukawa trees identified on Precinct Pan 2*”.

4.0 Submissions

- 4.1 Submissions on the proposed plan change were reviewed and it is noted that no submissions were relevant to ecology matters (terrestrial or freshwater).

5.0 Conclusions and recommendations

- 5.1 Ecological features are limited to 11 mature Pohutukawa trees along Ladies Mile. The proposal is to protect and retain all 11 trees, which is detailed in the proposed Precinct Plan and identified on Precinct Plan 2. Therefore, I am able to support the plan change.

Technical memo reviewed and approved for release by:



Carol Bergquist
Senior Ecologist
Ecological Advice Team | Infrastructure and Environmental Services
pp. Jane Andrews | Team Manager
08/10/2024

MEMORANDUM



TO: Daniel Kinnoch - Resource Management Planner, CoLab Planning
FROM: Allan Holmes – *GreensceneLtd*
DATE: 11 September 2024
ADDRESS: 79 Ladies Mile, Remuera
SUBJECT: PC104, Remuera Precinct Private Plan Change, Arboricultural Assessment

1.0 Introduction

- 1.1 I have undertaken a review on behalf of Auckland Council, of the Proposed Private Plan Change 104, at 79 Ladies Mile, Remuera, in relation to the Arboricultural effects of the proposed Plan Change to the trees on site.
- 1.2 In writing this memo I have reviewed the following documents.
- 1) Application under the COVID-19 Recovery (Fast Track Consenting) Act 2020, by Tattico Limited, dated 27 September 2022, final.
 - 2) Arboricultural Assessment Remuera Precinct Plan Change, by ArborConnect dated 19 December 2023.
 - 3) The Hill Private Plan Change Notable Tree Assessment, by ArborConnect dated 21/02/2024 final.
 - 4) Submissions from the 14 submitters to the Plan Change 104.
- 1.3 I have been engaged by Auckland Council to review the Arboricultural reports from the applicant and to provide a review of the response to the Plan Change provided by the submitters to the plan change on the Arboricultural matters raised.

2.0 Arboricultural Comments

- 2.1 The Arboricultural Assessment provided by ArborConnect, details the 20 trees located within the Plan Change area and identifies which four trees are to be removed to accommodate the Plan Change and which 16 trees can be retained and protected within the Plan Change area, with tree protection measures.
- 2.2 The Hill Private Plan Change Notable Tree Assessment provided by ArborConnect, details the assessment undertaken within the Plan Change area to locate trees and or groups of trees that would be appropriate to have included in the Notable trees of the Unitary Plan, Appendix 10.
- 2.3 Only one tree (Tree 13) achieved the threshold of 20 points or more to be included in the Notable tree schedule.

3.0 Submissions Relevant To Arboriculture

- 3.1 There were 14 submissions on the proposed Plan Change, and while there were no specific comments on the trees of the Plan Change area, there was one submission, No.5 by Keith Whitlow that stated that the area needs more recreation areas, not less.

4.0 Conclusions

- 4.1 The tree population of the Plan Change area appears to be typical for the current site zoning of Special Purpose – Major Recreation Facility Zone where the emphasis of this zone is on the recreation elements of the site and not necessarily the amenity of the site. An emphasis on amenity can reduce the ability to enjoy the recreation elements of this zone. While trees would increase the amenity of the racecourse they could also reduce the visibility of the racing where planted in the wrong place which is why they are located on the edges of the racecourse and in areas away from the racecourse.
- 4.2 Most of the trees have been planted as a buffer along Ladies Mile Road in an area at the rear of the horse racing track and away from the main public area and grandstands and public viewing of the site, at the front of the site closer to Ascot Avenue.
- 4.3 It has been identified in the Arboricultural Assessment Remuera Precinct Plan Change, by ArborConnect that the 11 Pohutukawa trees located along the Ladies Mile road boundary are important and while they did not reach the threshold as a Notable tree or group of trees candidate, they could be included in the Precinct Plan as protected trees and subject to the tree protection rules of the Precinct Plan.
- 4.4 Tree 13 the Pohutukawa tree meets the threshold of inclusion into the Notable Tree Schedule and so should be included in the Notable tree Schedule of the AUP-OP.

Please call me on (09) 6233514 if further comment is required.

Kind regards,



Allan Holmes
GreensceneLtd

Memo: Technical specialist report to contribute towards Council's section 42A hearing report

13 September 2024

To: Daniel Kinnoch, Consultant Planner, Plans and Places, Auckland Council

From: Derek Foy, Director, Formative Limited

Subject: Private Plan Change – PC104 Remuera Precinct– Economic Assessment**1.0 Introduction**

- 1.1 I have undertaken a review of the private plan change, on behalf of Auckland Council in relation to economic effects.
- 1.2 I am a Director of Formative, an independent consultancy specialising in social, economic, and urban form issues. Prior to this, I was an Associate Director of Market Economics Limited, a research consultancy for six years, and was employed by Market Economics for 18 years.
- 1.3 I have 24 years consulting and project experience, working for commercial and public sector clients. I specialise in retail analysis, assessment of demand and markets, the form and function of urban economies, the preparation of forecasts, and evaluation of outcomes and effects.
- 1.4 I have applied these specialties in studies throughout New Zealand, across most sectors of the economy, notably assessments of housing, retail, urban form, land demand, commercial and service demand, tourism, and local government. I have been involved in assessments for greenfields developments around Auckland, including in the north-west (Kumeu-Huapai, Redhills and Whenuapai), Warkworth, Silverdale, Pukekohe, Waiuku, and Drury.
- 1.5 In writing this memo, I have reviewed the application materials as notified for the Private Plan Change request – PC104 Remuera Precinct (“PC104”, or the “PPCR”), and in particular the following documents:
- “The Hill, Ellerslie, Economic Impact Assessment”, 14 September 2023, M.E Consulting (the “ME report”) (Annex F).
 - “Fletcher Residential Limited Request for Private Plan Change Remuera Precinct, Plan Change Report Section 32 Analysis Assessment of Environmental Effects”, December 2023, Tattico Limited (the “s32 report”).
 - The applicant’s response to the first clause 23 Request for Information, provided as Appendix 1 (the “RFI response”).

2.0 Key economics issues

- 2.1 In my opinion the key economic issues associated with the proposal are:

- Whether a centre is required within the PPCR area to provide for the needs of not only the future population of the PPCR area, but also surrounding residential areas.
- The scale of the positive economics effects that would be enabled by the PPCR.
- Whether there are any potential negative economics effects of the PPCR.

3.0 Applicant's assessment

3.1 I accept and adopt the site description provided in the s32 report, including the zoning and description of existing activities.

3.2 I generally accept the methodology applied in the applicant's economic assessment (the ME report) in relation to assessing the positive economic effects of the development that would be enabled by the PPCR. Overall, I agree with the ME report's assessment of:

- The dwelling yield scenario used as a basis for the economic impact assessment ("EIA"), being around 370 dwellings built over five years in the PPCR area.¹
- The likely scale of economic impacts that that assumed development would generate, being total direct value added of \$55 million,² and a cumulative total of 1,083 job years.³
- The indirect and induced effects that will generate further GDP and employment in the Auckland and rest of New Zealand economy as development proceeds.

3.3 There are some aspects of the ME report's assessment which I wish to provide some response on. In the rest of this statement I provide only limited expansion on the matters in the application with which I agree, but focus most of my response in the next section on those other matters that I consider require some response.

4.0 Assessment of economic effects and management methods

4.1 In this section I respond to parts of the economic assessment which I consider require some further consideration, and explain the reasons for my position, and the likely effects of the PPCR on the environment. The key economics matters are those on which additional information was requested in the clause 23 RFI, namely:

- a. Need for commercial space in the PPCR area.
- b. Positive economics effects assessed.
- c. Potential negative economics effects of the PPCR.

Need for commercial space in the PPCR area

4.2 The ME report did not provide any assessment of whether some space should be provided for commercial activities or a commercial centre within the PPCR area. Information on that matter was requested in the clause 23 request (E2).

¹ ME report, page 1

² ME report section 2.2.1

³ ME report section 2.2.2

- 4.3 The RFI response was that the proposed development would be large enough to support only a small amount of convenience retail activity, and that
- the adjacent racecourse precinct provisions enable up to 500m² gross floor area for retail, food and beverage and office activities as a permitted activity. This is considered to be sufficient to meet the needs of future residents of this development.*
- 4.4 The RFI response adopted a relatively narrow interpretation of how much additional space might be supported in any potential commercial offering in the Remuera Precinct, because it limited its assessment to households in that Precinct, rather than recognising that households in surrounding areas would also support some space in the Precinct, as it would become their closest centre. As such, the centre would service the 390 households in the Precinct, plus around 500-600 additional households in nearby streets, a total catchment of nearly 1,000 households.
- 4.5 That is a slightly smaller catchment than the 1,400 households serviced by the average Auckland Neighbourhood centre, indicating that while a small Neighbourhood centre (say several stores) would be sustainable in the Remuera Precinct (or elsewhere in that catchment), and would provide efficient access to convenience retail for a small population, provision of such a centre is not critical.
- 4.6 The provisions proposed for the Remuera Precinct do not enable any such activities, although I note that the Fast Track consent for the Site⁴ includes 150m² of “Commercial” floorspace near the entrance at Abbotts Way/Ladies Mile. That 150m² would be able to provide a very limited amount of retail or service activity, although less than a typical Neighbourhood centre (which average 300-400m² in Auckland).
- 4.7 . That means that most of the local convenience retail that would be supported by residents of the Precinct and surrounding areas, would need to be provided outside of the Remuera Precinct. That space might be provided in the adjacent Racecourse Precinct (where the RFI response notes some commercial activity is permitted), in the Terrace Housing and Apartment Buildings Zone (“THABZ”, where dairies up to 100m² per site, and restaurants/cafes up to 100m² per site are restricted discretionary activities) or the demand would need to otherwise be accommodated in existing centres. There are no obvious development opportunities elsewhere in the catchment to accommodate a new centre (even if small).
- 4.8 The Racecourse Precinct does not appear to be a likely candidate to service the Remuera Precinct due to accessibility limitations. Commercial space in the Racecourse Precinct would likely need to be on the far (south-west or north-west) side of that Precinct, because parts of the Racecourse Precinct immediately adjacent to the Remuera Precinct do not have good accessibility that would support development of a centre. A centre on that western side of the Racecourse would not be very accessible to residents of the Precinct and surrounding areas, and other (existing centres) would be relatively more accessible. The nearest alternative centres are the Neighbourhood centres at Marua Road (950m east of the closest point of the Remuera Precinct) or Upland Road (800m north), or the Ellerslie Town Centre (800m south).
- 4.9 That proximity to those centres means they are, given the current roading layout, more accessible to residents of the Remuera Precinct than would be any commercial development in the Racecourse Precinct. That is, in my opinion it is unlikely that there will be any

⁴ BUN60412411

development of commercial activity in the Racecourse Precinct to service the needs of the Remuera Precinct.

- 4.10 Nevertheless, the relatively small dwelling yield of the Remuera Precinct means that providing commercial space in that precinct is not critical. I note that 150m² of such space is consented in the precinct, and while a more substantial provision would make access to activities such as convenience retail space easier, in my opinion it is not necessary to require the Remuera Precinct to have retail and food and beverage activities as a permitted activity in order to make the PPCR efficient from an economics perspective.

Positive economic effects

- 4.11 A focus of the ME report was establishing the economic contribution that would arise from development of the Precinct. I agree with the ME report's assessment, helpfully clarified in the RFI response (E3) that acknowledges the impacts assessed are the development's

'economic footprint' within the existing economy rather than any changes in its size and composition.

- 4.12 That is, not all of the economic effects assessed will be net additional to the Auckland economy, and a portion of the effects identified would be transferred from other residential construction projects in Auckland.
- 4.13 Development such as that which would be enabled in the Remuera Precinct will generate positive economic effects from some additional construction and development expenditure, which is a positive economic effect that is relevant when assessing the merits of the application under the RMA.
- 4.14 The ME report does not identify other positive economic effects that might arise as a result of the PPCR, although these are identified in the s32 report (section 8.1). I agree with the s32 report's conclusion that the PPCR would provide "much needed housing in Auckland" in a good location well serviced by existing infrastructure, and would support the operation of the nearby Ellerslie Town Centre.

Negative economics effects

- 4.15 The clause 23 RFI requested (E1) clarification of the ME report's conclusion that

Overall, M.E consider that the anticipated economic and social benefits of the proposed net increase in residential dwellings is likely to outweigh the anticipated economic and social costs.⁵

- 4.16 The RFI response included that

The potential economic and social costs of the proposed development could possibly be related to increased congestion or generation of disbenefits associated with density (crime, noise, pollution, etc.). Potential congestion effects have been mitigated by the proposed road infrastructure upgrades required through the precinct provisions. The design of the residential development is based around CPTED principles and the

⁵ ME report page 7

precinct provisions will ensure high quality landscaped spaces and connections within the site and to the surrounding neighbourhood.

Market Economics consider that the anticipated economic and social benefits of the proposed net increase in residential dwellings is likely to outweigh any potential anticipated costs. These effects are largely a result of population growth which is line with the population growth projected to occur within the area over the next thirty years.

- 4.17 I agree with RFI response that economic benefits are likely to outweigh any anticipated costs, and in my opinion the proposed development is well located within Auckland to accommodate dwelling growth, particularly relative to locations on the urban fringe.
- 4.18 The location of the Remuera Precinct will in my opinion avoid many of the negative economics effect that can arise from residential development on the urban fringe. The Precinct's location close to a wide range of existing urban facilities including public transport, shops, schools, employment opportunities and community facilities will enable the Precinct's households to easily access a comprehensive range of businesses and other destinations that are visited on a regular basis. For those reasons it is my opinion that the PPCR would contribute to a well-functioning urban environment from an economics perspective.

5.0 Submissions

- 5.1 I have reviewed the submissions, and no submission raises a specific economics issue.

6.0 Conclusions and recommendations

- 6.1 In my opinion the applicant has adequately assessed the appropriateness from an economics perspective of the PPCR area being changed to residential (THAB and Mixed Housing Urban) zoning.
- 6.2 Overall I support the PPCR from an economics perspective because the PPCR area is in an appropriate location, and would have no real potential for adverse economic effects to arise, and would give rise to some positive economics effects including providing additional dwelling capacity in an accessible location.

Memo

To: Daniel Kinnoch, Consultant Planner for Auckland Council

From: Emeline Fonua, Planner, Spatial Planning and Policy Advice, Auckland Transport

Date: 18 October 2024

Subject: Proposed Plan Change 104 Remuera Precinct

1.0 Introduction

- 1.1 Thank you for the opportunity to provide feedback on the Proposed Private Plan Change 104 (**PC104**). This memo outlines Auckland Transport's (**AT**) key comments on the transport-related matters associated with PC104.

2.0 Background

- 2.1 Fletchers Residential Limited (**the applicant**), has lodged a private plan change request with Auckland Council to rezone land at 79 Ladies Mile, Remuera (**the site**) from the existing Auckland Unitary Plan Special Purpose – Major Recreation Facility zone to Residential – Terrace Housing and Apartment Building zone and Residential – Mixed Housing Urban zone. A new precinct is also proposed over the site.
- 2.2 Auckland Transport has reviewed the following documents in support of the application for PC104:
- Remuera Precinct Assessment of Environmental Effects, prepared by Tattico Limited, dated December 2023, and updated June 2024
 - Remuera Precinct Provision, dated 20 December 2023 (original) and 18 June 2024 (the latest version)
 - Remuera Precinct Private Plan Change Integrated Transportation Assessment Report, prepared by Commute Transportation Consultants, dated 15 December 2023
 - The Hill, Ellerslie Fast Track Application. Integrated Transportation Assessment, prepared by Commute Transportation Consultants, dated 30 August 2022
 - Clause 23 responses to information requests, dated 8 February 2024 and 16 April 2024
 - Submissions that raised transport related matters.
- 2.3 AT did not submit on this plan change and has worked collaboratively with Auckland Council and its consultant transport specialist, Gerhard Van der Westhuizen from Flow Transportation Specialists (**Flow**) throughout the plan change process. AT supports Flow's comments to date and the recommendations outlined in Flow's technical

assessment. This memo is intended to support the detailed technical assessment provided by Flow.

3.0 Applicant's Assessment

- 3.1 The plan change is supported by an ITA (dated December 2023) and a previous ITA (dated August 2022) that was prepared for the approved fast-track application for the site through the COVID-19 Fast-Track Consenting Act 2020. The approved fast-track consent for the construction of approximately 357 residential dwellings was granted by the Expert Consenting Panel on 17 April 2023.
- 3.2 AT understands the applicant has proposed PC104 to reflect the recently approved fast-track consent. Accordingly, the applicant has adopted the findings of the underlying fast-track ITA to support the assessment of the transport effects from the proposed plan change.
- 3.3 AT previously provided feedback on the fast-track application. In general, AT was satisfied that the effects of the development would be acceptable, subject to the conditions of the consent to ensure the effects are appropriately mitigated. These conditions included several transport infrastructure upgrades within the proposed development and surrounding network to manage the transport effects of the development.
- 3.4 Selected transport infrastructure upgrades on Ladies Mile and Derby Downs Place that were required in the fast-track consent conditions have been incorporated into the precinct provisions as part of the proposed plan change (based on Table 9-1: Commentary on Transport related consent conditions vs Precinct conditions, ITA dated December 2023).
- 3.5 Additionally, in response to the Clause 23 requests for further information, a maximum dwelling cap of 357 dwellings has been established for the precinct. This cap ensures that the re-zoning enabled by PC104 aligns with the approved fast-track consent and ensures the surrounding transport network has capacity to accommodate the development.
- 3.6 With regard to the above, AT generally accepts the findings of the ITA and subsequent Clause 23 transport-related responses. AT considers that the effects of the development on the transport network to be manageable following the implementation of the transport infrastructure upgrades, maximum dwelling cap and measures identified in the fast-track consent conditions.

4.0 Review of submissions on transport matters

- 4.1 AT has reviewed the seven submissions that raised transport related matters, which were received following the notification of PC104. AT fully supports the comments provided by Flow addressing each of these matters. Some submitters raised more specific concerns, which we have addressed in our comments, below.
- 4.2 *Transport issue: Concern about the impact on the residential slip lane between 82-88 Ladies Mile [1 submitter]*

While additional traffic movements from the Northern Upper Loop Road onto Ladies Mile may raise safety concerns for the residents accessing their properties, AT

considers the proposed flush median on Ladies Mile, which is to be implemented as part of the fast-track conditions, to be an effective measure to prevent unsafe manoeuvres. The proposed flush median will provide sufficient space for right- turning vehicles, minimising conflicts with through traffic and improving the overall safety for those accessing their properties.

To ensure greater certainty that future design plans appropriately consider the significance of the flush median, AT recommends incorporating a provision for the flush median on Ladies Mile into Table IX.6.13.1 (b) and Precinct Plan 3 of the proposed Remuera Precinct provisions.

4.3 *Transportation issue: Concern about the reduction in on-road parking [1 submitter]*

Some existing on-street parking, particularly on Ladies Mile will be removed by the plan change proposal. Ladies Mile is an arterial road with high-traffic volumes, and the on-street parking is currently underutilised. Any adjustments to existing on-street parking will prioritise improvements to transport infrastructure, including the installation of a new south-bound bus stop on Ladies Mile, south of Abbots Way. AT considers these changes appropriate to enhance the efficiency and safety of the transport network and mitigate the effects of the proposed development.

4.4 *Transportation issue: Concern about the design and strength of the existing slip lane barrier [1 submitter]*

AT acknowledges the concern raised regarding the design and strength of the existing slip lane barrier. The current timber fencing (refer to Figure 1, below) is intended to separate traffic from the vertical height difference along the slip lane, serving primarily as a visual delineation feature. AT does not consider the design and strength of the existing barrier to be directly related to PC104 and does not anticipate that the proposed PC104 development will increase the likelihood of vehicles striking the barrier.



Figure 1. Existing slip lane barrier with timber fencing

5.0 Conclusion

5.1 Following the review of the transport-related aspects of PC104, AT considers that the effects generated by the development enabled by PC104 are acceptable and, with the appropriate mitigation, can be accommodated on the adjoining transport network without compromising its function, capacity, or safety.

PROJECT	ACXX456: PLAN CHANGE 104
SUBJECT	SECTION 42A HEARING REPORT – TRANSPORT SPECIALIST REPORT
TO	DANIEL KINNOCH (COLAB PLANNING)
FROM	GERHARD VAN DER WESTHUIZEN
REVIEWED BY	MICHAEL JONGENEEL
DATE	20 NOVEMBER 2024

1 INTRODUCTION

I have undertaken a review of the Private Plan Change 104 (PC104) lodged by Fletcher Residential Limited (FRL), on behalf of Auckland Council in relation to traffic and transport effects.

In January 2024 Auckland Council (Council) requested Flow Transportation Specialists (Flow) to assist with the review of transportation matters associated with PC104 to determine whether the information provided was sufficiently detailed and accurate to understand the traffic and transportation effects of the proposal.

I sought further information on traffic and transportation effects as outlined in Clause 23 Requests for Further Information dated February and April 2024. These were responded to by the Applicant in March and May 2024 respectively. The information provided generally satisfied my request for further information.

I have visited the site on a number of occasions with the latest being 10 October 2024.

The requestor proposes to introduce PC104 for the land at 79 Ladies Mile, Remuera, Auckland. The proposed plan change seeks to rezone 6.2197 hectares of land within the Special Purpose - Major Recreation Facility Zone and Ellerslie Racecourse Precinct to a mixture of Residential – Mixed Housing Urban and Residential - Terrace Housing and Apartment Building and apply the Remuera Precinct provisions.

The scope of this specialist transport report is to assist Council in determining the transport outcomes of PC104 and includes the following:

- ◆ A summary of PC104 focusing on transport matters
- ◆ A review of the material provided to support the application
- ◆ Summary of submissions, relating to transport matters only
- ◆ My recommendations.

In writing this memo, I have reviewed the following documents

- ◆ Remuera Precinct Assessment of Environmental Effects, prepared by Tattico Limited, dated December 2023, and updated June 2024
- ◆ Remuera Precinct Provision, dated 20 December 2023 (original) and 18 June 2024 (the latest version)
- ◆ Remuera Precinct Private Plan Change Integrated Transportation Assessment Report, prepared by Commute Transportation Consultants, dated 15 December 2023
- ◆ The Hill, Ellerslie Fast Track Application. Integrated Transportation Assessment, prepared by Commute Transportation Consultants, dated 30 August 2022
- ◆ Clause 23 responses to information requests, dated 8 February 2024 and 16 April 2024
- ◆ Submissions relevant to transport matters, as outlined in Section 4 of this report
- ◆ Approved Engineering Plans¹ prepared by Crang Civil Consulting Engineers, dated (approved) July 2024 to August 2024.

2 SUMMARY OF THE PC104 PROPOSAL

A summary of the site location, planning zones and proposed land use activities is provided in Table 1, with the Remuera Precinct Plan 3 shown in Figure 1.

Table 1: Site summary

Site Address	79 Ladies Mile from the eastern corner of the Ellerslie Racecourse Precinct. The proposed Remuera Precinct is located at the western end of the racecourse site and is bound by Ladies Mile and Derby Downs Place.
Planning Zone	Currently, the site is zoned as Special Purpose – Major Recreation Facility zone and is subject to the Ellerslie Racecourse Precinct provisions
Activity Proposed	The zoning of the land within the Remuera Precinct is proposed to be changed to Residential - Terrace Housing and Apartment Buildings and Residential – Mixed Housing Urban.

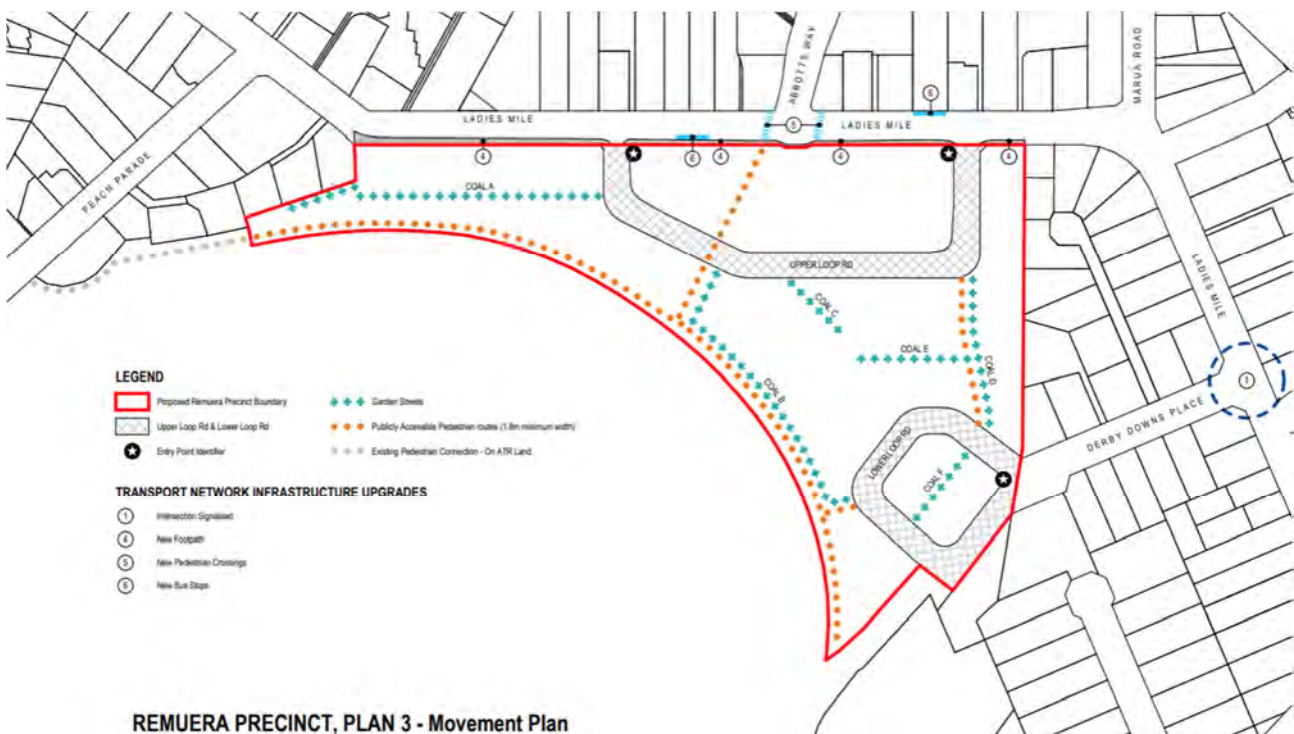
Key transportation features include

- ◆ The proposed zoning could enable 357 residential dwellings/units and a café of 150 m²
- ◆ Two new local roads, namely “Upper Loop Road” with two proposed intersections to Ladies Mile and “Lower Loop Road” that will connect to the existing Derby Downs Place cul-de-sac
- ◆ The intersection of Derby Downs and Ladies Mile is proposed to be signalised
- ◆ Upgrade to Ladies Mile / Abbots Way intersection with pedestrian crossings
- ◆ A new intersection on Ladies Mile to the north of the Abbots Way / Ladies Mile intersection allowing full turning movements. Upgrades to Ladies Mile are proposed in this location to provide a flush median for right turning traffic

¹ ENG60429481, ENG60429502, ENG60429504, ENG60429535, ENG60429536, ENG6042953 and ENG60429538

- ◆ A new intersection on Ladies Mile south of the Abbots Way / Ladies Mile intersection allowing left in left out movements only with a raised median to prevent right turning traffic
- ◆ No direct residential vehicle crossings to private dwellings are proposed to Ladies Mile, with access proposed to be provided via Upper Loop Road /Lower Loop Road via multiple vehicle crossings including Jointly Owned Access Lots (JOALs)
- ◆ A network of footpaths through and within the site with connections to the external network in a number of positions including
 - Upper Loop Road Northern intersection
 - Upper Loop Road Southern intersection
 - Derby Downs Place
 - Lonsdale Street via the Derby Downs Domain
 - Connections to the Ellerslie Racecourse trackside walkway
- ◆ Ladies Mile footpath upgrade along the site frontage
- ◆ Provision of a new northbound bus stop on Ladies Mile north of Abbots Way and relocation of the existing southbound Ladies Mile bus stop.

Figure 1: Remuera Precinct Plan 3 – Movement Plan



The Remuera Precinct Provisions set out the transport rules for development within the precinct area, noting that any activity, development and/or subdivision that would result in more than 357 dwellings within the Precinct is proposed as a non-complying activity.

3 MY REVIEW OF TRANSPORT MATTERS

A summary of all the transportation matters raised throughout my review, including Clause 23 information requests, is contained in Appendix A. The following subsections summarise the key transport matters raised during my review, which include

- ◆ Dwelling yield
- ◆ Parking and traffic generation
- ◆ Assessment of upzoning and traffic impacts.

My position is provided for each transport matter. I note that the applicant has satisfied all of my concerns and that all matters have been addressed through the Clause 23 process.

3.1 Dwelling yield

During my review, I had a concern that the plan change could enable more dwellings than the fast-track consent, and this might lead to cumulative traffic effects on the surrounding network.

I requested the applicant to assess if there's a risk of higher dwelling numbers resulting in more traffic than what's been assessed, and if so, how those effects will be managed. In particular, I wanted confirmation of the maximum development yield enabled by the plan change and assurance that any additional traffic effects would be appropriately assessed and mitigated.

The applicant has responded that the practical constraints of the site – including road network capacity and infrastructure limitations – mean that the maximum number of dwellings allowed under the fast-track consent (357 units) is the most that can be developed. They also emphasised that any deviation from this would require a new resource consent, which would trigger a reassessment of traffic and infrastructure impacts.

3.2 Parking and traffic generation

As part of my review, I considered that if the plan change allows more than 595 parking spaces, the traffic effects could increase. The 595 spaces proposed correspond to a ratio of 1.7 spaces per dwelling, which is relatively high for medium density builds within locations such as the PC104 site. Higher car parking ratios have the potential to result in higher car ownership rates, and in turn higher traffic generation, which can have a significant impact on the surrounding road network. I noted that I would be comfortable with additional residential development if the number of parking spaces remains capped at 595 because, in my view, that would prevent any significant increase in traffic. Alternatively, an average maximum parking rate per unit could allow some flexibility – for example, some units might have no parking, while others might have more than one space.

The applicant responded saying that the site is practically constrained in terms of providing more parking due to factors like topography and road layouts. They also argue that parking isn't always directly proportional to traffic generation and point to policies in the Unitary Plan that don't impose parking

maximums for most zones, except in the city centre. They believe the existing provisions in the Unitary Plan will ensure any future changes to parking or traffic generation are reassessed.

3.3 Upzoning and traffic impacts

I had raised concerns about the upzoning to higher-density residential (THAB and MHU zones) that could allow for more development than what's been approved under the fast-track consent. This could result in cumulative traffic effects that weren't considered in the original assessment, which was being relied upon for the plan change. I asked the applicant to provide certainty that any increase in development intensity will be properly assessed for its impact on infrastructure and transport.

The applicant has addressed this by proposing a cap of 357 dwellings within the precinct provisions, which would limit the total number of residential units. They have included this as a rule in the plan change, and any activity that would result in more than 357 dwellings would be a non-complying activity, meaning it would need a new resource consent and further assessment of traffic impacts.

3.4 Outcome of my review

After reviewing all the responses, I believe the applicant has adequately addressed all transport-related concerns. The proposed objectives, policies, and activity rules align with my expectations, and I understand that the Qualifying Matter² in this case — the transport infrastructure's capacity — justifies reducing density in the precinct.

4 MY REVIEW OF SUBMISSIONS

4.1 Submissions

A total of 14 submissions were received, of which seven³ were related to traffic and transportation. In summary, the submissions referred to the following themes

- ◆ Traffic congestion and increase in traffic
- ◆ Requests for additional roading linking Ladies Mile to Green Lane East and/or Peach Parade
- ◆ Construction disruption
- ◆ The impact on the residential slip lane between 82-88 Ladies Mile
- ◆ The accuracy of assumed roading layouts
- ◆ Queries regarding the design and strength of the proposed slip lane barrier
- ◆ Reduction in on-road parking
- ◆ Requests for provision of safe pedestrian access to Lonsdale Street

² Qualifying Matters provide reasons why certain areas might need to limit development or maintain lower density, despite the broader policy for intensification.

³ These included the following submitters: 4 (Katarina Pochyba), 6 (Simon McMullen), 7 (Ian Calhaem), 8 (Deborah Anne Keightley), 12 (Elizabeth Leuchars), 13 (Craig McErlane), 14 (Craig McErlane - McErlane Investment Trust).

- ◆ Requests for provision of an additional pedestrian crossing on Morrin Street, from Lonsdale Street to Robert Street.

Auckland Council in its capacity as submitter (ACS) has also submitted against PC104. ACS submission point 5.b. refers to the Vehicle Access Restriction Control proposed by the Remuera Precinct provisions.

I comment on each of these themes below.

4.1.1 Traffic congestion and increase in traffic

Submission points

Submitters expressed concern that the congestion on and around Ladies Mile is already significant, leading to long travel delays during peak times, and they believe that adding higher-density housing will exacerbate the problem.

Some submitters noted personal difficulties entering and exiting their driveways due to heavy traffic and expressed concern that the proposed upper loop road in front of their properties will worsen traffic congestion.

There is concern that crescents and roundabouts included in the current design will make traffic unbearable.

Some submitters asked what specific measures are being proposed to reduce single-lane traffic congestion between 70-88 Ladies Mile during peak times.

Response

I acknowledge the concerns raised by submitters regarding traffic congestion along Ladies Mile. These concerns have been addressed by the applicant through the use of SIDRA traffic modelling, which I have reviewed. Based on my review, I am satisfied with the outcome.

While there will be some additional delays and queuing as a result of the Plan Change, the modelling indicates that the average delays at any intersection along Ladies Mile will not increase by more than 20 seconds. Importantly, despite the increased traffic from the proposed development, the Level of Service at all assessed intersections is expected to remain similar to the existing Level of Service, during both the morning and afternoon peak periods.

In my opinion, the minor additional delays do not indicate significant negative impacts on the overall functioning of the network.

Noting that this is not a Plan Change matter but rather a detailed design one, I have reviewed the recently Approved Engineering Plans. The design includes a flush median, which will provide a space for vehicles to turn into and out of the Upper Loop Road. This should not impact the ability of existing residents to enter traffic on Ladies Mile, and I believe this is an improvement over the current situation.

I clarify that no roundabouts are proposed as part of the current design.

4.1.2 Requests for additional road linking Ladies Mile to Green Lane East and/or Peach Parade

Submission Point

Some submitters requested that additional roads be developed to connect Ladies Mile to Green Lane East or Peach Parade.

Response

While I understand the request for additional connections, I do not believe that further road connections will mitigate traffic effects more effectively than what has already been proposed. In my view, the current roading layout is sufficient.

4.1.3 Construction disruption

Submission Point

Submitters raised concerns about potential construction disruption caused by the development.

Response

I understand that this will be addressed in the Construction Traffic Management Plan (CTMP), which will outline how construction traffic impacts will be managed and mitigated. This is also a condition of the Fast Track resource consent.

4.1.4 The impact on the residential slip lane between 82-88 Ladies Mile

Submission Point

Submitters expressed concern about the proposed northwest Upper Loop Road, particularly in relation to the properties at 82-88 Ladies Mile, which rely on a slip lane for access. They fear the addition of new vehicles using the Upper Loop Road will create more dangerous conditions for residents exiting the slip lane.

Response

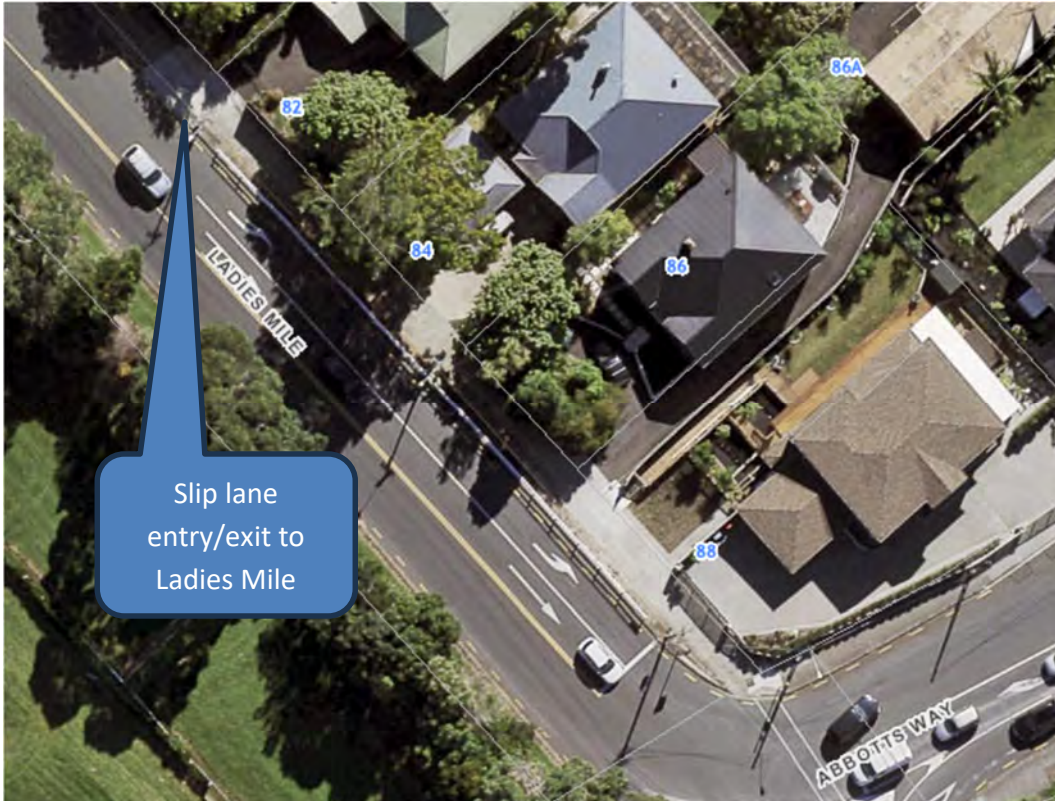
I have considered this issue. The proposed detailed engineering design includes a flush median, which should help mitigate the impact on these properties. There is also sufficient separation (approximately 25 metres) between the Upper Loop Road and the slip lane, which should allow vehicles to safely turn in and out without further exacerbating existing challenges.

Although the proposed detailed engineering design satisfies the submitters' concerns, this detail is not reflected in the proposed precinct provisions. I recommend that inclusion of the flush median provision

on Ladies Mile be included in Table IX.6.13.1 (b) and Precinct Plan 3 to ensure that any future designs or changes in design consider the importance of a flush median in this location.

I have included an aerial view of the existing slip lane in Figure 2 below.

Figure 2: Existing slip lane that serves 82-88 Ladies Mile



4.1.5 The accuracy of assumed roading layouts

Submission Point

Submitters requested confirmation that a full-sized flush median will be installed along Ladies Mile to help mitigate traffic impacts, especially during peak times.

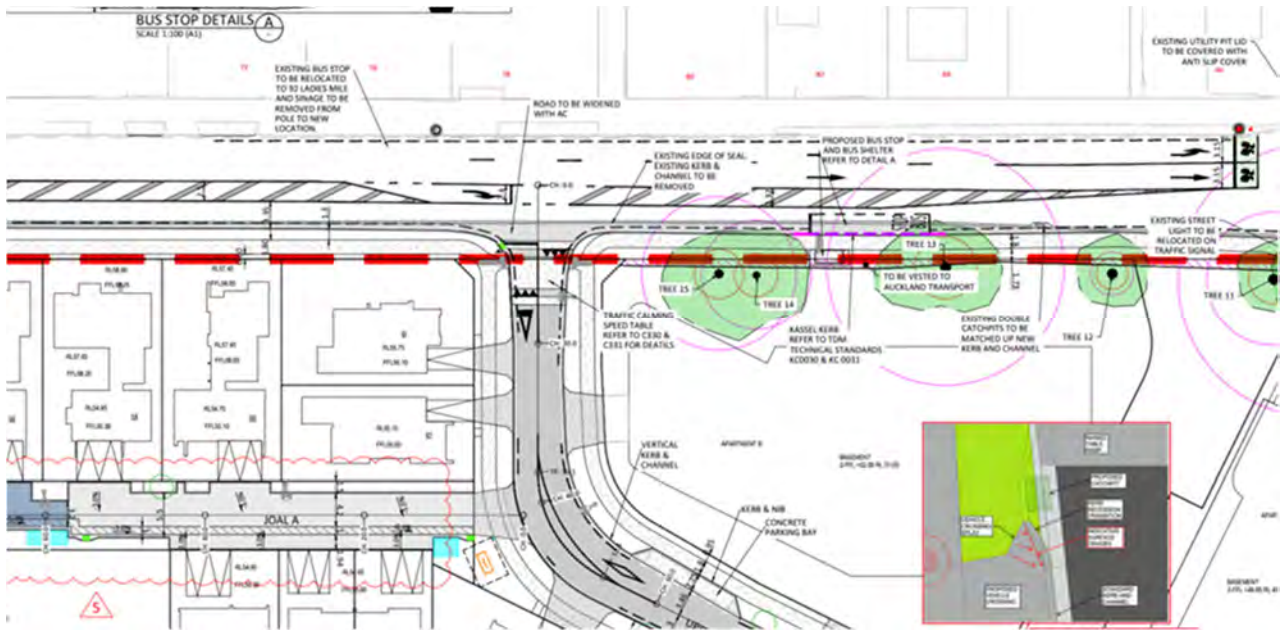
Response

The Approved Engineering Plans provide clarification on the extent of the proposed flush median. It will be included as part of the road layout and should address these concerns.

As per my response under Section 4.1.4 above, I recommend that this provision be included in the precinct provisions.

I have included a screenshot of the Approved Engineering Plans in Figure 3 below.

Figure 3: Approved Engineering Plan showing the flush median extent along Ladies Mile



4.1.6 Queries regarding the design and strength of proposed slip lane barrier

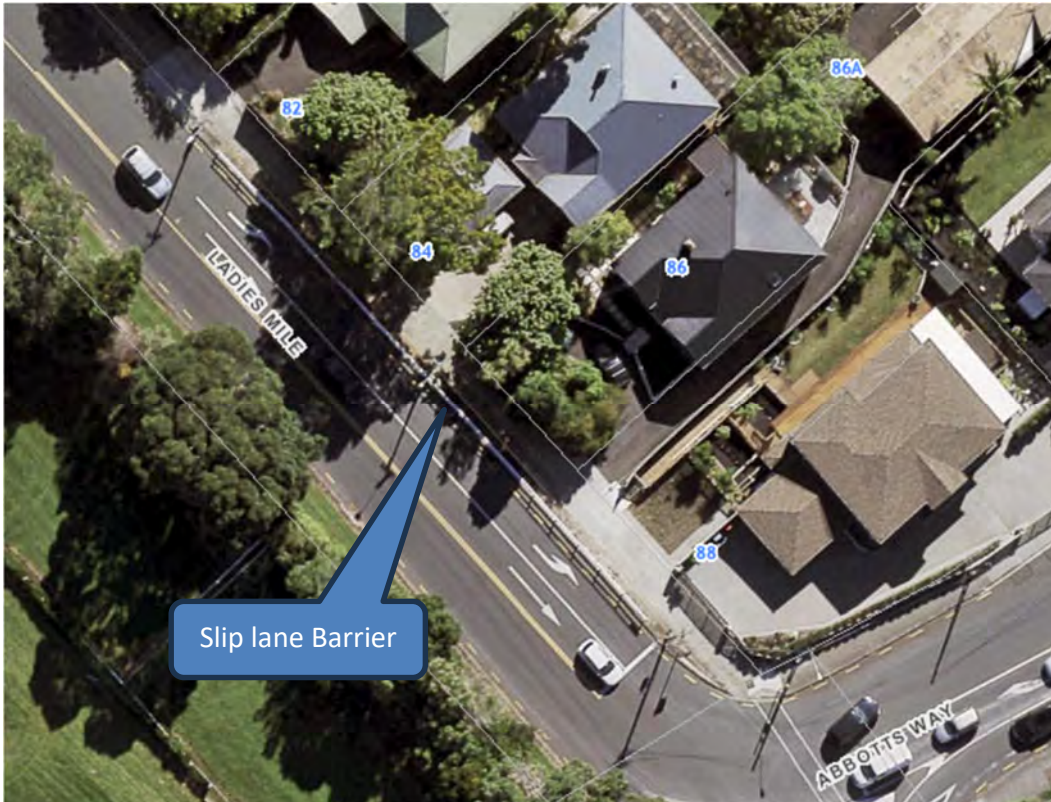
Submission Point

Some submitters expressed concern that the proposed slip lane barrier might increase the risk of accidents, particularly if it is struck by vehicles.

Response

While I am not a safety barrier expert, I believe this is an existing issue rather than one directly related to the Plan Change. Further design details may address this concern, but it falls within the broader considerations for road safety at the detailed design stage of any development, and I consider this not to be a Plan Change issue. I have included an aerial view of the existing slip lane barrier in Figure 4 below

Figure 4: Existing slip lane barrier next to 82-88 Ladies Mile



4.1.7 Concerns about the reduction in on-road parking

Submission Point

Submitters wanted confirmation on whether the Plan Change will reduce on-road parking, particularly along Ladies Mile.

Response

I confirmed (by means of manual counting) that the Approved Engineering Plans will reduce some on-street parking, with about 25 to 30 spaces north of Abbots Way and about 4 spaces south of Abbots Way being affected. This reduction also accounts for the location of a proposed bus stop.

I note that these car parking spaces would have had to be removed irrespective of the Plan Change application, given that Engineering Plan Approval has been granted for the proposed changes to these roads already. Additionally, the Approved Engineering Plan set will go through the resolution process to address road markings and signage (and legalise these), and affected residents will be consulted as part of this process. As such, I don't consider this to be an effect as a result of the Plan Change application

Nonetheless, I have considered the impact of removing these on-street parking spaces and note that the existing properties within this area typically have on-site parking, and the loss of these on-street spaces is unlikely to have a significant impact on existing residents in the area.

Also, most of these parking spaces are on the Plan Change side of Ladies Miles where there are currently no pedestrian provisions. This further reduces the existing parking demand in this location, as the spaces are not accessible via a footpath and require people to cross Ladies Miles without a safe pedestrian crossing facility. As a result, these spaces will be perceived by some as unsafe or inaccessible.

4.1.8 Requests for the provision of safe pedestrian access to Lonsdale Street

Submission Point

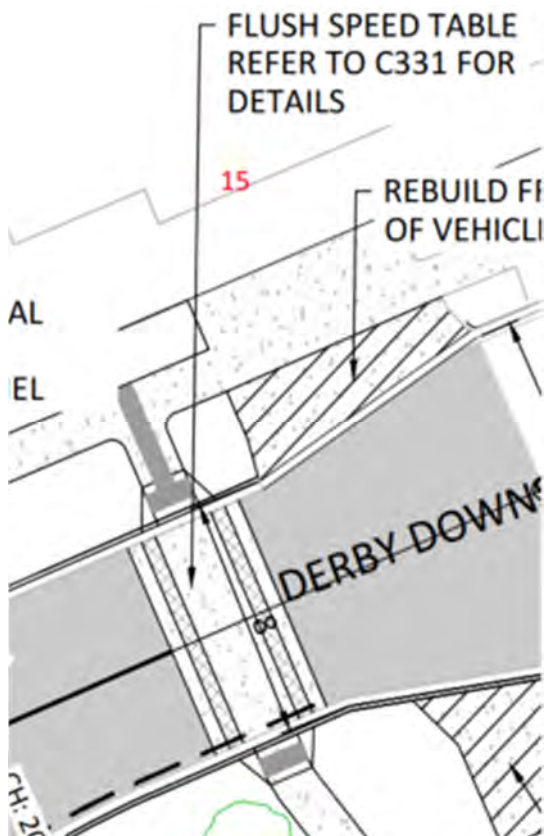
Submitters requested that a pedestrian crossing be included opposite 15 Derby Downs Place to ensure safe pedestrian access to Lonsdale Street.

Response

I can confirm that a pedestrian crossing is included in the proposed detailed engineering design, as outlined in Figure 5 overleaf.

Although the proposed detailed engineering design satisfies the submitters' concerns, this detail is not reflected in the proposed precinct provisions. I recommend that inclusion of a pedestrian crossing facility opposite 15 Derby Downs Place be included in Table IX.6.13.1 (a) and Precinct Plan 3 to ensure that any future designs or changes in design consider the importance of a pedestrian crossing facility at this location.

Figure 5: Approved Engineering Plan showing the flush pedestrian crossing opposite 15 Derby Downs Place



4.1.9 Requests for the provision of an additional pedestrian crossing on Morrin Street

Submission Point

Submitters requested that an additional pedestrian crossing facility be provided to cross Morrin Street at the staggered Lonsdale Street / Robert Street intersection.

Response

I acknowledge that an additional pedestrian crossing across Morrin Street at the staggered intersection with Robert Street and Lonsdale Street could be beneficial, to better connect the Plan Change area to Ellerslie station and town centre. However, providing an additional pedestrian crossing at this staggered intersection would be challenging. Due to the proximity of driveways in the area and the staggered nature of the intersection, there is no suitable or safe location for an additional crossing location close to the desire line of pedestrians along the eastern side of Lonsdale Street.

The only potential location for an additional pedestrian crossing point is further east of the staggered intersection. In this location, a pram ramp on the southern side of Morrin Street would be too close to the adjacent driveway (AT generally requires a minimum clearance of 1 m). Further complications include the removal of on-street parking and the likely requirement for a refuge island (similar to the one west of this location). A refuge island here could negatively affect turning movements at the intersection, further reducing its feasibility. The location of the existing pedestrian crossing facility on Morrin Street and the indicative location of a potential new pedestrian crossing is shown in Figure 6 below.

Figure 6: Morrin Street / Lonsdale Street / Robert Street staggered intersection



Morrin Street, between Ladies Mile and Lonsdale Street, carries a 7-day ADT of approximately 9,400 vehicles, with peak hour traffic ranging between 700 and 950 vehicles per hour. Notably, there have been no recorded pedestrian crashes at this crossing point.

I have reviewed the appropriateness of the existing crossing facility immediately west of Robert Street, using Austroads guidance⁴. Although the tool is somewhat outdated as it focuses mainly on pedestrian delay, it assesses the suitability of crossing facilities but requires assumptions about pedestrian volumes. To be conservative, I used relatively high peak figures (200 pedestrians per hour), as there is no data available. Based on these assumptions, the tool indicates that the current pedestrian refuge facility is appropriate, with pedestrians experiencing minimal delay.

I further note that

- ◆ a pedestrian crossing at this location was not required under the approved fast track application, which has similar pedestrian activity associated with it compared to what the plan change could enable
- ◆ there are other pedestrian routes (via Ladies Mile) available from the Plan Change area to Ellerslie station and the town centre. As such, pedestrians have options

⁴ <https://austroads.com.au/network-operations/active-travel/pedestrian-facility-selection-tool>

- ◆ there is an ability to travel from the Plan Change area to Ellerslie station and town centre via the upgraded public transport facilities provided on Ladies Mile as part of the Fast Track application
- ◆ the current form of the crossing provides tactile pavers that are suitable for accessible users

Overall, I conclude that a new pedestrian crossing on the east side of the staggered intersection is not necessary and would otherwise be difficult to install, and while there are options to improve the existing pedestrian crossing on the western side of the staggered intersection (i.e., a zebra crossing where traffic has to give way for pedestrians either in a flush or raised form), I don't consider this to be required to enable the plan change given vehicle numbers and likely pedestrian use.

4.1.10 ACS Submission – Vehicle Access Restriction Controls

Submission Point

ACS is concerned that there are inconsistencies with the methods proposed in the drafting of this precinct that will prevent consistent administration of the plan. Specifically, ACS states

“, the proposed Arterial Road Access Restriction appears to be a variation on the Vehicle Access Restriction – General Control, which already exists elsewhere in the AUP (see chapter E27). ACS considers that utilising this existing tool may be a better way to restrict vehicle access along Ladies Mile, rather than creating a new rule that is specific to this precinct. A notable difference is that an infringement to the Vehicle Access Restriction is a Non-Complying activity, whereas the precinct proposes a Discretionary activity. Further study of this issue is likely needed, with particular attention paid to plan consistency.”

Response

I do not agree with ACS submission point, given that an infringement to the Vehicle Access for Ladies Mile (as a road subject to the Arterial Road Control) is not a Non-complying activity but Restricted Discretionary (RD) under rule E27.4.1(A5), which references standards E27.6.4.1(2) and E27.6.4.1(3) of the Auckland Unitary Plan. The applicant has proposed a Precinct-specific Vehicle Access Restriction with a more restrictive activity status (Discretionary). This is why they used a specific control and did not rely on E27. ACS appears to be referencing rule E27.4.1(A8), which does not apply to vehicle access onto an arterial road.

The Hearing Direction #2 dated 13 November 2024, included a Memorandum of Counsel dated 8 November 2024 that outlines the changes to the PC104 provisions as a result of submission. Below, I have included an extract of the changes associated with Standard IXXX.6.19:

IXXX.6.19 Arterial Road Access Restriction

Purpose:

- To restrict road intersections onto Ladies Mile
- To avoid direct vehicle access from individual sites to Ladies Mile
- To achieve the effective, safe and efficient operation of the arterial road network and existing and future transport network for all modes; and
- To avoid or mitigate adverse safety and operational effects on the transport network including Ladies Mile, Abbotts Way, Marua Road and Derby Downs Place.

(1) In addition to Standard E27.6.4(1) no No road intersections shall be permitted directly onto Ladies Mile except for the two intersections indicated on Precinct Plan 3.

~~(2) No private vehicle access from any property shall be permitted directly onto Ladies Mile.~~

I do not agree with the wording change “In addition to Standard E27.6.4(1)” for the reason outline above.

5 CONCLUSIONS AND RECOMMENDATIONS

In summary, I conclude the following for transport matters

- ◆ The applicant has addressed the outstanding matters that were raised during the Clause 23 stage
- ◆ The applicant has addressed these by proposing a cap of 357 dwellings within the precinct provisions, which would limit the total number of residential units. They have included this as a rule in the proposed precinct, and any activity that would result in more than 357 dwellings would be a Non-Complying activity, meaning it would need a new resource consent and further assessment of traffic impacts
- ◆ Seven submissions related to traffic and transportation, of which none raised concerns that are material in my view. These submissions are either already addressed by the fast-track application or are considered a detailed design matter, which has already been undertaken as part of the Engineering Plan Approval stage. However, to ensure that any future development or changes in the current development proposal capture these concerns, I have recommended that Table IX.6.13.1 and Precinct Plan 3 be updated to include the following provisions
 - A flush median on Ladies Mile opposite the Upper Loop Road intersection
 - A pedestrian crossing facility opposite 15 Derby Downs Place
- ◆ I recommend that Table IX.6.13.1 and Precinct Plan 3 be updated to reflect all provisions clearly. Table IX.6.13.1’s Column 2 should include the upgrade numbers (including the additional upgrades identified in my point above)
- ◆ Some on-street car parking spaces will be removed as part of the Approved Engineering Plans, irrespective of the Plan Change application, given that Engineering Plan Approval has been granted for this work (these works will go ahead irrespective of the Plan Change outcome). The removal of some on-street parking could be perceived as having a material impact on the surrounding road network, including the residents who may have used these spaces in the past. However, I am of the view that the existing residential properties typically have on-site parking, and the loss of these on-street spaces is unlikely to have a significant impact on existing residents in the area. Further processes are in place to consult with residents who will be directly affected

- ◆ I support the Plan Change, subject to the applicant's proposal to introduce a dwelling cap of 357 dwellings. In my assessment, this cap ensures that the transport effects of the development can be adequately managed. The cap aligns with the capacity of the surrounding road network and existing infrastructure, reducing the potential for unforeseen traffic impacts. Based on the information provided, I believe that with this limit in place, the transport-related effects will be within acceptable levels.

Reference: P:\ACXX\456 The Hill Ellerslie PC\4.0 Reporting\TN6A241120 - PC104 Hearing report - Gerhard van der Westhuizen Final.docx

APPENDIX A

Clause 23 tables

Appendix 1 – Clause 23 Request for Information

#	Category of Information	Specific Request	Reasons for request	Applicant response (please reference any attachments)
Planning (Daniel Kinnoch, 022 091 7233, daniel.kinnoch@colabplanning.co.nz)				
P1	Infrastructure	<ol style="list-style-type: none"> 1. Considering the proposed zoning and precinct and the level of development intensity that they would permit, what is the maximum number of dwellings that could feasibly be developed within the plan change area? 2. If this development potential exceeds the dwelling numbers approved under the Fast Track Consent (357), please evaluate the projected impact on infrastructure including but not limited to water supply and wastewater networks. 3. Should the proposed plan change enable higher dwelling numbers than those specified in the Fast Track Consent, outline any necessary infrastructure upgrades to support this development intensity. Please include an estimate of the costs involved and clarify the allocation of financial responsibility for these upgrades. 	<p>The request for details on dwelling capacity and the subsequent impact on infrastructure is to ensure that any increase in enabled development intensity under the plan change versus the approved Fast Track consent aligns with the capacity of existing services. The information will allow us to determine if the plan change may necessitate infrastructure upgrades that are different from current planned improvements.</p> <p>It is recommended that a housing cap provision in the precinct is considered as one potential option to respond to this request.</p>	<p>Response: FRL have reviewed the potential development capacity of the site and confirm that the number of dwellings (357) proposed in the fast-track application is the maximum number that can be accommodated within the site.</p> <p>The number of dwellings that can be developed on the site is limited by the capacity of the surrounding road network and wastewater infrastructure. This was carefully assessed during the processing of the fast-track application. Should there be any deviation from what has been consented a further resource consent would be required, and any additional infrastructure upgrades would be required as part of the resource consent process (for new dwellings in THAB zone and for four or more dwellings in the MHU zone) and would be imposed as a condition of resource consent or the subsequent Engineering Plan Approval process. Traffic, infrastructure and servicing are matters of discretion and assessment criteria in both the THAB and MHU zones. In particular,</p> <p>(h) Infrastructure and servicing:</p> <ol style="list-style-type: none"> (i) Whether there is adequate capacity in the existing stormwater and public reticulated water supply and wastewater network to service the proposed development. (ii) Where adequate network capacity is not available, whether adequate mitigation is proposed. <p>These provisions are considered sufficient to ensure that if any future additional development capacity is proposed, the existing AUP provisions are sufficiently robust to ensure that any necessary infrastructure upgrades can be required via condition of resource consent.</p> <p>It is not considered that a residential dwelling number cap is the most appropriate method by which to manage any required infrastructure upgrades, should there ever be more than 357 dwellings within the precinct. However, given the requirement to comply with Precinct Plan 2 and 3 in terms of landscaping and access, there is little capacity or space remaining within the Precinct to accommodate any additional capacity. Stormwater is also managed through the adopted SMP and any additional stormwater would either need an amendment to the SMP or a separate resource consent (under the proposed precinct rule 4.1 (A2) and standard 6.11). Either option would have to be approved/supported by Healthy Waters.</p> <p>The resource consent process is considered to be the most appropriate method by which to manage this potential issue. Further, until the type of any additional development is certain, any additional infrastructure upgrades cannot be determined with any certainty, thereby further confirming that the resource consent process is the most appropriate method by which to address this issue.</p>
Transport (Gerhard Van der Westhuizen, 021 191 7923, gerhard.vdwesthuizen@flownz.com)				
T1	Dwelling Yield	The maximum dwelling yield for THAB and MHU zones may be higher than what has been approved for the site under existing resource consents. Please evaluate the maximum potential yield permissible within these respective zones.	More yield enabled by the plan change may result in an increase in adverse traffic effects within the surrounding road network.	As per the response to Item P1, the site has practical constraints to vehicular traffic which can be accommodated via the access points proposed to the network. This was assessed through the Due Diligence and Fast track process and the site traffic represents a level which is close to the capacity of the site.

			<p>It is recommended that a housing cap provision in the precinct is considered as one potential option to respond to this request.</p>	<p>In terms of options to limit adverse traffic effects, housing cap provisions are not considered an effective way to manage traffic effects and are contrary to direction in most strategic documents around housing density in suitable locations.</p> <p>In this regard, the Hill site is within catchments for a number of bus routes and within a walkable distance to the Ellerslie Rail station.</p> <p>Trip generation data from sources such as the RTA and TDB show a clear trend of decreasing trip rates per unit as the density of development increases.</p> <p>Notwithstanding the practicalities of increase development density, this will not necessarily increase the traffic generated by the site. Further protection is provided for aspects of the site such as the apartment buildings through the existing AUP provisions which would require reassessment of traffic effects should any deviation from the existing consent be desired.</p>
T2	Parking	<p>Concerning the approved resource consent design which included 595 parking spaces, please assess the potential effects on both the internal and broader transportation network if the plan change area were to accommodate parking spaces exceeding the approved 595 parking spaces.</p>	<p>Additional parking spaces enabled by the plan change have the potential to increase adverse traffic effects within the surrounding road network.</p> <p>The requestor may like to consider a parking space cap provision in the precinct as one potential option to respond to this request.</p>	<p>Again, the site is practically constrained in the ability to provide additional parking spaces. This is particularly relevant for the on street provision and the smaller residential sites where it is simply impractical to increase parking provision. The topography of the site and the resulting orientation and slope of the resulting roads and COALs prevent further parking opportunities.</p> <p>Notwithstanding the practical constraints, for residential development (in a suburban setting) there is no evidence car parking provision is proportional to the trip generation for a given area.</p> <p>This is reflected in Unitary plan policy whereby parking maximums do not apply for the majority of zones. The exception being the city centre and selected areas with similar characteristics.</p> <p>Further protection is provided for aspects of the site such as the apartment buildings through the existing AUP provisions which would require reassessment of parking provision and traffic effects should any deviation from the existing consent be proposed.</p>

Appendix 1 – Clause 23 Request for Information

#	Category of Information	Specific Request	Reasons for request	Applicant response (please reference any attachments)
Transport / Infrastructure (Daniel Kinnoch, 022 091 7233, daniel.kinnoch@colabplanning.co.nz)				
T11	Assessment of Upzoning and Development Potential	Please explain how the existing Auckland Unitary Plan and/or the proposed precinct provisions would ensure that any permitted activities (including, but not limited to, an increase from 1 to 3 dwellings per site) within the MHU and THAB zones of the precinct are appropriately assessed in terms of infrastructure and transport effects, considering that the fast-track consent does not limit this future development potential. In your response, please address the potential for cumulative effects from permitted activities that could occur over time without any specific precinct control.	There are concerns about the level of assessment associated with upzoning the site to MHU and THAB, and the potential for the new zoning to enable greater development than what was approved under the fast-track consent. In particular, it is unclear how permitted activities within these zones, which can occur without a resource consent process, would be assessed under the existing Auckland Unitary Plan and/or proposed precinct provisions in terms of infrastructure and transport effects, including potential cumulative effects.	<p>In response, a maximum cap of 357 dwellings has been included on the plan change as a standard. Any infringement of this rule is a non-complying activity. An objective and policy have also been proposed to support this new rule. Refer to additional provisions proposed on a without prejudice basis below:</p> <p><u>Objective 6</u> Adverse effects on the safe and efficient operation of the existing road network are avoided.</p> <p><u>Policy 8</u> Avoid any activity, development and/or subdivision that would result in more than 357 dwellings within the Precinct</p> <p><u>Activity Rule 4.1 (A4)</u> Any activity, development and/or subdivision that would result in more than 357 dwellings within the Precinct = Non Complying</p> <p>The Section 32 analysis has also been updated to include a qualifying matter for this rule.</p> <p>The consented development which is ‘baked in’ to the proposed precinct provisions by way of the rules, standards, matters of discretion, assessment criteria and precinct plans result in the development being restricted to the already consented outcome. The topography of the site, the roading layout and the retaining wall locations only enable the consented outcome.</p> <p>On the outside chance that some additional dwellings might be accommodated on some of the site, this would only enable smaller dwellings with the same or similar number of bedrooms overall and not result in any additional traffic. Should this unlikely outcome occur, a s127 variation application would be required and this would need to be assessed as a discretionary activity and any adverse traffic and or infrastructure effects would be able to be considered as part of such an application.</p> <p>Further, this situation could occur across any of the MHU and THAB zoned land across the region and some specific traffic analysis or consideration of cumulative effects has been undertaken to address such potential outcomes.</p>

Memo (technical specialist report to contribute towards Council's section 42A hearing report)

(October 2024)

To: Daniel Kinnoch, Consultant Reporting Planner
From: Lee Te, Senior Healthy Waters Specialist

Subject: PC 104 (Private): Remuera Precinct, 79 Ladies Mile, Remuera – Stormwater and Flood Assessment

1.0 Introduction

1.1 I have undertaken a review of the proposed private plan change (PPC) – PC (Private) 104: Remuera Precinct by Fletcher Residential Limited (FRL), on behalf of Auckland Council in relation to stormwater and flood effects. The PC (Private) 104: Remuera Precinct aims to rezone 6.2ha of land from Special Purpose – Major Recreation Facility zoning to Residential – Terrace Housing and Apartment Buildings and Residential – Mixed Housing Urban zoning.

1.2 I hold a Master of Urban Planning (Professional) and Urban Design (Hons) from the University of Auckland. I am an intermediate member of the New Zealand Planning Institute. I have worked as a planner since 2019. I am a Senior Healthy Waters Specialist in the resource management team of Auckland Council Healthy Waters and Flood Resilience.

1.3 In writing this memorandum, I have reviewed the following documents:

- PC104 – Section 32 Report
- PC104 – Proposed Plan Change Documents
- PC104 – Precinct Plans
- PC104 – Annex F – Engineering Report
- PC104 – Annex G – Stormwater Management Plan
- PC104 – Annex P – Section 32 Evaluation of Provisions
- PC104 – Clause 23 Response to 14 April 2024 Request
- PC104 – Clause 23 Response to 08 February 2024 Request
- Submissions received relating to stormwater and flooding

1.4 This memo provides a technical review of the assessment of stormwater and flood effects, addresses submissions and assists the reporting planner's preparation of the hearing report in accordance with section 42A of the Resource Management Act.

2.0 Key Stormwater and Flood Issues

2.1 The key stormwater and flood issues include:

- Stormwater infrastructure and services
- Stormwater quality treatment
- Flood plains and overland flow paths

- Downstream flood effects

3.0 Fast Track Consenting

3.1 Auckland Thoroughbred Racing Incorporated (ATR) and FRL applied for resource consent under the COVID-19 Recovery (Fast-track Consenting) for the project known as The Hill. The application is for land use and subdivision consents for 357 residential dwellings, a retail unit, associated infrastructure, communal facilities and outdoor amenity spaces, see Figure 1 below. The resource consent was granted on 17 April 2023 (amended on 16 May 2023). The project included the construction of infrastructure including stormwater and included a stormwater management plan (SMP) that outlined how stormwater and flooding would be managed for the project.



Figure 1. Masterplan of The Hill development at 79 Ladies Mile, Remuera, with the new stormwater irrigation pond, source AEE by Tattico Limited, 27 September 2022

3.2 The construction and operation of a new stormwater irrigation pond within the Ellerslie Racecourse (100 Ascot Avenue, Greenlane) was authorised separately from the Fast-track Consenting. Resource consent (LUC60395369/ LUC60395369-A) for a new stormwater irrigation pond was granted in May 2022 and an amendment to increase the dead storage capacity of the stormwater irrigation pond (from 9,000m³ to 18,000m³) was granted in September 2022, see Figure 2. The new stormwater irrigation pond has been constructed and consent conditions for the stormwater irrigation pond have been assessed by Auckland Council to be satisfied in April 2024.

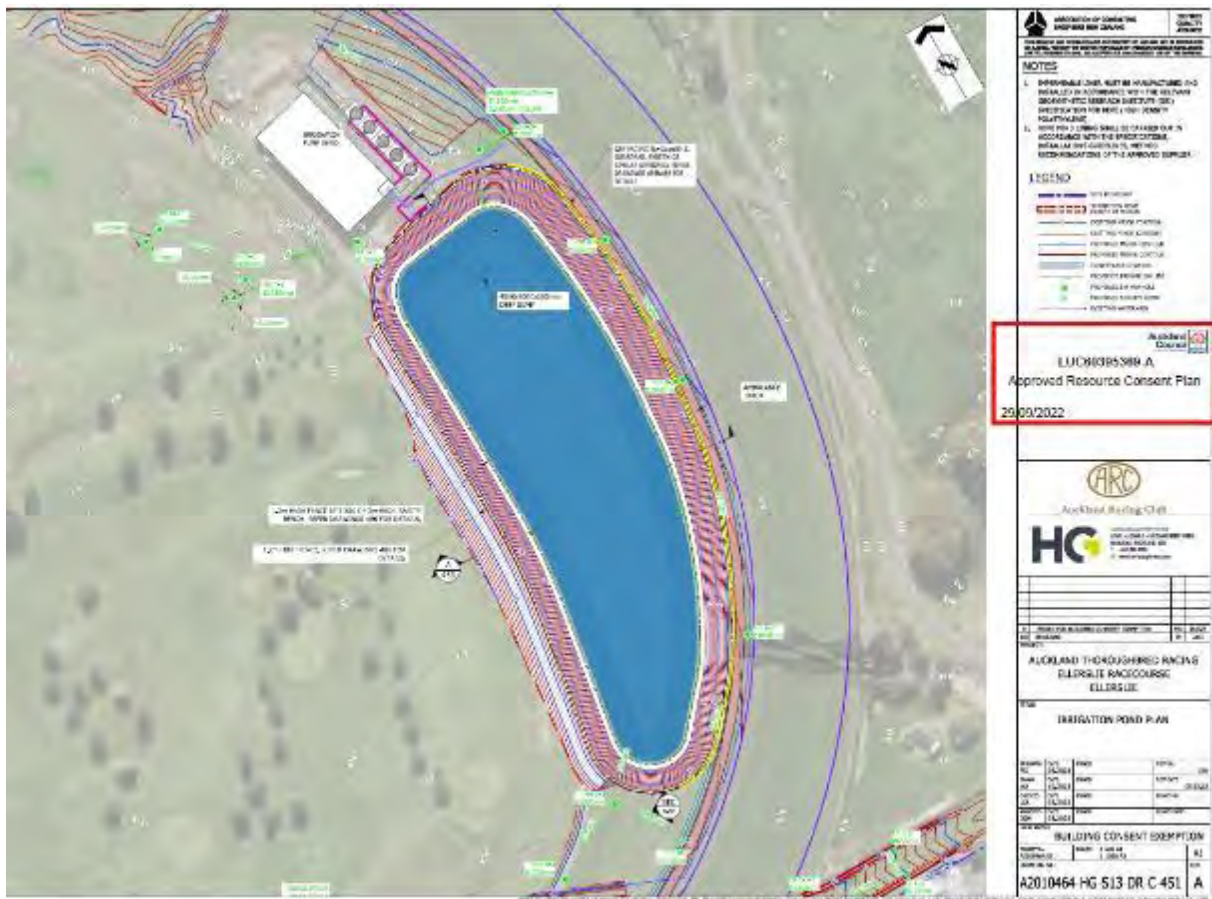


Figure 2. Approved plan of the proposed new stormwater irrigation pond

- 3.3 The SMP for the project was produced by Woods, titled *Stormwater Management Plan, The Hill, 100 Ascot Avenue, Greenlane, Fletcher Residential Living, Final, Version 6, dated 22 September 2022*. The site for The Hill is in the Eilerslie catchment and discharges to the One Tree Hill catchment and the receiving environment is the Mangere inlet (Manukau Harbour), however The Hill development would redirect a portion of the stormwater runoff currently discharging to the Mangere inlet to the Waitarua Reserve (which discharges to the Orakei Basin, then to the receiving environment, the Waitemata). During the development of the SMP for The Hill, there were several meetings between Woods and Healthy Waters to discuss the details of the SMP.
- 3.4 The objectives of the SMP are to support the development of The Hill, meet the requirements of the Regionwide Stormwater Network Discharge Consent (NDC), ensure stormwater runoff is conveyed in a safe manner, improve the receiving environment through water quality treatment, identify flood risk and not create adverse flooding effects upstream or downstream of The Hill development.
- 3.5 The SMP stated that the existing stormwater irrigation pond would be replaced with a new stormwater irrigation pond and there would be a new connection to the existing public 1950mm diameter pipe. The 1950mm diameter pipe discharges into the Waitarua Reserve. Flood management for the primary and secondary flows from The Hill would be managed by the new stormwater irrigation pond (5.1ha), with overflows going to ground soakage then to the 1950mm diameter pipe, and part of the development will discharge directly to the 1950mm diameter pipe (1.1ha), see Figure 3.



Figure 3. Diagram of the drainage pattern of the Ellerslie Racecourse and The Hill, source SMP by Woods, 22 September 2022

- 3.6 Flood modelling (including climate change) for a 1% AEP event showed an increase of up to 100mm within the flood plain extent at Koraha Reserve, and an increase of up to 80mm within the flood plain extent at Waitatarua Reserve including the dwelling at 61A Grand Drive. A flood risk assessment was carried out regarding 61A Grand Drive and concluded that based on the modelling results there is no change in flood damage between pre and post-development, and there is no change in flood frequency.
- 3.7 The effects of The Hill development and proposed stormwater management on the Ellerslie Racecourse, Derby Downs, Lonsdale Street, and Peach Parade were also carried out and no significant adverse effects were noted.
- 3.8 Hydrology mitigation is not proposed as the site is not within a Stormwater Management Area Flow control area and the receiving environment assessment highlighted that the streambanks were stable and showed no sign of erosion, additionally the flows to the 1950mm diameter pipe are controlled by the orifice. Water quality treatment is provided for all impervious areas using a water quality device that meets GD01/TP10 requirements, this includes inert cladding and roof materials, raingardens and/or other devices. The primary network for The Hill development will be designed to convey flows for the 10% AEP. The Hill development will have freeboards that meet the requirements of the Stormwater Code of Practice (SWCoP) and overland flow paths will be contained within the road reserve and landscape spaces. A summary of the stormwater management for The Hill is shown in Figure 4.

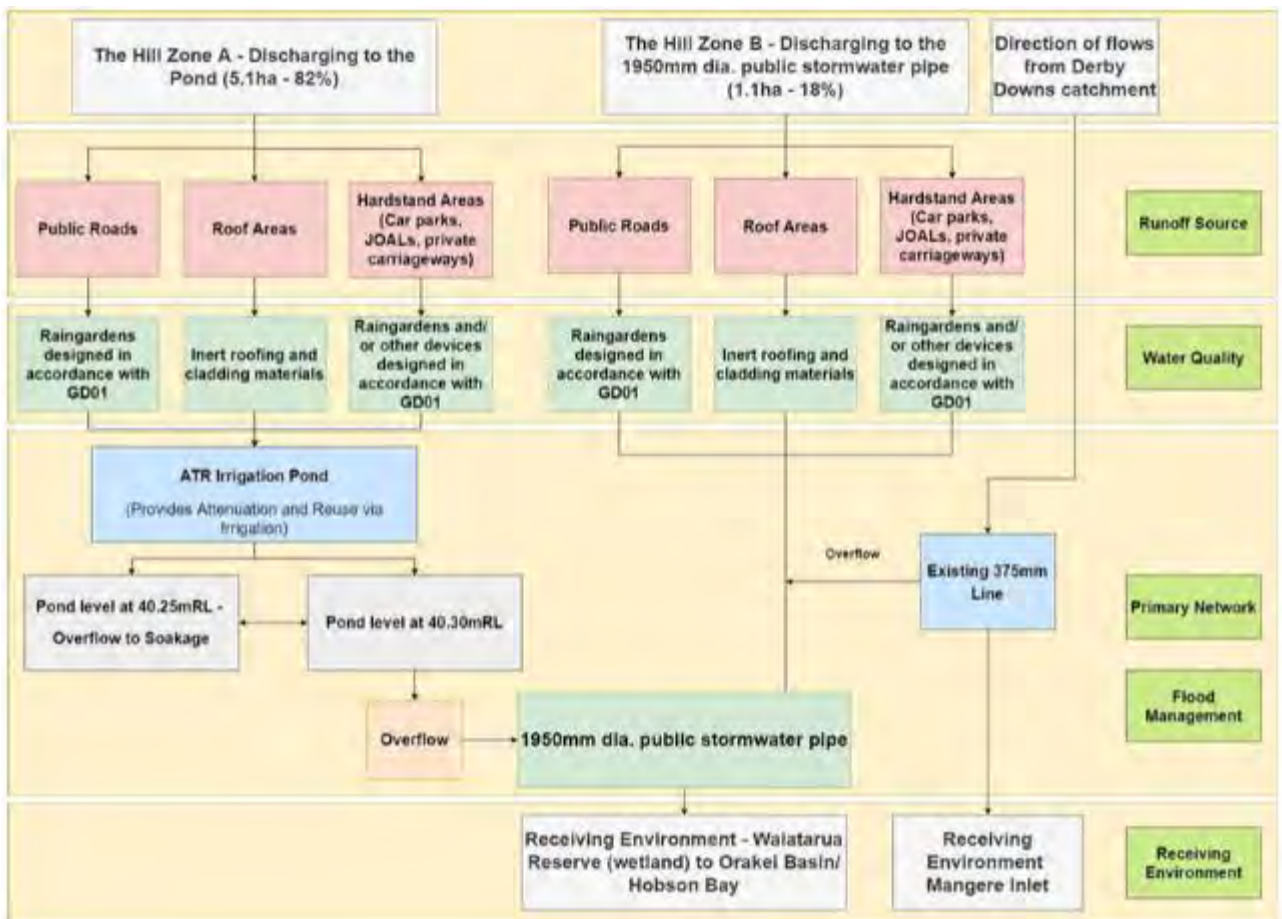


Figure 4. Summary of the proposed stormwater management for The Hill, source SMP by Woods, 22 September 2022

3.9 Auckland Council was invited to comment on the Fast-track Consenting application and Healthy Waters provided comments regarding stormwater and flooding. Healthy Waters noted that the proposed development is reliant on a proposed new stormwater irrigation pond and the public 1950mm diameter pipe. Results from the flood modelling for The Hill showed that there will be an increase in flood depths at Koraha Reserve and Waiatarua Reserve. There will be an increase of up to 100mm in flood depths at Koraha Reserve in a 1% AEP event, however this is restricted to the reserve area. There will be an increase of up to 80mm in flood depth at Waiatarua Reserve and this will affect 61A Grand Drive, as this increases the depth of flooding above the finished floor level by 79mm in a 1% AEP event. 61A Grand Drive is located adjacent to the western boundary of Waiatarua Reserve. It was also noted that the modelling is based on a design of the new irrigation pond and that further assessment is required once the irrigation pond is built to include the exact details of the irrigation pond.

3.10 The applicant's response (Woods, dated 24 January 2023) to Healthy Waters comments outlined that, resource consent (LUC60395369) and an amendment (LUC60395369-A) has been granted for the new stormwater irrigation pond and the Engineering Plan Approval (ENG60402076) has been obtained for the connection to the public 1950mm diameter pipe. The new stormwater irrigation pond and the 1950mm diameter pipe are also used to ensure there is no increase in flood depth along the overland flow paths for Derby Downs Place and Lonsdale Street, see Figure 3. This has also been confirmed with flood modelling and has been reviewed by Healthy Waters. Woods also noted that flood modelling shows that 61A Grand Drive is already inundated under the pre-development scenario and will continue to be inundated in the post-development

scenario, and concluded that there is no change in flood damage and flood frequency between the pre-development and post-development scenarios for events that are 2% AEP or greater.

3.11 Further information related to water quality and flood effects was raised by the Environmental Protection Agency (EPA). The applicant (Woods, dated 17 February 2023) outlined that stormwater quality treatment will be provided by the new stormwater irrigation pond, soak holes, swales, raingardens, and proprietary devices, these water quality management systems will be maintained by ATR, residents (Incorporated Society), and Auckland Council. The EPA asked whether or not the storm event in Auckland on 27 January 2023 altered the flood model results and required any changes to the proposed stormwater and flood management. Woods stated that 61A Grand Drive was given a yellow placard (moderate damage) following the storm event, the flood risk is unchanged with and without the proposed development, and the recent storm event does not change the outcomes of the flood assessment for 61A Grand Drive. And no changes are required to the design of the stormwater management devices and assessment.

3.12 The decision for the resource consent under the Fast-track Consenting concluded that the effects of the project on flood risk were minimal and acceptable and included a number of conditions to manage stormwater. The conditions include; certification by Auckland Council of the Stormwater Management Plan to meet the requirements of the NDC and developed in consultation with Mana Whenua, earthworks (erosion and sediment control), protection of existing stormwater network, upgrade of stormwater lines, inert roofing materials, subdivisions must only occur if the necessary infrastructure (including stormwater) is in place, stormwater easements, provision for new public stormwater reticulation systems/connection, and the stormwater infrastructure/network must be in accordance to plans in Condition 1, the stormwater management plan and Auckland Council standards.

4.0 Regionwide Stormwater Network Discharge Consent

4.1 Auckland Council has a Regionwide Stormwater Network Discharge Consent (NDC). The NDC authorises the diversion and discharge of stormwater from the current and future public stormwater network in the urban area. All diversion and discharge under the NDC are subject to the conditions of the NDC. The NDC has conditions to ensure the objectives, outcomes and targets for assets, growth, flooding, stream, coastal and ground water health are achieved.

4.2 The SMP (Version 8, dated 7 June 2023) that was submitted for assessment under the NDC was an updated version of the SMP that was part of the Fast-track Consenting (Version 6, dated 22 September 2022), the main differences were:

- Clarity around the Derby Downs catchment and requirement of a 225mm diameter orifice instead of a 350mm diameter orifice to control flows. The Derby Downs catchment will continue to discharge into the One Tree Hill catchment via the 375mm diameter pipe and any excess will discharge to the 1950mm diameter pipe via the 225mm diameter orifice control.
- Decrease in the expected change to flood depth for Koraha Reserve. The flood modelling indicates an increase of less than 50mm (instead of up to 100mm) at Koraha Reserve in a 1% AEP event, and noted that the flooding in this location is limited to the existing published flood plain extents in the reserve.
- Decrease in the expected change to flood depth for Waiatarua Reserve. The flood modelling shows an increase of up to 49mm (instead of up to 80mm) within Waiatarua

Reserve in a 1% AEP event, and noted that there were “*minor differences*” in flooding from the existing flood plain extents in the reserve. For 61A Grand Drive, there were “*negligible changes*” in habitable floor flooding.

- It was also noted that “*61a Grand Drive subdivision and land use consent was approved in 2007 by Auckland Council noting that the property is subject to flood hazard with a consent notice stating this on Title The flood risk for this property remains unchanged for all scenarios as it is already inundated under the pre development scenario and within published floodplains are therefore deemed less than minor.*”

4.3 When the SMP was initially reviewed it could not be adopted under the NDC as it did not meet all the requirements of Schedule 2 and Schedule 4 of the NDC. The proposed development for The Hill results in an increase in habitable floor flooding at 61A Grand Drive. Schedule 2 requires that existing flood risk is reduced and that increases in existing flooding as a result of development are avoided and Schedule 4 requires that stormwater runoffs from the 10% and 1% AEP event are managed to ensure no adverse effects. Otherwise the SMP addressed the conditions of the NDC. The applicant obtained written approval from the owner of 61 Grand Drive and the SMP was adopted under the NDC on 8 August 2023.

5.0 Applicant’s Assessment

5.1 A memorandum regarding stormwater management was included in the information for the PPC, PC (Private) 104: Remuera Precinct. The memorandum outlined that a SMP was developed to support The Hill for the Fast-track Consenting, and that the SMP was adopted under the Regionwide Stormwater Network Discharge Consent (NDC) on 8 August 2023. The memorandum stated that,

“The proposed plan change for The Hill, includes a standard that requires a resource consent for any part of the development that does not accord with the adopted SMP. Any such resource consent will need to demonstrate that the resulting stormwater outcomes remain consistent with the principles and outcomes set out in the adopted SMP.

The proposed approach will ensure that the stormwater management outcomes for The Hill development are maintained, and stormwater is appropriately managed” (page 3).

The memorandum concluded that the PPC is proposed to be consistent with the adopted SMP.

5.2 The section 32 report outlined that the purpose of the PPC is to rezone from the existing Special Purpose – Major Recreation Facility Zone to the Residential – Terrace Housing and Apartment Building Zone and the Residential – Mixed Housing Urban Zone to reflect the activities proposed for The Hill under the Fast-track Consenting, see Figure 5.



Figure 5. Proposed Residential zones for the PPC, and existing AUP zoning for the site and the PPC boundary (purple highlight)

5.3 The report noted that the proposed site is well serviced by infrastructure including stormwater (public stormwater pipes, existing stormwater irrigation pond, and a public 1950mm diameter pipe).

5.4 In section 8.12 Infrastructure effects the report stated that the flood modelling for The Hill “will result in some very minor additional flooding at 61a Grand Drive. The owner of 61a Grand Drive has provided their consent to any effects of the Project on their house and property and confirmed that it has no opposition to the SMP adoption into the Regionwide Network Discharge consent. As a result, it is considered that any stormwater effects are considered acceptable”.

5.5 The reports states that there are precinct provisions to support the identified outcome, which includes ensuring the stormwater is managed in accordance with the approved SMP. I note that the stormwater and flooding provisions in the proposed Remuera Precinct include recommended amendments that were discussed during the clause 23 stage. The proposed Remuera Precinct provisions that relate to stormwater and flooding are as follows:

- The precinct description, *Stormwater from the precinct is managed by the approved Stormwater Management Plan for the precinct*
- The objective, *(4) Development is coordinated with the supply of sufficient three waters, energy and communications infrastructure*
- The policy, *(5) Ensure stormwater is managed in accordance with the approved Stormwater Management Plan*
- The rules, *(A1) Activity status Any activity, development and/or subdivision that does not comply with Standards IXXX.6.1 – IXXX.6.11 is a restricted discretionary activity, IXXX.6.11 Stormwater Management*
- The standard,

IXXX.6.11 Stormwater Management, Purpose:

To ensure stormwater is managed in accordance with the approved Stormwater Management Plan.

(1) The management of stormwater from any activity, development and/or subdivision shall be in accordance with the approved Stormwater Management Plan.

- The matter of discretion,

(11) Stormwater Management

(a) The purpose of the standard.

(b) The approved Stormwater Management Plan.

- The assessment criteria,

(11) Stormwater Management

(a) The extent to which the provisions of the approved Stormwater Management Plan are met, including the following matters:

i. The design and efficacy of stormwater management devices;

ii. Stormwater management calculations that confirm the design and capacity of the stormwater management device is fit for purpose and satisfies the requirements of the approved Stormwater Management Plan;

iii. The operation and maintenance of the stormwater system, including whether safe and direct access is provided to enable maintenance;

iv. Whether there will be health and safety effects associated with stormwater detention and retention ponds and wetlands and the extent to which these can be mitigated through measures such as fencing;

v. Whether new buildings and alterations and additions to buildings are made of inert materials; and

vi. Flood effects in the 10% and 1% AEP storm events (including climate change effects) and the extent to which any attenuation measures are required within the Precinct.

(b) Where alternatives to any approved or consented landscaping are proposed, whether the amended landscape plan will ensure the stormwater management outcomes are maintained and achieved.

(c) The extent to which interference with public use and enjoyment of proposed open space is minimised where stormwater detention and retention ponds and wetlands are proposed to be located in or adjacent to proposed public open space.

6.0 Healthy Waters Assessment

6.1 The site for the PPC is located in the Ellerslie catchment and discharges to the Waitemata. Figure 6 below shows the flood prone areas, flood plains, overland flow paths and stormwater infrastructure and devices for the PPC and the surrounding environment, including Waitatarua Reserve. While the site for the PPC has a flood plain, this is located over a now infilled stormwater irrigation pond. The flood plains shown for the Ellerslie catchment in GeoMaps have not been updated and are currently based on a 2021 model. There are overland flow paths on the site. The main overland flow path is along the western boundary and through the existing stormwater irrigation pond to Derby Downs Place.

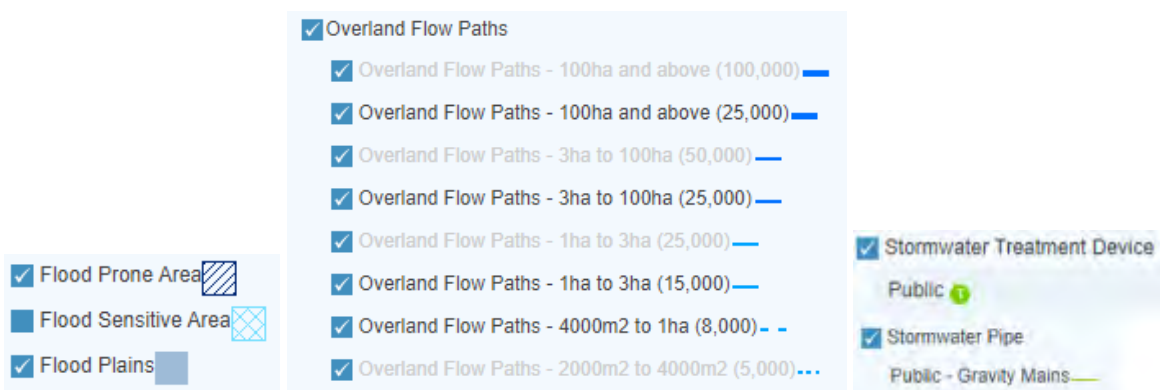
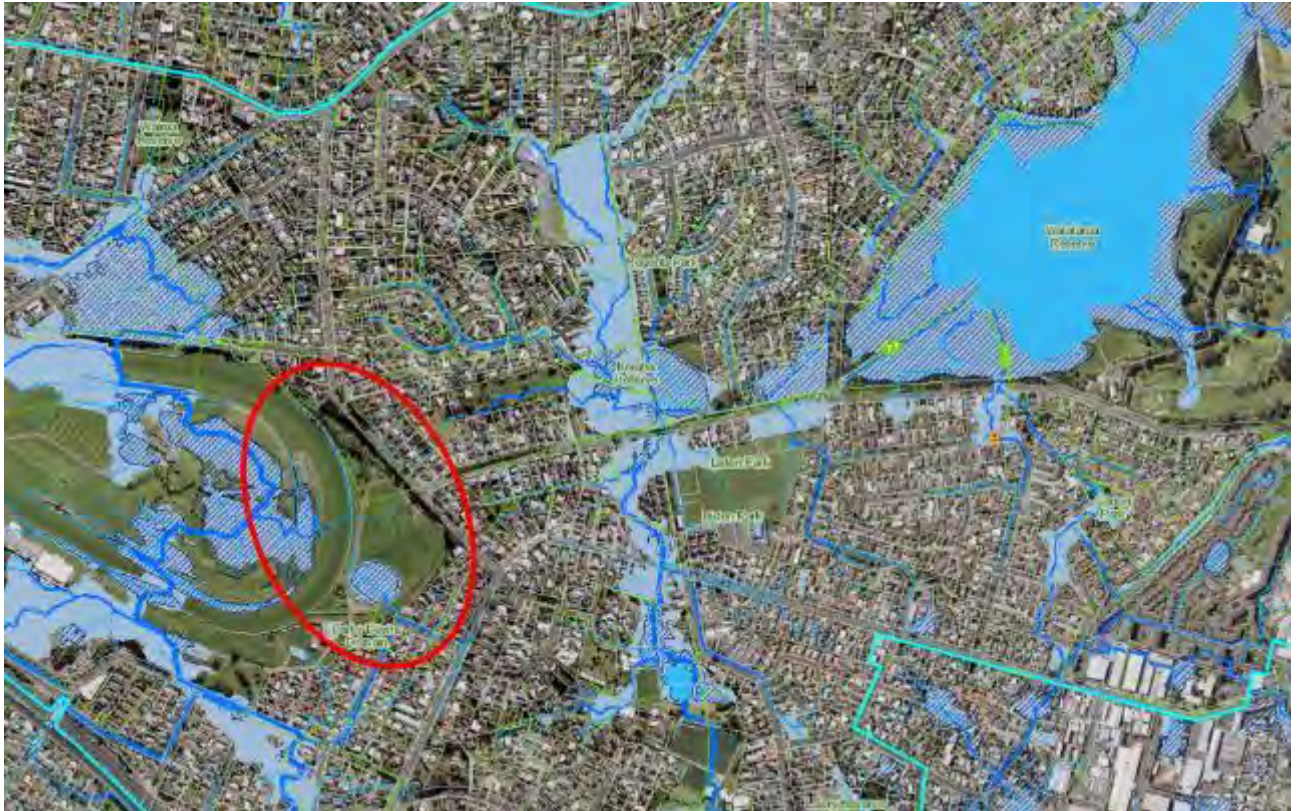


Figure 6. Flood prone areas, flood plains, overland flow paths, stormwater infrastructure and the PPC site circle in red, source Auckland Council GeoMaps, October 2024

6.2 There are no maximum impervious area requirements for H26 Special Purpose – Major Recreation Facility Zone or in the 1313 Ellerslie Racecourse Precinct. The proposed new residential zones include a maximum impervious area of 70% for the Residential – Terrace Housing and Apartment Building Zone and 60% for the Residential – Mixed Urban Zone. The SMP

has taken into account the proposed impervious area based on the proposed zone for the PPC site. Additionally, the SMP has been adopted under the NDC, which authorises the diversion and discharge of stormwater for the PPC site. The SMP was developed and approved under the NDC before the proposed PPC, no changes are required to the approved SMP to accommodate the PPC.

6.3 I have reviewed the proposed Remuera Precinct and note that the recommendations I made during the clause 23 stage were mainly agreed to (see Paragraph 5.5). My recommendation to include an objective that referred to managing flood risk and an assessment criterion that would require an assessment of stormwater quality treatment were not included in the proposed precinct. The recommended objective and assessment criteria are as follows,

Objective

(X) Stormwater is managed to avoid, or otherwise minimise or mitigate, adverse effects on the receiving environment and flood risk is not increased for people, property and infrastructure downstream of the precinct

Assessment criteria

(11) Stormwater Management

(x) The extent to which water quality from public roads, COALs, and private carriage ways are managed and designed in accordance with GD01;

However, the precinct does contain references to the approved SMP, the proposed assessment criteria do refer to flood assessment¹ and the SMP has details on flood management and stormwater quality treatment, therefore the proposed precinct provisions without the recommended additions will be sufficient to manage flood effects and water quality, as any future development and subdivision will need to be in accordance with the approved SMP.

Stormwater Infrastructure and Services

6.4 The SMP for the PPC provides details for the stormwater infrastructure and services required to support the PPC. The SMP outlines the use and capacity of the existing stormwater infrastructure and services and proposes new stormwater infrastructure and services to manage the stormwater and flood effects. The subdivision scheme plan approved under the Fast-track Consenting includes easements for the purpose of the right to drain stormwater over proposed new lots and roads, and easements to protect the public 1950mm diameter pipe and connections. The new stormwater irrigation pond within the Ellerslie Racecourse is subject to an encumbrance in favour of Auckland Council for 999 years. ATR is responsible for the continued control and maintenance of the new stormwater irrigation pond. Therefore the new and proposed infrastructure will be maintained and protected, and there are safe, efficient and secure stormwater infrastructure to enable the PPC.

Stormwater Quality Treatment

6.5 For stormwater quality treatment, the SMP outlines that water quality treatment is provided for all impervious areas using a water quality device that meets GD01/TP10 requirements, this includes inert cladding and roof materials, raingardens and/or other devices, see Figure 4. This will ensure that the effects of stormwater quality are managed as it will be treated before

¹ IXXX.7.2(11)(a)(vi)

discharging into the Waiatarua Reserve and ultimately the Waitemata Harbour. Stormwater from the PPC site is managed to protect public health and safety, and the adverse effects of contaminants on the Waiatarua Reserve and Waitemata Harbour are minimised.

Flood Plains and Overland Flow Paths

6.6 The flood plain over the irrigation pond currently shown on GeoMaps has not been updated, there are no other flood plains on the site. Also, earthworks will be required to form building platforms and include freeboards that meet the requirements of the SWCoP. The main overland flow path is along the western boundary of the site. The proposed IXXX.10.2 Remuera Precinct Plan 2 – Open Space & Features shows that the Trackside Walkway and Planted Embankment are located along the western boundary, although reference for stormwater purposes is not outlined in Plan 2, the proposed activity and landscaping will protect the conveyance function of the overland flow paths. Flood modelling showed that the overland flow paths will also be along the proposed new roads. The overland flow paths will be contained within proposed landscape areas and roads before diverting into the new stormwater irrigation pond, discharging via soak holes or to the 1950mm diameter pipe. Additionally, freeboards for proposed dwellings will need to meet the requirements of the SWCoP. The function of the overland flow paths is maintained, and no buildings will be subject to flood plains. Flood hazard effects on people, property and infrastructure have been assessed and there are no significant adverse flood hazard effects.

Downstream Flood Effects

6.7 The SMP for the PPC shows there will be downstream flood effects on Koraha Reserve, Waiatarua Reserve and 61A Grand Drive. The increase in flood extent for Koraha Reserve is contained within the reserve, however, the increase in flood extent at Waiatarua Reserve will increase habitable floor flooding at 61A Grand Drive. 61A Grand Drive is subject to a flood plain, see Figure 7. The SMP included a flood risk assessment for 61A Grand Drive. The flood risk assessment outlined that the finished floor level does not have adequate freeboard and the whole building footprint will be within the flood plain, however, the vehicle accessway is not in the flood plain, see Figure 7. The flood risk assessment concluded that:

- there is no change in flood damage between pre and post-development, as habitable floor flooding at pre-development is 352mm and post-development is 431mm, a change of 79mm (Version 6, dated 22 September 2022),
- no change in flood frequency, there continues to be flooding for the 2% and 1% AEP events pre and post-development,
- inundation continues to be more than 24hrs pre and post-development for the 1% AEP event,
- there is no increase in flood hazard for other properties or creation of new flooding hazard risks for people, as the change in flood levels is only at 61A Grand Drive,
- it does not affect public safety or other properties.



Figure 7. Flood plain over 61A Grand Drive, source Auckland Council GeoMaps, October 2024

6.8 I note that the written approval from C & F Trustco Limited dated 24 July 2023, stated that they have received the SMP for the Fast-track consent and that they understand the proposed development (The Hill) will result in an increase in flood level at 61A Grand Drive and that they “fully support (and do not oppose) the SMP adoption into the Regionwide Network Discharge Consent” and that by giving this approval “Healthy Waters cannot take account of any actual or potential adverse effects of the Hill development on our property...”. There has been no change to the ownership of 61A Grand Drive, and there has been no significant change to the proposed development since the Fast-track Consenting.

6.9 No other sites were identified to be affected, including those that were limited notified. I note that the PPC itself does not increase the downstream flood effects beyond what has already been established. The effect on 61A Grand Drive would occur even if the PPC does not proceed, due to the development already underway on the site. The approved SMP is referenced in the proposed Remuera Precinct, this will ensure that downstream flood effects are managed in accordance with the effect baseline established in the approved SMP.

6.10 Stormwater and flood effects for the PPC will be managed as all development and subdivision will need to be undertaken in accordance with the approved SMP. The SMP has outlined appropriate stormwater management, that addresses stormwater infrastructure and services, water quality, overland flow paths and flood plains, and downstream flood effects.

7.0 Submissions

7.1 There were three submissions that raised issues related to stormwater effects. They are highlighted in Table 1. The precinct provisions in the Remuera Precinct and the details in the SMP will ensure there is appropriate stormwater infrastructure and services to ensure stormwater and flood effects are appropriately managed.

Table 1. Stormwater and flood issues raised by submitters and response from Healthy Waters. Only details related to stormwater are included.

Sub. No.	Name and Submission Details and Relevant Flood Issue	Healthy Waters Specialist Response
10	Ngaati Te Ata Waiohua – Karl Flavell	The CIA included details regarding, infrastructure, waterways, water quality, and

	<p>Proposed that the CIA Report recommendations are provided for, however there were no specific details.</p>	<p>stormwater management, therefore depending on what concerns are raised I may have further responses.</p> <p>Healthy Waters has reviewed the SMP. The SMP and the precinct provisions will help to ensure that stormwater and flood effects are managed appropriately.</p>
11	<p>Watercare Services Limited</p> <p>Proposed changes to the precinct provisions that are relevant to stormwater include the following,</p> <p>IXXX.2 Objectives</p> <p>...</p> <p><u>(4) Subdivision and development within the Precinct is coordinated with the supply delivery of sufficient adequate three waters, energy and communications infrastructure.</u></p> <p>...</p> <p><u>(6) Adverse effects on the safe and efficient operation of the stormwater, water and wastewater network are avoided.</u></p> <p>IXXX.3 Policies</p> <p>...</p> <p><u>(9) Require subdivision and development in the Precinct to be coordinated with the provision of adequate stormwater, wastewater, and water supply infrastructure with capacity for the proposed development.</u></p> <p>...</p>	<p>I neither support nor oppose the proposed changes to the objectives and policies related to stormwater recommended by Watercare.</p>
13	<p>Elizabeth Leuchars</p> <p><i>...The lack of infrastructure i.e. Roads, drainage, sewage, and local schools which are already under severe pressure, and developments such as Stonefields and other such Remuera developments have already compounded this problem...</i></p>	<p>I note the SMP has assessed the existing stormwater infrastructure and services and has outlined the requirements for new stormwater infrastructure and services to ensure that stormwater is appropriately managed.</p> <p>The proposed Remuera Precinct includes provisions related to stormwater, this will also ensure that stormwater is managed appropriately.</p>

8.0 Statutory Considerations

- 8.1 The objectives and policies of Chapter B3 Ngā pūnaha hanganga, kawekawe me ngā pūngao - Infrastructure, transport and energy for stormwater infrastructure have been addressed in the applicant's section 32 report. The SMP provides specific details of the stormwater infrastructure and services required for the proposed activities to support the PPC. The stormwater infrastructure will be resilient, efficient and effective as the design and assessment has considered the effects of climate change. The benefits of the stormwater infrastructure are recognised as it provides services for the PPC site to support the future development of the site. The development, operation and maintenance are detailed in the SMP.
- 8.2 The objectives and policies of Chapter B7 Toitū te whenua, toitū te taiao – Natural Resources, for Freshwater systems have been addressed in the applicant's section 32 report. Stormwater infrastructure is adequately provided as detailed in the SMP for the PPC, and the stormwater runoff will be treated before discharging into the Waiatarua Reserve. Stormwater will also be reused on site and the site also uses ground soakage.
- 8.3 The objectives and policies of Chapter B10 Nga tupono ki te taiao – Environmental risk have been addressed in the applicant's section 32 report. The proposed stormwater infrastructure and connections will ensure flood hazards for the PPC is managed including the effects of climate change. The flood risk to people, property, infrastructure and the environment are not increased and no new risk is created.
- 8.4 The objectives and policies of Chapter E1 Water quality and integrated management have not been addressed in the applicant's section 32 report. However, stormwater networks are managed to protect public health and safety as adverse effects of contaminants on freshwater are minimised, as all stormwater runoff will be treated before discharging to the Waiatarua Reserve, and there is ground soakage to support groundwater recharge. Stormwater treatment devices will need to meet GD01/TP10 requirements.
- 8.5 The objectives and policies of Chapter E26 Infrastructure have not been addressed in the applicant's section 32 report. However, the PPC site will have stormwater infrastructure that is safe, efficient, and secure to service the PPC. The SMP includes details about the development, operation, and maintenance of the stormwater infrastructure. The stormwater infrastructure is resilient as the effects of climate change is accounted for. The stormwater infrastructure is also appropriately protected through easements to allow for stormwater drainage and encumbrance in favour of Auckland Council.
- 8.6 The objectives and policies of Chapter E36 Natural hazards and flooding have been addressed in the applicant's section 32 report. The flood hazard for the PPC site has been assessed. Significant adverse effects are avoided as the proposed stormwater management includes the newly constructed stormwater irrigation pond, the use of ground soakage, the use of the existing public 1950mm diameter pipe, and the use of proposed landscape areas and roads. This also maintains the conveyance functions of overland flow paths and no new buildings will be subject to flood plains. The PPC will not result in increased flood hazard risk or create new flood risk for people, property, infrastructure or the environment. The assessment has also considered climate change.
- 8.7 Te Rautaki Wai ki Tāmaki Makaurau, Auckland Water Strategy is Auckland Council's strategy that seeks to protect and enhance Te Mauri o te Wai, the life-sustaining capacity of water. The requirements of the Auckland Water Strategy has not been addressed in the applicant's section 32 report. However, the PPC will include stormwater quality treatment of stormwater runoff.

This will ensure any discharges into the Waioataua Reserve are of a quality that will protect Te Mauri o te Wai. The stormwater infrastructure proposed for the PPC will be designed to not increase flooding hazard risk and have included the impacts of climate change.

9.0 Conclusions and Recommendations

9.1 Overall, I consider that the stormwater and flood effects can be appropriately managed for the PC 104 (Private): Remuera Precinct, as the precinct provisions and the SMP associated with the PPC have taken into account the effects of the change in impervious area due to the proposed new residential zones and changes in activities. The SMP has adequately addressed the stormwater and flood management requirements for the site to ensure that stormwater is managed to protect the receiving environment and that flood hazard risk is not increased for people, property, infrastructure, and the environment. Additionally, any variation from the Remuera Precinct provisions related to stormwater and the approved SMP will require resource consent or a variation to the approved SMP.

Daniel Kinnoch

From: Rebecca Ramsay <rebecca.ramsay@aucklandcouncil.govt.nz>
Sent: Thursday, 29 August 2024 3:12 pm
To: Daniel Kinnoch
Cc: Lee-Ann Lucas
Subject: RE: PC104 Remuera Precinct Private Plan Change - Submissions Received

Kia ora Daniel,

Thanks for the update, noting no archaeological or broader historic heritage submissions.

On the submission point from Karl Flavell (Ngaati Te Ata Waiohua), if you require support to address his concerns you could contact Sheri-Ann Atuahiva Sheri-Ann.Atuahiva@aucklandcouncil.govt.nz – Team Leader, Māori Heritage Team.

Thanks,
Rebecca

Rebecca Ramsay | Senior Specialist: Heritage – Heritage Policy
Heritage Unit | Planning & Resource Consents Department | Policy, Planning & Governance Directorate
Ph 021 848 721
Auckland Council, Level 16, 135 Albert Street, Auckland 1010
Visit our website: www.aucklandcouncil.govt.nz

From: Daniel Kinnoch <daniel.kinnoch@colabplanning.co.nz>
Sent: Thursday, August 29, 2024 1:39 PM
To: stephen@brownltd.co.nz; Derek Foy <derek@formative.co.nz>; gerhard.vdwesthuizen@flownz.com; Roja Tafaraji <roja.tafaraji@aucklandcouncil.govt.nz>; Lee Te <lee.te@aucklandcouncil.govt.nz>; Alicia Wong <alicia.wong@aucklandcouncil.govt.nz>; Allan Holmes <allan.holmes@greenscenenz.com>; Rebecca Ramsay <rebecca.ramsay@aucklandcouncil.govt.nz>
Cc: Lee-Ann Lucas <Lee-Ann.Lucas@aucklandcouncil.govt.nz>
Subject: PC104 Remuera Precinct Private Plan Change - Submissions Received

Hi all,

I hope you're all keeping well.

Notification of [PC 104](#) for submissions closed midnight Thursday 22nd August. We received 14 submissions, compiled into the first attachment.

Next steps on our (Lee-Ann and I) end will be to summarise and annotate the submissions in preparation for the schedule 1, clause 7 public notice.

I have undertaken an initial review and have populated the attached submission summary document.

Gerhard, Roja and Stephen – I have flagged those that I would like you to please read and review, and in particular to focus on any matters being raised that would be effects of the plan change, as opposed to the underlying Fast-track consented development that is underway on site. I'd like us to be able to clearly differentiate what concerns fall into what category.

Allan, Alicia, Derek, Lee and Rebecca – nothing obvious that I can see in terms of matters being raised within your expert discipline areas, though given the small number of submissions, pays to have a read through in any case.

If you could all please start to think about drafting of s32 specialist reports, that would be wonderful.

Lee-Ann and I will be in touch soon regarding scheduling of the hearing.

If there are any questions or matters raised in submissions that we should meet to discuss, please let us know.

Ngā mihi | Kind regards,

Daniel



Daniel Kinnoch

Resource Management Planner
MNZPI

P: (09) 889 8382

M: 022 091 7233

A: 3 Glenside Crescent, Eden Terrace, Auckland

W: www.colabplanning.co.nz

[Book a call with me](#)

[Leave us a review on Google](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

Parks Memo (technical specialist report to contribute towards Council's section 42A hearing report)

10 October 2024 (Updated 18 November 2024)

To: Daniel Kinnoch, Consultant Planner for Auckland Council

From: Roja Tafaraji, Senior Parks Planner, Auckland Council

Subject: Private Plan Change – PPC104 for Remuera Precinct – Parks Planning Assessment

1.0 Introduction

- 1.1 My name is Roja Tafaraji. I am a Senior Parks Planner in Parks Planning team, Department of Parks and Community Facilities (**P&CF**) at Auckland Council (**Council**). I am responsible for the assessment associated with open space provision relevant to this Private Plan Change (**PPC104**) from a Parks Planning perspective. The area subject to PPC104 is located within my management area being central-west of Auckland.
- 1.2 I hold a PhD degree in Planning from The University of Auckland, a Master of Urban Design from Iran University of Science and Technology, and a Bachelor of Architecture from Guilan University. I have more than 15 years of experience as an architect, urban designer, researcher, service and asset planning analyst, urban planner and parks planner in both Iran and Aotearoa New Zealand.
- 1.3 I have undertaken a review of PPC104 by Fletchers Residential Limited (**FRL**) (the **Applicant**) on behalf of the Council to provide a Parks Planning assessment of the proposed plan change and the relevant submissions received relevant to PPC104 within the applicable regulatory framework.
- 1.4 In preparing this Report, I acknowledge that I have read the Code of Conduct for expert witnesses contained in the Environment Court Practice Note 2023 and agree to comply with it. Except where I state that I am relying on the **specified** evidence of another person, the content of this Report is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions I express.
- 1.5 I did not attend a site visit to the area subject to PPC104. In doing my assessment, I have relied on aerial images, my general knowledge of the area and application material to understand the environment at present.
- 1.6 In writing this Report, I have reviewed the following documents provided by the Applicant:
 - Remuera Precinct Plan Change Report- Section 32 Analysis- Assessment of **Environmental Effects Prepared by Tattico, dated December 2023**
 - Annex A- Remuera Precinct Provisions

- Annex B- Landscape Package for Resource Consent prepared by **Boffa** Miskell, dated August 2022
- Annex C- Urban Design Assessment prepared by Brewer Davidson, dated December 2023
- Annex D- Landscape **Effects** Assessment prepared by **Boffa** Miskell, dated 17 December 2023
- Annex P- Section 32 Evaluation, dated 20 December 2023
- CI 23 responses- 12 March 2024 and 16 May 2024 packages:
 - Responses to Council initial PPC comments.
 - Appendix 2- Remuera Precinct Provisions, dated 17 May 2024.
 - Updated S32 Summary and Analysis of Provision dated 15/05/2024.
 - Annex P - Section 32 Evaluation
 - Second Applicant response to second RFI under CI23.
 - Remuera Precinct, Plan 2- Open Space & Features, prepared by Brewere Davidson, Rev. 05, dated 15/05/2024.
 - Remuera Precinct, Plan 3 - Movement Plan, prepared by Brewere Davidson, Rev. 06, dated 15/05/2024.

1.7 Other Auckland Council documents that I have referred to include:

- Auckland Plan 2050
- Auckland Unitary Plan - Operative in Part, 2016 (**AUP**), including the AUP Regional Policy Statement (**RPS**)
- Open Space Provision Policy, 2016 (**OSPP**)
- Parks and Open Space Strategic Action Plan (2013)
- Parks and Open Space Acquisition Policy, 2013
- Auckland Future Development Strategy (2023-2053) (**FDS**)
- **Ōrākei** Local Paths (Greenways) Programme Plan, which sets out the greenway network for the area.
- **Ōrākei** Local Board Open Space Network Plan (September 2019)
- **Ōrākei** Local Board Plan 2023

1.8 In my memorandum I have assessed the proposed open space connections within proposed Remuera precinct by the Applicant, and provided advice on whether these connections are consistent with the regulatory framework for Parks and Community Facilities assessment. My analysis and advice are based on the following statutory and non-statutory documents which are relevant to acknowledge within the regulatory framework:

- The National Policy Statement Urban Development 2020 (**NPSUD**) which in Policy 1, sets out that well-functioning urban environments have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport.

- The AUP RPS, including Objective B2.7.1 which seeks that recreational needs of people and communities are met through the provision of a range of quality, connected, accessible open spaces and recreation facilities.
- The Auckland Plan 2050, in particular:
 - Outcome: Belonging and Participation, Focus area 1 refers to creating *safe opportunities for people to meet, connect, participate in, and enjoy community and civic life*. It is explained that **people’s** sense of belonging and home is tied to how they experience **different** places such as *streets, squares, parks and other public open spaces* in Auckland.
- **Ōrākei** Local Board Plan 2023, in particular where it refers to achieving the **“network of open spaces and community facilities”** where it meets the needs of the growing population as part of the delivery plan for three years after the plan became operative.
- **Ōrākei** Local Board Open Space Network Plan, in particular where it refers to **“improving connectivity within the existing open space network”**.
- The AUP framework, in particular:
 - Chapter H7 Open Space Zones - Objectives H7.2.(1) Recreational needs are met through the provision of a range of quality open space areas that provide for both passive and active activities **and (2) The adverse effects of use and development of open space areas on residents, communities and the environment are avoided, remedied or mitigated.**
 - Chapter E38 Subdivision Urban - Objective E38.2.3 Land is vested to provide for esplanades reserves, roads, stormwater, infrastructure and other purposes.
 - Chapter E38 Subdivision Urban - Policy E38.3(18) which requires that subdivision provides for the recreation and amenity needs of residents by (a) providing for open spaces that are prominent and accessible by pedestrians (b), providing for a number and size of open spaces in proportion to the future density of the neighbourhood; and (c) providing for pedestrian and or cycle linkages.
 - I311. Ellerslie 1 Precinct provisions -Policies I311.3(1)(a), and (f) relevant to retaining and provision of pedestrian links within sub-precincts A, B and C. The Ellerslie 1 Precinct area, in particular sub-precinct C, is located adjacent to the area subject to PPC104, and I consider this policy to be relevant here in order to ensure the provision of pedestrian links are connected and consistent in this area. I313. Ellerslie Racecourse Precinct- Objectives I313.2(1) and (3), and Policies I313.3(1)-(5) relevant to primary function of the Ellerslie Racecourse must be considered.

2.0 Background and context

- 2.1 As outlined in the Planning Report and section 32 assessment prepared by Tattico Limited, dated December 2023, Fletcher Residential Limited (FRL) (the Applicant) lodged a private plan change request to rezone 6.2ha of land within the Special

Purpose- Major Recreation Facility Zone and Eilerslie Racecourse Precinct to a mixture of Residential- Mixed Housing Urban (MHU) and Residential- Terrace Housing and Apartment Building (THAB) also to propose a new precinct plan for Remuera Precinct which is specific to the area subject to PPC104.

- 2.2 The **specific** area subject to PPC104 which is referenced as ‘The Hill’ is also the same area proposed for the “Remuera Precinct”.

Figure 1. Proposed Unitary Plan Zoning prepared by Brewer Davison Rev 01. Dated 13/07/2023 showing the extent of proposed Remuera Precinct along with the proposed rezoning.



- 2.3 The Applicant was granted a Fast Track (FT) consent approval¹ on 17 April 2023 to construct approximately 357 residential dwellings across a wide range of typologies on the same site (the Hill). The reporting Parks Planner for application at the time provided comments in regard to the provision of open spaces and their accessibility and integration considering the Greenway Plan for the area. They also provided comments relevant to two public roads to vest considering the requirements of the underlying zone and precinct (Eilerslie Racecourse Precinct). The Parks Planner concluded their comments while raising concerns around the proposed connections within The Hills and the public accessibility within the site particularly to connect to/from Ladies Mile and Derby Downs Domain.
- 2.4 I was requested by the Council's Plans and Places department in December 2023 to review the PPC104 request from a Parks Planning perspective. I issued my request for further information as per Schedule 1, Clause 23 of the RMA in February 2024 where I requested further assessment and information with regard to the proposed “publicly accessible open space” as well as “pedestrian routes” provided in the Applicant’s documents. Then I reviewed further information received from the Applicant in March

¹ The Fast Track consenting application referred as #BUN60412411 was approved by Expert Consenting

2024 where I requested for further **confirmation** from the Applicant in regard to public accessibility of some of the routes within the precinct, particularly the ‘**Garden Streets**’ as shown on IXXX10.3 Remuera Precinct Plan 3- Movement. I then reviewed **the second response provided by the Applicant in May 2024 when I confirmed that I** found it satisfactory and needed no further information from Parks Planning perspective.

- 2.5 The Hill, the subject site of this PPC, is bordered by Ellerslie Racecourse, Derby Downs Domain, Ladies Miles, Derby Downs Place and number of residential dwellings along these roads.
- 2.6 I rely on the details of the **land’s** ownership along with the ownership and history of the neighbouring sites within this PPC provided by the Applicant within Section 32 Analysis report prepared by Tattico Limited, dated December 2023.

3.0 Key Parks and Community Facilities Issues

- 3.1 In this section, I provide my assessment from a Parks Planning perspective with a focus on the outcome envisaged for the community from an open space perspective, resulting from this PPC by considering the context of the site within its surrounding environment.
- 3.2 This assessment covers the aspects of proposed open space connections within the proposed Remuera precinct as part of PPC104 on approximately 6.2ha of the precinct available for development. It must be noted that there are no **identified** gaps within the subject site of PPC104 from an open space provision perspective.

Provision of Open Space

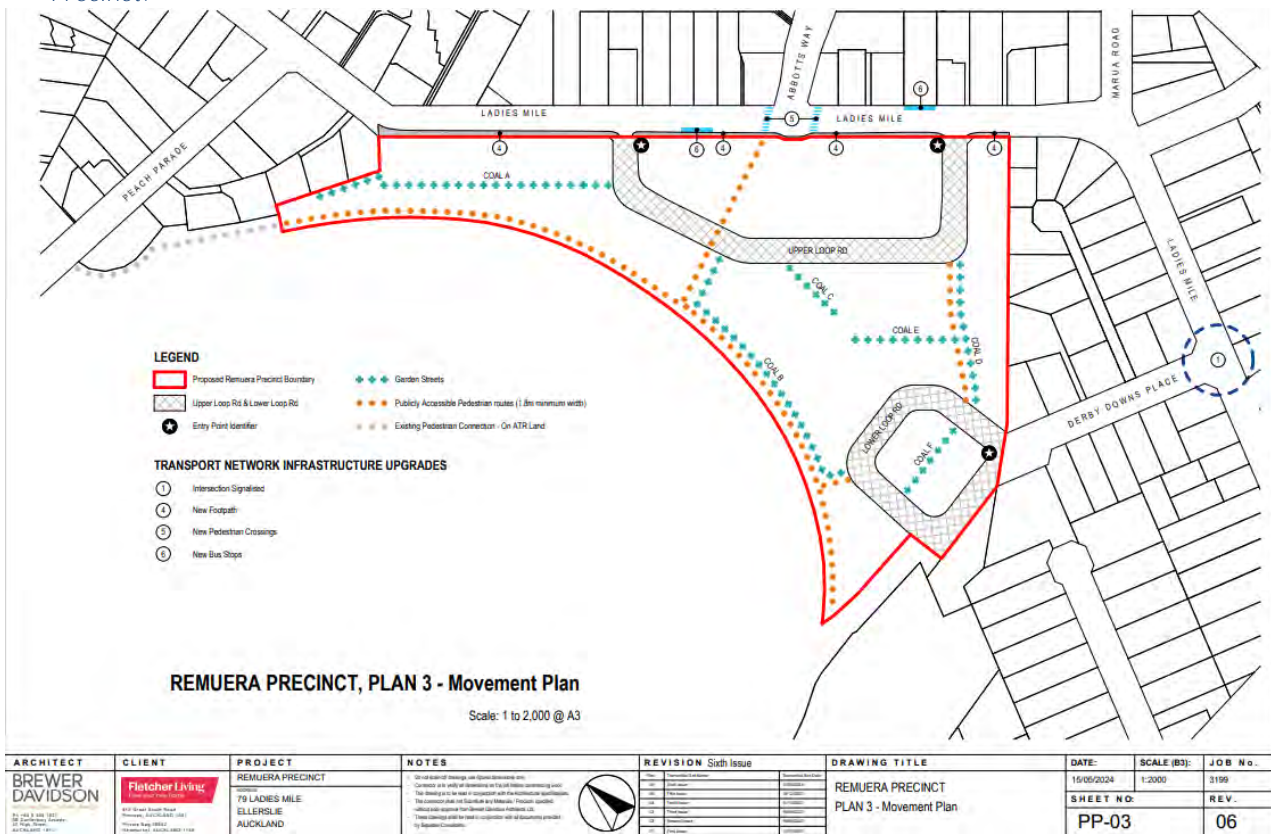
- 3.3 **Ōrākei** Local Board Network Plan outlines Open Space provision within **Ōrākei** area based on the **Council’s** Open Space Provision Policy 2016. There is no provision gap **identified** within and around the site subject to PPC104. The location of the subject site in relation to other open spaces are as follow:
 - Located north and within a 300m radius of local park, Derby Downs Domain and
 - Located west and just outside the 400m radius of Koraha Reserve.
- 3.4 The site also borders with Ellerslie Racecourse and Racetrack on its western side.
- 3.5 From a Parks Planning perspective, I have no concern on provision of open space within the proposed precinct area.

Open Space connectivity and integration

- 3.6 The subject site of PC104 is adjacent to the following open spaces:
 - Derby Down Domains located to the south of the site,
 - the Ellerslie Racecourse as a **Sportsfield** to the west of the site, and
 - Koraha Reserve to the east of the site (being just outside the 400m radius).
- 3.7 The proposed Movement Plan provided in the proposed precinct plan titled “**IXXX10.3 Remuera Precinct Plan 3- Movement**” shows **two public roads (Upper Loop Rd and**

Lower Loop Rd) which were approved in the FT application (referenced earlier in this report) in addition to Garden Streets and Pedestrian routes (1.8m min wide).

Figure 2. IXXX10.3 Remuera Precinct Plan 3- Movement showing the connections within the proposed Remuera Precinct.



3.8 The **Ōrākei** Local Paths (Greenways) Programme Plan provides for local paths network routes throughout the **Ōrākei** ward, **“creating a network of walking and cycling routes through parks and quiet streets with slow-moving vehicles. These routes provide safe connections to local destinations such as schools, town centres, public transport stops, and recreation spaces.”** The plan recommends priority routes identifying 13 routes in **Ōrākei** Ward. The routes that are around the subject site of PPC104 are **identified** as routes 4.0 (Ellerslie to the Sea) and 6.0 (Greenlane to the Sea).

Figure 3. Snippet of Map from **Ōrākei** Greenways Plan showing the recommended shared paths around PPC104 site.

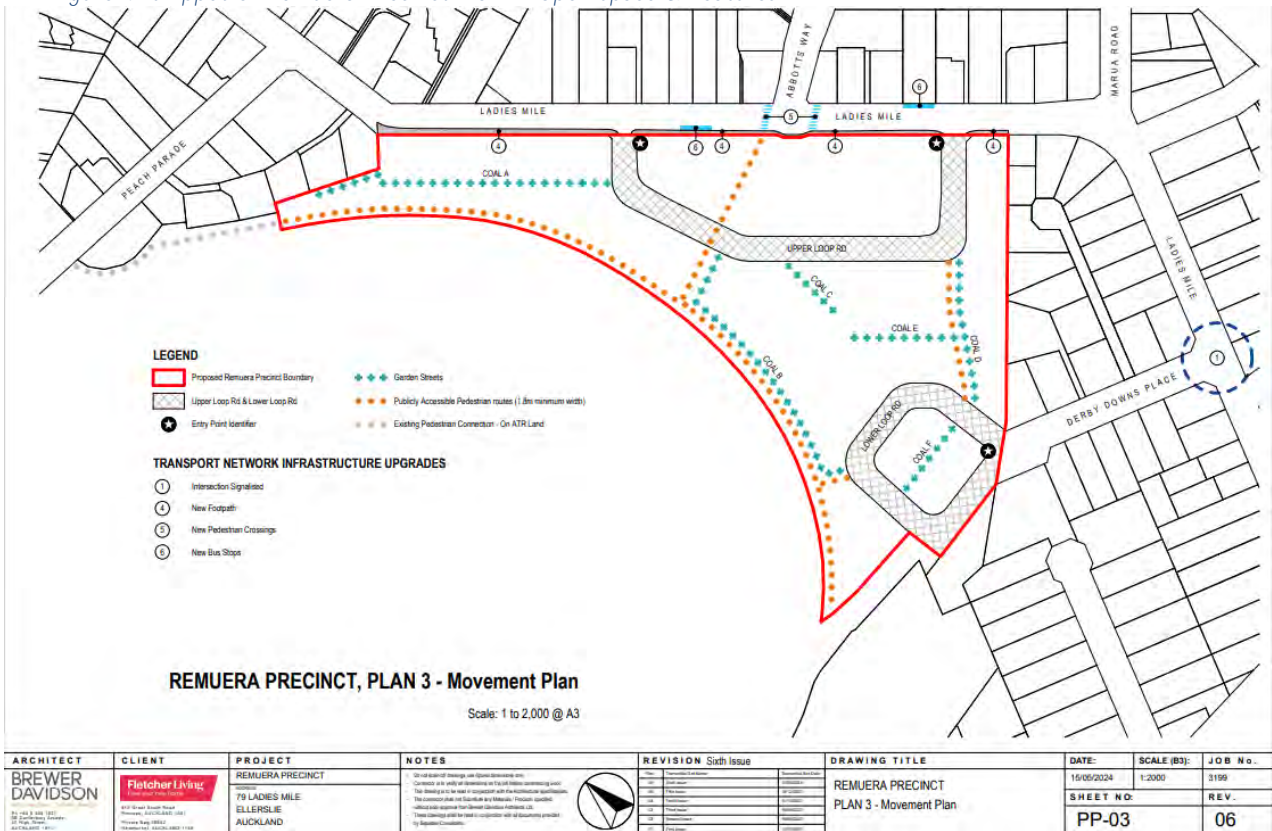


3.9 I agree with the assessment provided by the Applicant in the Clause 23 response that the recommended routes 4.0 (Ellerslie to the Sea) and 6.0 (Greenlane to the Sea) do not run through the PCC land. However, greenways in general are provided to show linear consistency, linking open and green spaces and providing opportunities for pedestrian friendly integration into urban texture. According to the **Ōrākei** Greenways Plan, Greenlane is considered to provide cross-city connections for both walking and cycling separated from vehicles. These linkages are for faster movements within the area as well as creating linkages to major centres along with a structured cycling network. Therefore, it is important to ensure that the proposed precinct requirements secure the connectivity network, link open spaces and greenways network to the **benefit** of the public and wider community throughout the precinct. This will ensure appropriate integration and will enable greater accessibility to the greenways. Parks Planning would expect this to be secured especially along the boundary of the Racecourse that will enable a north-south accessibility from Peach Parade down to Derby Downs Domain and a central east-west connection enabling greater accessibility towards the Ellerslie-to-sea Greenways plan.

3.10 The Applicant also provided an open space plan within the proposed Remuera Precinct Plan referenced as IXXX.10.2 Remuera Precinct Plan 2 - Open Space & Features (Figure 4). The plan shows private (bright green) and public (dark green) open spaces. The public open spaces noted as “**publicly** accessible open **space**” are located along the shared boundary with the Ellerslie racecourse and noted as Trackside walkway. Another strong publicly accessible open space is provided from Ladies Miles through the centre of the development to the racecourse, noted as Belvedere Garden East and West. These along

with the proposed routes on the Movement Plan are mostly provided to be privately owned with easements for public access on them.

Figure 4. Snippet of Remuera Precinct Plan 2- Open Space & Features.



3.11 According to the connections shown on the proposed Movement Plan (see Figure 2) provided as Remuera Precinct Plan 3 by the Applicant, Garden Streets are proposed as (7-9m wide) COALs. Two Garden Streets are shown on this Plan as publicly accessible (provided for in the FT application via easements). These are along the Pedestrian Route connecting Upper Loop Road and Lower Loop Road, and between the Lower Loop Road and the Trackside walkway. Most Garden Streets however are proposed to provide private access to the residents with no public access proposed.

3.12 In the first RFI letter provided by Parks Planning at clause 23 stage, I raised concerns around public accessibility throughout the developments. The same concerns were also raised by the reporting Parks Planner when providing Parks Planning input to the FT application as noted below:

“With regards to public accessibility throughout the developments. There are ambiguities throughout the various application documents (Urban Design vs Landscape Report vs Integrated Transport Assessment vs Scheme Plan). ...It is important to ensure the access for the wider public is secured to ensure appropriate integration and ease of accessibility with open spaces and the wider greenways connections that will also add to amenity.”

3.13 In the response received from the Applicant to PPC104 RFI under CI23 in March 2024, there were references to easements for public access over **“key publicly accessible routes and linkages”** as per conditions of subdivision under approved FT application. In the second RFI sent to the Applicant under CI23, the same concern was raised around public accessibility as in my opinion the plan change needs to consider the scenario where that development does not eventuate, and that such public accessibility needs to be provided for within the text of the Precinct provisions.

- 3.14 In the second response provided by the Applicant in May 2024, the Applicant agreed to make clear within the Precinct that those routes were publicly accessible **“subject to including provision for temporary closures for safety, security, repair and maintenance”**. In my view, this proposal satisfactorily secures public pedestrian connections within the precinct, while also supporting consistency with Eilerslie 1 Precinct Policies (I311.3(1)(a) and (f)), enabling integrated access with surrounding open spaces and linkages to the south-western Eilerslie 1 precinct.

Reserve boundary interface

- 3.15 As noted earlier, the site subject to PPC104, has a shared boundary with two open spaces: the Eilerslie Racecourse to the west and Derby Downs Domain to the south of the site.
- 3.16 While the Movement Plan provided by the Applicant in PPC104 (Figure 2.) shows that these open spaces are bordered by a public road and a (1.8m min wide) **“publicly accessible Pedestrian Route”**, I consider a gap in the precinct plan provisions requiring for an appropriate interface between the site and those neighbouring open spaces. The proposed rezoning of those sites is a mixture of Residential-MHU and THAB zones where there is **no specific** requirement for boundary treatment along the shared boundaries with open space. Given the location and status of the Eilerslie Racecourse with a long-shared boundary with the subject site, I consider the proposed Remuera Precinct Plan as an opportunity to require for an appropriate shared boundary interface between the Eilerslie Racecourse and the proposed publicly accessible pedestrian route. In my view, relevant precinct provisions can ensure safe and attractive open space along a publicly accessible route where a (relatively) low height and permeable boundary treatment is to be provided along the shared boundary. The height of the fence must be low enough to provide for an attractive and visually interactive boundary but also high enough to meet the Health and Safety requirements associated to the user(s) of the racetrack (on Eilerslie Racecourse) versus the walkway (*publicly accessible pedestrian route*).

4.0 Submissions

4.1 The submissions for PPC104 were of total of 14, where only one of them provided comments relevant to Parks Planning. My response to the submission point that raised parks and open space matters are tabled below.

Submission #	Submitter Name	Submission point	Response
5	Keith Whitlow (Vita Nova Projects Ltd)	<ul style="list-style-type: none"> • Opposes the plan change. <p>Concerned about:</p> <ul style="list-style-type: none"> - the need for more recreation areas, not less - adverse effects on traffic and property values - too much housing infill 	<p>Not Support.</p> <p>I consider the discussion around open space provision has been undertaken during the Fast Track application process where it has been confirmed that there was no identified gaps within the open space provision for any local/neighbourhood park as there are open spaces located within walking distance (300m to the north of Derby Down Domain and 400m to the west of Koraha Reserve).</p> <p>Also given that the Fast Track application was approved for integrated residential development, there are privately owned open spaces within the development. However, as there is no need for public open space from an open space provision perspective, I have not considered this aspect any further.</p>

5.0 Conclusions and recommendations

- 5.1 While there is no gap **identified** within the subject site of PPC104 from an open space provision perspective, in my view the proposed Remuera Precinct Plan must include requirements for provision of public (shared) accessways within the proposed Remuera Precinct. I recommend these requirements to be shown on the relevant precinct plans also included in relevant precinct provisions. I consider this to be necessary to ensure that the connectivity and open space network is secured and aligned with priority routes recommended in **Ōrākei** Greenways Plan to the **benefit** of the public and wider community throughout the precinct. This will ensure appropriate integration and will enable greater accessibility to the greenways.
- 5.2 I also recommend relevant precinct provisions to ensure safe and attractive open space boundary interfaces are to be provided on the shared boundary with the racecourse.
- 5.3 I agree with the added precinct provisions proposed by the Applicant in the last version of the proposed precinct plan except where I added changes in red as follow:

IXXX.3 Policies

(1) Require a high-quality open space and landscape outcome as set out on Precinct Plan 2 that achieves all of the following:

a. Publicly accessible open spaces

*.
.
.*

f. Garden streets

g. Publicly accessible pedestrian routes.

(6) Implement the transport network connections and elements as shown on Precinct Plan 3 including the following:

a. The upgrade of the Derby Downs Place/Ladies Mile intersection to a signalised intersection.

*.
.*

f. Publicly accessible pedestrian routes.

Table IXXX.4.1 Activity table

<i>Activity</i>		<i>Activity status</i>
<i>(A1)</i>	<i>Any activity, development and/or subdivision that does not comply with</i>	<i>RD</i>

IXXX.6 Standards

IXXX.6.4 Publicly Accessible Pedestrian Routes

Purpose:

- *To ensure a connected and publicly accessible pedestrian network within the Precinct.*
- (1) *Any activity, development and/or subdivision within any part of the Precinct must provide the Publicly Pedestrian Routes within the Precinct that are identified on ~~Precinct Plan 2~~ **Precinct Plan 3** in accordance with the Remuera Precinct Landscape at Appendix A and ensure these routes are accessible to the public at all times except where they need to be temporarily closed for safety, security, maintenance or repair purposes.*
 - (2) *The Publicly Accessible Pedestrian Routes within the Precinct must be located in the areas identified and with the dimensions specified on ~~Precinct Plan 2~~ **Precinct Plan 3**.*
 - (3) *A landscape plan demonstrating compliance with this standard shall be prepared and lodged with any resource consent or building consent application.*

New Standard:

IXXX.6.14 Ellerslie racecourse boundary interface

Purpose:

- *To ensure a safe, attractive, and integrated interface between the shared boundary of the publicly accessible pedestrian route and Ellerslie racecourse, while acknowledging the functional requirements of the racecourse in relation to health and safety.*

(1) Any fence, wall or other structure erected adjacent or within 2m of the boundary of Ellerslie Racecourse must be no higher than 1.5m and at least 50% permeable.

Matters of discretion

(12) Ellerslie racecourse boundary interface

(a) The purpose of the standard

(b) The strategy and outcomes **identified** in the Remuera Precinct Landscape at Appendix A for the shared boundary between Ellerslie Racecourse and publicly accessible pedestrian routes.

Assessment criteria

(12) Ellerslie racecourse boundary interface

(a) The extent to which the purpose of the standard is achieved or alternative solutions that achieve the purpose of the standard are demonstrated.

6.0 Conclusion

- 6.1 Overall, in my opinion, I support the proposed PPC104 subject to:
- 6.1.1 the adequate provision of accessibility to the open space network and public linkages within the precinct; and
 - 6.1.2 the provision of requirements for reserve boundary interface for the shared boundary between the Ellerslie Racecourse and the publicly accessible pedestrian route.



Prepared by:

Roja Tafaraji

Senior Parks Planner, Parks & Community Facilities

Urban Design and Landscape Architecture Specialist Advice for:

Daniel Kinnoch | Consultant Planner

On Behalf of the Department of Planning & Resource Consents

Auckland Council

e. daniel.kinnoch@colabplanning.co.nz



17th October 2024

Dear Daniel,

Review of PPC104 (Remuera) Proposal

As requested, I have reviewed the proposal to rezone land at 79 Ladies Mile, Remuera from Special Purpose - Major Recreation Facility zoning to Residential - Terrace Housing and Apartment Buildings and Residential - Mixed Housing Urban zoning. The proposed precinct would also incorporate a set of associated provisions enabling residential development with building heights of up to 25m.

It follows 'in the wake' of consent being granted under the Covid Fast Track procedures for 'The Hill' on the same site in April 2023. The consented development has the same building and spatial configuration, height limits and general controls as are now proposed under Private Plan Change 104. Consequently, the physical outcomes anticipated under PPC104 are expected to be the same as, or very closely aligned with, those that would arise from implementation of the fast-track consent. In particular, the Plan Change's additional height provision for the THAB Zone at the Precinct's core is the same as that applicable under the existing resource consent.

Instead, the main focus of the Plan Change is to ensure the Major Recreation Facility zoning and the Ellerslie Racecourse Precinct provisions – both still applicable to 'The Hill' site – do not continue to apply to the residential development consented across it. This reflects the mis-match between the current provisions, which focus on supporting race course activities, and those which should apply to an area of approved intensive residential development. Other mixes of zoning and related provisions are addressed in Annexure P to the application, a Section 32 Evaluation, but the PPC option (1) is clearly preferred in that analysis.

In terms of effects, however, both the fast-track consent and PPC104 would still accommodate development with the same height and intensity controls, the same locations, and the same street and open space layouts. Consequently, the profile and skyline of future development across the site, together with its level of visual prominence to dominance, any overshadowing, and the degree of separation between buildings, would remain much the same irrespective of whether or not PPC104 is consented.

Submissions

The following submissions have been received which address the height, form and character of the proposed development on 'The Hill':

- | | |
|---------------------------------|---|
| #4: Katarina Pochyba - | opposes the plan change and is concerned about 25m high buildings blocking sunlight and privacy |
| #5: Keith Whitlow - | opposes the plan change, considers the area needs more recreation areas, not less and there is too much housing infill |
| #6: Simon McMullen - | concerned about privacy and daylight/sunlight access due to building heights, together with consequential impacts on the "zone's character" |
| #7: Ian Calhaem - | requests retaining existing MHU and THAB provisions, together with the existing height to boundary conditions |
| #8: Deborah Anne Keightley - | suggests Medium Density zoning instead of THAB for southern area and is concerned about tall apartment buildings in Ellerslie area |
| #12: Elizabeth Leuchars - | concerned about building heights and density |
| #13: Craig McErlane - | the same concerns as those raised by Ian Calhaem |
| #14: McErlane Investment Fund - | as above for Submissions 7 and 13 |

Because of the fast-track decision – subject to the guidance of the NPS-UD (2020) and the Resource Management (Enabling Housing Supply and Other Matters) Amendments Act 2021 Act (RMAEHS) – and clear evidence from my site visit that the development is proceeding and is under construction, I consider that the consented development on 'The Hill' is part of the 'existing environment'. I consider that it provides a baseline against which this private plan change request and indeed any consent application must be evaluated. In this instance, there is to be no appreciable deviation from that baseline, and it is to be assumed that the issues now raised by the submitters – such as built form and height, overshadowing, privacy, etc – have already been addressed to the satisfaction of the fast-track panel.

Furthermore, in comparing the consented development within the Precinct with the development anticipated to arise under PPC104, I have been unable to identify any significant changes to the built forms and internal open spaces that would accrue under the Plan Change. In turn, I have been unable to identify any appreciable changes to the character of the development that would arise under PPC104 – compared with the consented development – or any additional landscape and amenity effects that would arise from it. As such, I have been unable to identify any matters raised by the submitters that are different to those traversed in relation to the fast-track proposal and decision.

Conclusion

As a result, I am unable to identify any changes to the Precinct's development proposals that were not evaluated and tested in respect of the fast-track consent. I must therefore conclude that the effects associated with PPC104 would be consistent with the baseline established by that consent in 2023 and considered acceptable at that time.

Yours sincerely,

Stephen Brown

Brown NZ Ltd
021 646 181



APPENDIX 7

RESOURCE CONSENT APPROVAL DOCUMENTS FOR PC104

SEE VOLUME II

APPENDIX 8

MEMORANDUM FROM APPLICANT DATED 8 NOVEMBER 2024 AND PROPOSED CHANGES

**BEFORE THE INDEPENDENT HEARINGS PANEL
OF AUCKLAND COUNCIL**

UNDER the Resource Management Act 1991 ("**RMA**")

AND

IN THE MATTER of Private Plan Change 104 ("**PPC104**") to the
Auckland Unitary Plan (Operative in Part) ("**AUP**")

**MEMORANDUM OF COUNSEL ON BEHALF OF
FLETCHER RESIDENTIAL LIMITED**

8 NOVEMBER 2024

**Russell
McAugh**

D J Minhinnick / A E Gilbert
P +64 9 367 8000
F +64 9 367 8163
PO Box 8
DX CX10085
Auckland

Introduction

1. This memorandum is provided on behalf of Fletcher Residential Limited in response to the Panel's direction dated 24 October 2024 which directed the Applicant to file a memorandum outlining what, if any, changes are recommended to PPC104 and which changes are in response to which submissions.¹

Changes to PPC104

2. An amended version of PPC104, with additions in underline and deletions in ~~strike~~through, is provided as **Appendix A**.
3. This amended version of PPC104 identifies changes primarily in response to the submission of Auckland Council.² In summary, these are amendments to:
 - (a) incorporate Auckland Council's AUP drafting principles;
 - (b) incorporate Auckland Council's changes to address the Medium Density Residential Standards ("**MDRS**"); and
 - (c) incorporate the consented pedestrian crossing on Derby Downs Place.
4. Comment boxes from Auckland Council are included to explain amendments to address its drafting principles and the MDRS.

DATED: 8 November 2024



Daniel Minhinnick / Alice Gilbert
Counsel for Fletcher Residential Limited

¹ Hearing Direction #1 from the Hearing Panel dated 24 October 2024 at [3].

² Submission #09 of Auckland Council (as submitter) dated 20 August 2024.

~~IXXX~~ Remuera Precinct

IXXX.1 Precinct Description

The Remuera Precinct (~~Precinct~~) comprises approximately 6.2 hectares of sloping land which was formerly part of the Ellerslie Racecourse Precinct. The Remuera Precinct is located at the eastern end of the racecourse site and is bound by Ladies Mile and Derby Downs Place.

The Remuera Precinct enables housing choice including both medium to high density living opportunities with development up to 25m in height provided within the Residential Terrace House and Apartment Building zones. The Remuera Precinct incorporates the Medium Density Residential Standards contained in Schedule 3A of the Resource Management Act 1991, except that additional building height is enabled to respond to the land's graduated rise from the racecourse and westward aspect encompassing the racecourse and its facilities, and communally accessible private outdoor spaces are required when high density living occurs. Development of the Remuera Precinct is defined by identified publicly accessible open spaces, areas of private open space, privately owned garden streets and an attractive frontage to Ladies Mile along which existing mature Pohutukawa trees are retained, buildings are set back from the arterial road and a safe and attractive environment is created for pedestrians by restricting vehicle crossings and providing minor roading improvements on Ladies Mile (combined with a 6m setback in their vicinity) and garden streets.

Movement through the Remuera Precinct is provided by two new public roads, one of which connects to Ladies Mile while the other connects to Derby Downs Place. Entry markers are proposed at these locations. A series of interconnected commonly owned access lots in combination with identified pedestrian routes provide internal linkages within and through the Remuera Precinct. An existing tunnel also connects Derby Downs Place with the infield of the racecourse.

Stormwater ~~from the precinct~~ is managed by the ~~approved~~ Stormwater Management Plan approved for the development and functioning of the Remuera Precinct.

The zoning of the land within the Remuera Precinct is Residential - Terrace Housing and Apartment Buildings and Residential – Mixed Housing Urban. All relevant overlay, Auckland-wide and zone provisions apply in this Precinct unless otherwise specified below.

~~The objectives, policies, rules and other provisions in Appendix B apply to and modify the Residential Mixed Housing Urban and Residential Terrace House and Apartment Building zoned land within the Precinct until Plan Change 78 becomes operative, after which point the provisions no longer apply.~~

Commented [A1]: Each private or council initiated plan change receives a precinct chapter number immediately prior to being made operative. Retain IXXX numbering.

Commented [A2R1]: The changes to the Precinct Description are ACS proposed changes from submission 9

IXXX.2 Objectives

- (1) A well-functioning urban environment that enables all people and communities to provide for their social, economic and cultural wellbeing, and for their health and safety, now and into the future.
- (2) A relevant residential zone provides for a variety of housing types and sizes that respond to –
 - (a) housing needs and demand; and
 - (b) the neighbourhood's planned urban built character, including three-storey buildings
- (3) The Remuera Precinct is a well-functioning urban environment that is serviced with adequate infrastructure and which recognises the importance of intensification of this locality in proximity to the Ellerslie Rail Station.
- (4) Development is based around an integrated and connected series of public streets, publicly accessible open spaces, garden private streets and publicly accessible pedestrian routes.
- (5) An accessible, safe and well-connected transport network is established for all modes within the Remuera Precinct and to the surrounding transport network which enables travel choice including public transport services, pedestrian, cycle, vehicle access and egress.
- (6) Development within the Remuera Precinct is coordinated with the supply of sufficient three waters, energy and communications infrastructure.
- (7) Adverse effects on the safe and efficient operation of the road network are avoided.

In addition to the objectives specified above, all relevant overlay, Auckland-wide and zone objectives apply in this precinct with the exception of the following:

- H5.2(2) Objectives

IXXX.3 Policies

- (1) Enable a variety of housing types with a mix of densities within the zone, including three-storey attached and detached dwellings, and low-rise apartments.
- (2) Apply the MDRS across all relevant residential zones in the District Plan except in circumstances where a qualifying matter is relevant (including matters of significance such as historic heritage and the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wahi tapu, and other taonga).
- (3) Encourage development to achieve attractive and safe streets and public open spaces, including by providing for passive surveillance.
- (4) Enable housing to be designed to meet the day-to-day needs of residents.
- (5) Provide for developments not meeting permitted activity status, while encouraging high-quality developments.
- (6) Require development to achieve a built form that contributes to high-quality built environment outcomes by:
 - (a) maintaining privacy, outlook, daylight and sunlight access to provide for the health and safety of residents on-site;
 - (b) providing for residents' safety and privacy while enabling passive surveillance on the street;
 - (c) minimising visual dominance effects to adjoining sites;
 - (d) maintaining a level of privacy, and sunlight and daylight access for adjoining sites;
 - (e) minimising visual dominance effects of carparking and garage doors to streets and private accessways;

Commented [A3]: Sch 3A cls 6(1).

Commented [A4]: Sch 3A cls 6(2): policies (1)-(5)
Policy (6) replicates Policy H5.3(6A) proposed in PC78 to guide RDA land use consent applications of four or more dwellings per site.

(f) minimising adverse effects on the natural environment, including restricting maximum impervious area on a site to reduce the amount of stormwater runoff generated by a development and ensure that adverse effects on water quality, quantity and amenity values are avoided or mitigated;

(g) requiring development to reduce the urban heat island effects of development and respond to climate change, by providing deep soil areas that enable the growth of canopy trees;

(h) designing practical, sufficient space for residential waste management; and

(i) designing practical, sufficient space for internal storage and living areas.

- (7) Require a high-quality open space and landscape outcome as set out on Precinct Plan 2 that achieves all of the following:
- Publicly accessible open spaces
 - A sloping 10m wide visual corridor along the alignment of Abbots Way through to the racetrack as identified on Precinct Plan 2
 - Private open spaces within the northern 25m building height area shown on Precinct Plan 1
 - Retention of identified mature Pohutukawa trees along the Ladies Mile frontage
 - Two public roads
 - Garden ~~private~~ streets
- (8) Require development to ~~consider and~~ positively respond to the natural and physical features of the area while delivering the planned built outcomes of the Remuera Precinct including a spacious frontage from Ladies Mile and a visual link between the racecourse and the Ladies Mile/Abbots Way intersection at the crown of the hill (including viewshafts and boundary setbacks), while concurrently providing for the planned built outcomes of the Precinct.
- (9) Provide for varying building heights through the application of a 25m building height area as shown on Precinct Plan 1.
- (10) ~~Enable Provide~~ a variety of residential dwelling types ~~that will enable housing choices that to~~ meet varying community housing needs.
- (11) Ensure stormwater is managed in accordance with the approved Stormwater Management Plan.
- (12) Implement the transport network connections and elements as shown on IXXX.10.3 Precinct Plan 3 including the following:
- The upgrade of the Derby Downs Place/Ladies Mile intersection to a signalised intersection.
 - A new pedestrian footpath along the western side of Ladies Mile adjacent to the Remuera Precinct boundary
 - New pedestrian crossings at the Ladies Mile/Abbots Way intersection and on Derby Downs Place
 - New bus stops on Ladies Mile
 - Two public roads
- (13) Restrict vehicle intersections to Ladies Mile and avoid vehicle access from individual lots to Ladies Mile to support the effective, efficient and safe operation of the arterial road network.
- (14) Avoid any activity, development and/or subdivision that would result in adverse effects on the safe and efficient operation of the road network from more than 357 dwellings within the Precinct.

In addition to the policies specified above, all relevant overlay, Auckland-wide and zone policies apply in this precinct with the exception of the following:

- Policies H5.3(1) – (5) Policies
- Policies H6.3(1), (3), (5), (6)

Commented [A5]: Amendment added to address s42A recommendation from AT

IXXX.4 Activity table

All relevant overlay, Auckland-wide and zone activities apply in this precinct unless specified below at IXXX.4(1).

- (1) H5.4.1(A5) The conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings.
- (2) H6.4.1(A3) Dwellings (for up to three dwellings on a site)
- (3) H6.4.1(A35) New buildings and additions to buildings (for up to three dwellings on a site)

Table IXXX.4.1 specifies the activity status of activities in the IXXX Remuera Precinct pursuant to section 9(3) and section 11 of the Resource Management Act 1991.

A blank table cell with no activity status specified means that the zone, Auckland-wide and overlay provisions apply.

Note 1

All applications for subdivision consent are subject to section 106 of the RMA.

Table IXXX.4.1 Activity Table

Activity		Activity Status
Use		
(A1)	<u>Up to three dwellings per site each of which complies with Standards IXXX.6.1.1 to IXXX.6.1.20 inclusive</u>	P
(A2)	<u>The conversion of a principal dwelling into a maximum of three dwellings each of which complies with Standards IXXX.6.1.1 to IXXX.6.1.20 inclusive</u>	P
(A3)	Any activity, development and/or subdivision that does not comply with Standard IXXX.6.19 Arterial Road Access Restriction	D
(A4)	Any activity, development and/or subdivision that does not comply with Standard IXXX.6.20 Development Staging & Transport Network Infrastructure Requirements and Table IX.6.20.1	D
	Any activity, development and/or subdivision that does not comply with Standards IXXX.6.1 – IXXX.6.11	RD
(A5)	Any activity, development and/or subdivision that would result in <u>or enable</u> more than 357 dwellings within the Remuera Precinct	NC
Development		
(A6)	<u>Accessory buildings associated with a development of dwellings each of which complies with Standards IXXX.6.1.1 to IXXX.6.1.20 inclusive</u>	P
(A7)	<u>Internal and external alterations to buildings for a development of dwellings all of which complies with Standards IXXX.6.1.1 to IXXX.6.1.20 inclusive</u>	P

Commented [A6]: Activity table should follow precinct template and include subheadings. Enables consistent description of activities - avoiding unintended triggering of multiple AUP provisions.

Commented [A7]: See Sch 3A cls 3. Consistent with proposed incorporation of MDRS in PC 78 at Chapter E38

Commented [A8]: Sch 3A cls 2(1) and 10

Commented [A9]: Sch 3A cls 2(1) and cls 1(1) see definition of construction

Commented [A10]: Superfluous as Chapter C applies

Commented [A11]: Sch 3A cls 2(1)

Commented [A12]: Sch 3A cls 2(1) and cls 1(1) see 'construction' definition

Activity	Activity Status
(A8) Additions to an existing dwelling which complies with Standards IXXX.6.1.1 to IXXX.6.1.20 inclusive	P
(A9) Particular values associated with an area or resource that are managed by overlay or Auckland-wide Plan Chapters that apply in this precinct are a qualifying matter under section 771 of the RMA.	
Subdivision for the purpose of the construction or use of dwellings	
(A10) Subdivision in accordance with an approved land use consent for the purpose of the construction, or use of dwellings as permitted or restricted discretionary activities in the precinct, and meeting IXXX.6.2 Standards for controlled subdivision activities	C
(A11) Subdivision for up to three sites accompanied by: <ul style="list-style-type: none"> (a) A land use consent application for up to three dwellings one or more of which does not comply with any of Standards IXXX.6.1.2 to IXXX.6.1.9 inclusive but does comply with all applicable zonal, Auckland-wide, overlay and all other precinct standards; or (b) A certificate of compliance for up to three dwellings each of which complies with Standards IXXX.6.1.2 to IXXX.6.1.20 inclusive and applicable zonal, Auckland-wide, precinct and overlay standards 	C
(A12) Any subdivision listed above not meeting IXXX.6.2 Standards for controlled subdivision activities	
(A13) Any subdivision listed above not meeting General Standards E38.6.2 to E38.6.6 inclusive	D
(A14) Any subdivision listed above not meeting Standards for subdivision in residential zones E38.8.1.1(1) and E38.8.1.2	D

IXXX.5 Notification

- (1) Unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991, public notification of an application for resource consent is precluded if the application is for the construction and use of one, two or three dwellings that do not comply with Standards IXXX.6.1.2 to IXXX.6.1.9
- (2) Unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991, public and limited notification of an application for a controlled subdivision resource consent is precluded if the subdivision is associated with an application:

Commented [A13]: Sch 3A cls 2(1) and cls (1) see 'construction' definition

Commented [A14]: Where activities in overlays and Auckland-wide rules qualify the outcomes required by the MDRS permitted activity rule the precinct should acknowledge these, and apply the orange sidebar. This must be done where the activity limits what is otherwise enabled as a PA for up to 3 dwellings on a site complying with Standards IXXX.6.1.1. to IXXX.6.1.9.

If there are such activities retain (A6) but leave the activity status field blank as the Chapter D and/or Chapter E provisions specify the activity classification.

If there are no applicable overlay or Auckland-wide rules leave the row in the activity table as follows:

Activity	Ac
(A6)	[blank]

This approach avoids having to renumber the table and throughout the document.

The following activities are examples. Consider where other provisions limit the level of permitted development, eg D24 Aircraft Noise Overlay, Table E36.4.1 Natural hazards and flooding activity table.

... [1]

Commented [A15]: Controlled activity subdivision must be enabled for permitted and RDA dwellings (as per cls 3) but the controlled activity status of the subdivision is contingent on satisfaction of cls 8.

... [2]

Commented [A16]: Sch 3A Cls 3, and cls 7 and cls 8

Suggested text clarifies land use consent granted was MDRS related (as that is the purpose of the Precinct - any other ... [3]

Commented [A17]: See Sch 3A cls 8(b)(i) and (ii).

Subdivision of a vacant lot for the purpose of the construction or use of dwellings that comply with MDRS, or for which an MDRS land use consent application is sought ... [4]

Commented [A18]: General residential subdivision standards excluding the matters specified in Sch 3A cls 8. Equivalent to E38.4.2 (A30)

Commented [A19]: General standards in residential zones: transport; access to rear sites.

Commented [A20]: Sch 3A cls 5(1)

Sch 3A cls 5(2) is already incorporated in the AUP by H5.5(1)(a) so is not repeated in the precinct.

... [5]

Commented [A21]: The purpose of the precinct is to incorporate MDRS. The precinct includes MDRS density standards for building height, height to boundary, yards, building coverage, landscaped area, outlook space, outdoor living area and windows facing the street. Ensure the ... [6]

Commented [A22]: Sch 3A cls 5(3)

- (a) for the construction and use of one, two or three dwellings that do not comply with one or more of the Standards listed in IXXX.6.1.2 to IXXX.6.1.9; or
- (b) four or more dwellings for which a land use consent has been approved for the purpose of the construction, or use of dwellings as a restricted discretionary activity in the precinct.
- (3) Unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991, public notification of an application for resource consent is precluded if the application is for the construction and use of four or more dwellings on a site all of which comply with Standards IXXX.6.1.2 to IXXX.6.1.9.

Note 2

RMA Schedule 3A Part 2 density standards do not apply to four or more dwellings on a site. The applicable activity rule for four or more dwellings on a site is H5.4.1 (A4). The AUP already incorporates MDRS in providing for four or more dwellings on a site as a restricted discretionary activity (see underlying zone) IXXX.5.3 is included only to satisfy clause 5(2) Schedule 3A, RMA but cannot be utilised as no application can be made under a IXXX.4 rule for four or more dwellings on a site all of which comply with Standards IXXX.6.1.2 to IXXX.6.1.9

- (4) Any application for a resource consent which is listed above which also requires resource consent under other rules in the Plan will be subject to the normal tests for notification under the relevant sections of the RMA.
- (5) ~~Any application for a resource consent listed in Table IXXX.4.1 Activity table above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.~~
- (6) ~~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).~~

Commented [A23]: Additional provision suggested to assist plan readers and for integration with AUP (as proposed to be modified by PC78)

Notification preclusions in Sch 3A only apply to particular Sch 3A matters specified in clause 5 - not other parts of a plan.

IXXX.6 Standards

- (1) Unless specified in Standard IXXX.6(2) below, all relevant overlay, Auckland-wide and zone standards apply to all activities in the IXXX Remuera precinct.
- (2) The following zone standards do not apply to activities listed in Activity Table IXXX.4.1 in the Residential – Mixed Housing Urban Zone:
 - (a) H5.6.3 The conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings;
 - (b) H5.6.4 Building height;
 - (c) H5.6.5 Height in relation to boundary;
 - (d) H5.6.6 Alternative height in relation to boundary;
 - (e) H5.6.7 Height in relation to boundary adjoining lower intensity zones;
 - (f) H5.6.8 Yards;
 - (g) H5.6.10 Building coverage;
 - (h) H5.6.11 Landscaped area;
 - (i) H5.6.12 Outlook space; and
 - (j) H5.6.14 Outdoor living space;

Commented [A24]: Sch 3A does not authorise additional density standards for a permitted activity or building to be included in a district plan - see Sch 3A cls 2(2).

"Density standard" has the meaning set out in Sch 3A cls 1.

A density standard may be modified and a qualifying matter rule may be proposed provided the relevant statutory tests at section 771-L are met, and the matter is addressed sufficiently in the section 32 report.

Commented [A25]: The underlying zonal height for MHU is the same as in Sch 3A clause 12. However Sch 3A requires a replacement diagram. It is easier to specify H5.6.4 does not apply and to include a replacement rule complete with diagram, than having a height precinct standard that contains just the replacement diagram and refers back to H5.6.4.

Commented [A26]: Some parts of H5.6.5 are included in Sch 3A cls 12. For simplicity no part of H5.6.5 is to apply, and the more lenient (H.5.6.5(2)(a)) and Sch 3A cls 12 equivalents are incorporated at IXXX6.1.3 (H.5.6.5(3), (4) and (7)).

(3) The following zone standards do not apply to activities listed in Activity Table IXXX.4.1 in the Residential – Terrace Housing and Apartment Buildings Zone:

- (a) H5.6.3 The conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings;
- (b) H5.6.4 Building height;
- (c) H5.6.5 Height in relation to boundary;
- (d) H5.6.6 Alternative height in relation to boundary;
- (e) H5.6.7 Height in relation to boundary adjoining lower intensity zones;
- (f) H5.6.8 Yards;
- (g) H5.6.10 Building coverage;
- (h) H5.6.11 Landscaped area;
- (i) H5.6.12 Outlook space; and
- (j) H5.6.14 Outdoor living space;

(4) The activities listed as a permitted activity in Activity Table IX.4.1 must comply with permitted activity standards IXXX.6.1.1 to IXXX.6.1.20

(5) All activities must comply with standards IXXX.6.1.10 to IXXX.6.1.20

(6) The activities listed as a controlled activity in Activity Table IXXX.4.1 must comply with IXXX.6.2 Standards for controlled subdivision activities and the E38 subdivision standards listed in Activity Table IXXX.4.1.

(7) The standards in the relevant zones, overlays and Auckland-wide provisions apply in this precinct, in addition to the standards below I.6.1 to I.6.13, except for the following:

- (a) H6 Residential – Terrace House and Apartment Buildings Zone
 - i. H6.6.5 Building Height
 - ii. H6.6.9.1 Front Yard – Only on Ladies Mile Frontage
- (b) E27 Transport
 - i. E27.6.4.1 Vehicle Access Restriction

IXXX.6.1.1 Number of dwellings per site

(1) There must be no more than three dwellings per site.

IXXX.6.1.2 Building height

Purpose: To manage the height of buildings to:

- achieve the planned urban built character of predominantly three storeys and enable higher building intensity and scale of up to 25 metres in specified areas within the Terrace Housing and Apartment Buildings zoned areas of the Precinct;
- minimise visual dominance effects;
- maintain a reasonable standard of residential amenity for adjoining sites; and
- provide some flexibility to enable variety in roof forms.

(1) In the Residential – Mixed Housing Urban Zone buildings must not exceed 11m in height, except that 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1m, where the entire roof slopes 15° or more, as shown in Figure IXXX.6.1.2.1 below.

Commented [A27]: Sch 3A does not authorise additional density standards for a permitted activity or building to be included in a district plan - see Sch 3A cls 2(2).

"Density standard" has the meaning set out in Sch 3A cls 1.

A density standard may be modified and a qualifying matter rule may be proposed provided the relevant statutory tests at section 771-L are met, and the matter is addressed sufficiently in the section 32 report.

Commented [A28]: Double check Chapter H6

Commented [A29]: The underlying zonal height for MHU is the same as in Sch 3A clause 12. However Sch 3A requires a replacement diagram. It is easier to specify H5.6.4 does not apply and to include a replacement rule complete with diagram, than having a height precinct standard that contains just the replacement diagram and refers back to H5.6.4.

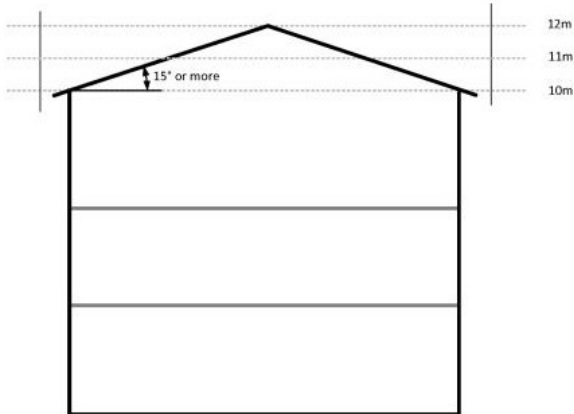
Commented [A30]: Some parts of H5.6.5 are included in Sch 3A cls 12. For simplicity no part of H5.6.5 is to apply, and the more lenient (H.5.6.5(2)(a)) and Sch 3A cls 12 equivalents are incorporated at IXXX6.1.3 (H.5.6.5(3), (4) and (7)).

Commented [A31]: Sch 3A cls 10

Commented [A32]: Sch 3A cls 11

Commented [A33]: Suggested amalgamation of template text and notified PPC purpose statement "To enable higher building intensity and scale in specified areas up to 25m within the Terrace Housing and Apartment Buildings zoned areas of the Precinct"

Figure IXXX.6.1.2.1 Building height



Commented [A34]: Sch 3A cls 12

- (2) In the Residential – Terrace Housing and Apartment Buildings Zone buildings must not exceed 25 metres in height.
- (3) Buildings within the Terrace Housing and Apartment Buildings zoned areas identified on Precinct Plan 1 must not exceed 25m in height.
- (4) Buildings within the Mixed Housing Urban zoned areas identified on Precinct Plan 1 are subject to the Building Height standard for the Mixed Housing Urban zone.

IXXX.6.1.3 Height in relation to boundary

Purpose: To manage the height and bulk of buildings at boundaries to maintain a reasonable level of sunlight access, privacy and minimise adverse visual dominance effects to immediate neighbours.

- (1) Buildings must not project beyond a 60-degree recession plane measured from a point 4m vertically above ground level along side and rear boundaries as shown in Figure IXXX.6.1.3.1 Height in relation to boundary below.
- (2) Standard IXXX.6.1.3(1) above does not apply to a boundary, or part of a boundary, adjoining any Business Zone.
- (3) Standard IXXX.6.1.3(1) above does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.
- (4) Where the boundary forms part of a legal right of way, entrance strip, access site or pedestrian access way, the control in Standard IXXX.6.1.3 applies from the farthest boundary of that legal right of way, entrance strip, access site or pedestrian access way.
- (5) The height in relation to boundary standard does not apply to existing or proposed internal boundaries within a site.

Commented [A35]: Sch 3A cls 12

Commented [A36]: Suggested amendment for consistency with incorporation of MDRS in AUP via PC 78

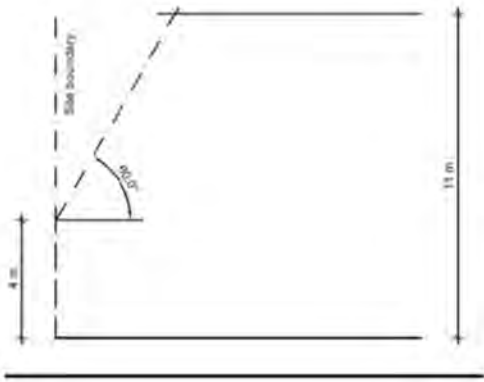
Commented [A37]: Sch 3A cls 12(2)(a).

Commented [A38]: More lenient than Sch 3A so may be incorporated.

Commented [A39]: Sch 3A cls 12(1) sentence two.

Commented [A40]: Sch 3A cls 12(2)(b).

Figure IXXX.6.1.3.1 Height in relation to boundary



IXXX.6.1.4 Yards

Purpose:

- to create an urban streetscape character and provide sufficient space for landscaping within the front yard including protecting the health of existing Pohutukawa trees along the Ladies Mile frontage;
- to ensure a sufficient set back from the Ladies Mile frontage to protect the character and amenity of the street while minimising dominance effects from higher intensity apartment buildings
- to maintain a reasonable standard of residential amenity for adjoining sites; and
- to enable buildings and services on the site or adjoining sites to be adequately maintained.

- (1) A building or parts of a building must be set back from the relevant boundary by the minimum depth listed below:
 - (a) Front yard: 1.5m, except where the boundary is with the Ladies Mile frontage shown on IXXX.10.1 Precinct Plan in which case the front yard is 6m
 - (b) Side yard: 1m
 - (c) Rear yard: 1m

- (2) Standard IXXX.6.1.4(1)(b) does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.
- (3) This standard does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.

IXXX.6.1.5 Building coverage

Purpose: To manage the extent of buildings on a site to achieve the planned character of buildings surrounded by open space.

- (1) The maximum building coverage must not exceed 50 per cent of the net site area.

IXXX.6.1.6 Landscaped area

Purpose:

- to provide for quality living environments consistent with the planned urban built character of buildings surrounded by vegetation; and
 - to create a vegetated urban streetscape character.
- (1) A dwelling at ground floor level must have a landscaped area of a minimum of 20 per cent of a developed site with grass or plants, and can include the canopy of trees regardless of the ground treatment below them.

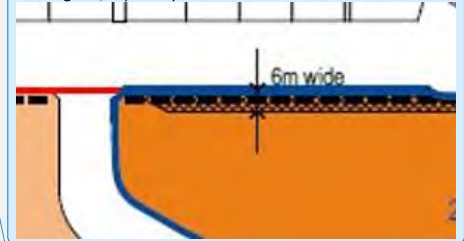
Commented [A41]: Sch 3A cls 13

Commented [A42]: Adapted from purpose for Apartment Setback standard; integrated with MDRS template

Commented [A43]: Apartment Setback standard integrated with MDRS template.

Precinct Plan 1 will likely have some implementation difficulties as:

- 1.The yard annotation is uncertain: it is unclear whether it applies (partially or fully) where shown with a chamfered edge
2. There are insufficient measurements on the in-precinct diagram, especially before construction of the road.



Commented [A44]: Sch 3A cls 14

Commented [A45]: Sch 3A cls 18

- (2) The landscaped area may be located on any part of the development site, and does not need to be associated with each dwelling.

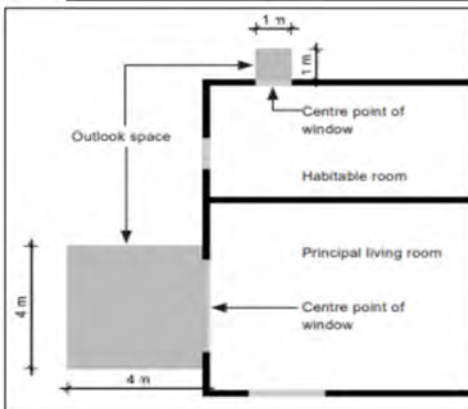
IXXX.6.1.7 Outlook space

Purpose:

- to ensure a reasonable standard of visual privacy between habitable rooms of different buildings, on the same or adjacent sites; and
 - in combination with H5.6.13 Daylight Standard, manage visual dominance effects within a site by ensuring that habitable rooms have an outlook and sense of space.
- (1) An outlook space must be provided for each development as specified in this standard.
 - (2) An outlook space must be provided from habitable room windows as shown in Figure IXXX.6.1.7.1 Outlook space requirements.
 - (3) The minimum dimensions for a required outlook space are as follows and as shown in Figure IXXX.6.1.7.1 Outlook space requirements:
 - (a) a principal living room must have an outlook space with a minimum dimension of 4 metres in depth and 4 metres in width; and
 - (b) all other habitable rooms must have an outlook space with a minimum dimension of 1 metre in depth and 1 metre in width.
 - (7) The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies.
 - (8) Outlook spaces may be over driveways and footpaths within the site or over a public street or other public open space.
 - (9) Outlook spaces may overlap where they are on the same wall plane in the case of a multi-storey building.
 - (10) Outlook spaces may be under or over a balcony.
 - (11) Outlook spaces required from different rooms within the same building may overlap.
 - (12) Outlook spaces must—
 - (i) be clear and unobstructed by buildings; and
 - (ii) not extend over an outlook space or outdoor living space required by another dwelling.

Commented [A46]: Sch 3A cls 16

Figure IXXX.6.1.7.1 Outlook space requirements



IXXX.6.1.8 Outdoor living space

Purpose: To provide dwellings with outdoor living space that is of a functional size and dimension, has access to sunlight, is separated from vehicle access and manoeuvring areas, and ensure:

- private outdoor living spaces are directly accessible from the principal living room, dining room or kitchen;
- communal outdoor living spaces are conveniently accessible for all occupants.

- (1) A dwelling at ground floor level must have an outdoor living space that is at least 20m² and that comprises ground floor, balcony, patio, or roof terrace space that,—
- where located at ground level, has no dimension less than 3 metres; and
 - where provided in the form of a balcony, patio, or roof terrace, is at least 8m² and has a minimum dimension of 1.8 metres; and
 - is accessible from the dwelling; and
 - may be—
 - grouped cumulatively by area in 1 communally accessible location; or
 - located directly adjacent to the dwelling; and
 - is free of buildings, parking spaces, and servicing and manoeuvring areas.
- (2) A dwelling located above ground floor level must have an outdoor living space in the form of a balcony, patio, or roof terrace that—
- is at least 8m² and has a minimum dimension of 1.8 metres; and
 - is accessible from the dwelling; and
 - may be—
 - grouped cumulatively by area in 1 communally accessible location, in which case it may be located at ground level; or
 - located directly adjacent to the dwelling.

IXXX.6.1.9 Windows facing the street

Purpose: To provide for passive surveillance while maintaining privacy for residents and users.

- (1) Any dwelling facing the street must have a minimum of 20 per cent of the street-facing façade in glazing. This can be in the form of windows or doors.

Commented [A47]: Sch 3A cls 17

IXXX.6.1.10 Visual corridor

Purpose:

- To ensure public views from Ladies Mile through the Remuera Precinct to the racecourse and the infield along the alignment of Abbots Way as identified on Precinct Plan 2.

- (1) Buildings must not be located within the 10m wide Visual Corridor identified on Precinct Plan 2.

Commented [A48]: Consistent with the policy verb specified in the purpose (ensure) add

IXXX.6.1.11 Publicly Accessible Open Space

Purpose:

- To ensure a publicly accessible network of connected open spaces that is ~~are~~ available for public use and enjoyment

1. a clause at IXXX.9 requiring provision of mechanism proposed that will ensure the ongoing management and maintenance of the visual corridor in perpetuity
2. to the list of relevant restricted matters the efficacy of the mechanism in achieving the purpose of the standard, including over time
3. Criteria for the same

- (1) Any activity, development and/or subdivision within any part of the Precinct must provide the Publicly Accessible Open Spaces identified on Precinct Plan 2 in accordance with the Remuera Precinct Landscape at Appendix A and ensure these spaces are accessible to the public at all times. The Publicly Accessible Open Spaces must be located in the areas identified and with the dimensions specified on Precinct Plan 2.

- (2) A landscape plan demonstrating compliance with this standard shall be prepared and lodged with any resource consent or building consent application.

IXXX.6.1.12 Publicly Accessible Pedestrian Routes

Purpose:

- To ensure a connected and publicly accessible pedestrian network within the Remuera Precinct.
 - (1) Any activity, development and/or subdivision within any part of the Remuera Precinct must provide the Publicly Accessible Pedestrian Routes within the Precinct that are identified on Precinct Plan 2 in accordance with the Remuera Precinct Landscape at Appendix A and ensure these routes are accessible to the public at all times except where they need to be temporarily closed for safety, security, maintenance or repair purposes.
 - (2) The Publicly Accessible Pedestrian Routes within the Remuera Precinct must be located in the areas identified and with the dimensions specified on Precinct Plan 2.
 - (3) A landscape plan demonstrating compliance with this standard shall be prepared and lodged with any resource consent or building consent application.

IXXX.6.1.13 Existing Pohutukawa Trees

Purpose:

- To retain a mature landscaped frontage along the Ladies Mile boundary of the Remuera Precinct by protecting identified Pohutukawa trees along this frontage.

- To provide a landscaped buffer for the potential 25m high apartment buildings within this part of the Remuera Precinct.

(1) Any activity, development and/or subdivision within any part of the Precinct must not result in the removal of the Pohutukawa trees identified on Precinct Plan 2 or any works within the protected root zone of these trees, except as provided for by Standard E17.6.3 Works within the protected root zone.

(2) Any trimming or alteration of the Pohutukawa trees identified on Precinct Plan 2 must comply with is subject to Standard E17.6.1 Tree trimming or alteration.

(3) ~~This standard IXXX.6.1.13 does not apply to Tree #13 as identified on Precinct Plan 2, on the planning maps and in Schedule 10: Notable Tree Schedule. Tree #13 is subject to the provisions of D13 Notable Trees Overlay.~~

Commented [A49]: Must provide opportunity for RC application to be made

QM
under
s77(i)
RMA

IXXX.6.1.14 Garden Streets

Purpose:

- To ensure a connected network of privately owned and maintained Garden Streets within the Remuera Precinct to provide vehicular and pedestrian access to dwellings ~~within the Precinct.~~
- (1) Any activity, development and/or subdivision within any part of the Remuera Precinct must provide the relevant Garden Street necessary to access the activity, development and/or subdivision identified on Precinct Plans 2, Precinct Plan and 3 and in accordance with the Remuera Precinct Landscape at Appendix A.
 - (2) The private Garden Streets must be located in the areas identified and with the dimensions specified on Precinct Plan 2.
 - (3) A landscape plan demonstrating compliance with this standard shall be prepared and lodged with any resource consent or building consent application.

IXXX.6.1.15 Planted Embankment

Purpose:

- To ensure a landscaped Planted Embankment within the Remuera Precinct to improve the visual amenity of the Precinct and acknowledge the distinctive Ellerslie racecourse landform.
- (1) Any activity, development and/or subdivision within any part of the Remuera Precinct must provide the Planted Embankment identified on Precinct Plan 2 and in accordance with the Remuera Precinct Landscape at Appendix A.
 - (2) The Planted Embankment must be located in the area identified and with the dimensions specified on Precinct Plan 2.
 - (3) A landscape plan demonstrating compliance with this standard shall be prepared and lodged with any resource consent or building consent application.

IXXX.6.1.16 Private Open Space

Purpose:

- ~~To ensure Private Open Spaces within the THAB zoned areas of the Precinct to provide~~

Commented [A50]: This standard may need to be identified as a QM depending on development yield relative to the area of communal private open space to be provided. See IXXX.6.1.8 (Sch 3A, cls 15)

~~useable open spaces for residents.~~

- ~~To ensure useable communal private open space for people residing in higher intensity residential development within the Remuera Precinct~~
- ~~To ensure the spatial layout of buildings within the THAB zoned areas of the Precinct is integrated with the Private Open Spaces and results in building forms that do not dominate the streetscape or the Precinct.~~
- ~~To ensure higher intensity residential buildings are well-integrated with communal private open space and whose building forms do not dominate the Ladies Mile streetscape or the Remuera Precinct.~~

(1) Any activity, development and/or subdivision within the Residential – Terrace Housing and Apartment Buildings THAB zoned areas of the Precinct must provide the Private Open Space identified on Precinct Plan 2 and in accordance with the Remuera Precinct Landscape at Appendix A except that:

- (a) where a permitted land use activity is undertaken under any of IXXX.4.1 (A1) to (A6) the application is required to satisfy IXXX.6.1.16 and IXXX.6.1.8, subject to IXXX.6.1.16(1)(b)
- (b) private open space is to be provided in compliance with IXXX.6.1.16(2) and neither IXXX.6.1.8(1)(d)(i) nor IXXX.6.1.8(2)(d)(i) applies
- (c) where a controlled land use consent application is made under either IXXX.4.1 (A7) or (A8) the application is required to satisfy IXXX.6.1.16 and IXXX.6.1.8, subject to IXXX.6.1.16 (1)(b).

(2) The Private Open Spaces must be located in the general areas identified and with the dimensions specified on Precinct Plan 2 or in an alternative location within the Residential – Terrace Housing and Apartment Buildings THAB zoned areas as long as the total area of Private Open Space is no less than that identified on Precinct Plan 2.

(3) A landscape plan demonstrating compliance with this standard shall be prepared and lodged with any resource consent or building consent application.

~~IXXX.6.X Apartment Setback~~

~~Purpose:~~

~~• To ensure any buildings within the THAB zone adjoining Ladies Mile identified on Precinct Plan 1 are setback from the street frontage to protect the health of the existing Pohutukawa trees along this frontage.~~

~~• To ensure the potentially 25m high apartment buildings are sufficiently setback from this frontage to protect the character and amenity of this streetscape.~~

~~(1) Any development within the THAB zone adjoining Ladies Mile shall be setback from the street front boundary by a distance of no less than 6m as identified on Precinct Plan 1.~~

Commented [A51]: Replaced by amendment to yard standard proposed by ACS

IXXX.6.17 Entry Point Identifier

Purpose:

- To enable a high-quality landscape feature at the prominent public entrances to the Remuera Precinct.

(1) Any development within the Upper or Lower Loop Road blocks shall construct the entry point identifiers in the locations identified on Precinct Plan 3 and in accordance with the Remuera Precinct Landscape at Appendix A.

(2) A landscape plan demonstrating compliance with this standard shall be prepared and lodged with any resource consent or building consent application.

IXXX.6.18 Stormwater Management

Purpose:

• To ensure stormwater is managed in accordance with the approved Stormwater Management Plan.

(1) The management of stormwater from any activity, development and/or subdivision shall be in accordance with the approved Stormwater Management Plan.

IXXX.6.19 Arterial Road Access Restriction

Purpose:

• To restrict road intersections onto Ladies Mile

• To avoid direct vehicle access from individual sites to Ladies Mile

• To achieve the effective, safe and efficient operation of the arterial road network and existing and future transport network for all modes; and

• To avoid or mitigate adverse safety and operational effects on the transport network including Ladies Mile, Abbots Way, Marua Road and Derby Downs Place.

(1) In addition to Standard E27.6.4(1) no road intersections shall be permitted directly onto Ladies Mile except for the two intersections indicated on Precinct Plan 3.

~~(2) No private vehicle access from any property shall be permitted directly onto Ladies Mile.~~

IXXX.6.20 Subdivision and Development Staging & Transport Network Infrastructure Requirements

Purpose:

• To ensure subdivision and development is integrated with the delivery of the required transport infrastructure upgrades identified in Table IX.6.20.1.

• To ensure that the required transport infrastructure upgrades are implemented to avoid or mitigate the adverse traffic effects of any activity, development and/or subdivision on the existing and future transport network.

• To ensure that the required transport infrastructure upgrades are implemented in an integrated and planned manner, and coordinated with development in the Remuera Precinct.

• To ensure an efficient, safe and effective transport network, with infrastructure and service connections for all modes to and through the Remuera Precinct.

(1) Activities, development and/or subdivision (excluding site preparation works, retaining infrastructure and earthworks) within the stages identified on the Precinct Plans must not exceed the thresholds specified in Column 1 in Table IX.6.20.1 below until the transport network infrastructure upgrades and measures identified in Column 2 have been implemented, constructed and are operational. ~~This does not apply to site preparation works, retaining infrastructure and earthworks within the Precinct.~~

Note 3:

Works in the legal road require prior written agreement from the road controlling authority.

Table IX.6.20.1: Transport Network Infrastructure Upgrades and Measures

Commented [A52]: Or similar text.

Assume the efficacy of the proposed triggers and mitigation measures are covered in the section 32 and with a side arrangement with AT. Not commenting on the merits of this (or other) provisions other than to indicate concern with their efficacy as proposed.

Column 1 Activity, development and / or subdivision thresholds for transport network infrastructure upgrades and measures		Column 2 Transport network infrastructure upgrades and measures required
(a)	Prior to occupation of the 20 th dwelling with access from Derby Downs Place	<ul style="list-style-type: none"> Upgrade the Derby Downs Place/Ladies Mile intersection to a signalised two-lane intersection with separate through lanes and turning lanes including pedestrian crossings as identified on Precinct Plan 3 (Upgrade 1) Construction of the Lower Loop Road in the location identified on Precinct Plan 3 (Upgrade 2)
(b)	Prior to the occupation of the first dwelling within the northeastern Residential Terrace Housing and Apartment Buildings zone THAB 25m building height area (shown on Precinct Plan 1) block or the first dwelling requiring access to the Upper Loop Road	<ul style="list-style-type: none"> Construction of the Upper Loop Road in the location identified on Precinct Plan 3 (Upgrade 3) Installation of the Ladies Mile footpath on the western side as identified on Precinct Plan 3 (Upgrade 4) Installation of pedestrian crossings at the Ladies Mile/Abbotts Way intersection as identified on Precinct Plan 3 (Upgrade 5) Installation of new bus stops as identified on Precinct Plan 3 (Upgrade 6)

IXXX.6.2 Standards for controlled subdivision activities

Purpose:

- To provide for subdivision of land for the purpose of construction and use of dwellings in accordance with MDRS permitted and restricted discretionary land use activities

IXXX.6.2.1 Subdivision in accordance with an approved land use consent for the purpose of the construction or use of dwellings as permitted or restricted discretionary activities in the precinct

- Any subdivision relating to an approved land use consent must comply with that land use consent.
- Subdivision does not increase the degree of any non-compliance with standards IXXX.6.1.1 to IXXX.6.1.9 except that Standard IXXX.6.1.3(1) does not apply along the length of any proposed boundary where dwellings share a common wall.
- No vacant sites are created.

IXXX.6.2.2 Subdivision around existing buildings and development

- Prior to subdivision occurring, all development must meet the following:
 - Comply with the relevant overlay, Auckland-wide, zone and precinct rules; or
 - Be in accordance with an approved land use consent.
- Subdivision does not increase the degree of any non-compliance with standards IXXX.6.1.1 to IXXX.6.1.9 except that Standard IXXX.6.1.3(1) does not apply along the length of any proposed boundary where dwellings share a common wall.
- No vacant sites are created.

IXXX.6.2.3 Subdivision for up to three sites accompanied by a land use consent application or certificate of compliance for up to three dwellings

Commented [A53]: Sch 3A cls 7.

Commented [A54]: Sch 3A cls 3.

Commented [A55]: Sch 3A cls 8(a)

Commented [A56]: Sch 3A cls 8(a)

Commented [A57]: Sch 3A cls 9

Commented [A58]: Sch 3A cls 8(a)

Commented [A59]: Sch 3A cls 8(a)

Commented [A60]: Sch 3A cls 9

Commented [A61]: Sch 3A cls 8(b) is problematic in requiring a land use consent application for a permitted activity to accompany the subdivision application.

Further, a residential development may comply with MDRS density standards but infringe a zonal non-density standard so be ineligible to receive a certificate of compliance.

- (1) The subdivision application and land use consent application or certificate of compliance relate to a site on which there are no dwellings;
- (2) The subdivision application and land use consent application or certificate of compliance must be determined concurrently;
- (3) Each dwelling, relative to its proposed boundaries, complies with Standards IXXX.6.1.2 to IXXX.6.1.9;
- (4) A maximum of three sites and three dwellings are created; and
- (5) No vacant sites are created.

IXXX.7 Assessment – controlled activities

IXXX.7.1 Matters of control

The Council will reserve control over all of the following matters when assessing a controlled activity resource consent application:

(1) All controlled subdivision activities in Table IXXX.4.1:

- (a) compliance with an approved resource consent or consistency with a concurrent land use consent application or certificate of compliance;
- (b) compliance with the relevant overlay, Auckland-wide, precinct and zone rules;
- (c) the effects of infrastructure provision.

IXXX.7.2 Assessment criteria

(1) The Council will consider the relevant assessment criteria for controlled subdivision from the list below:

- (a) compliance with an approved resource consent or consistency with a concurrent land use consent application or certificate of compliance:
 - (i) refer to Policy E38.3(6);
- (b) compliance with the relevant overlay, Auckland-wide, precinct and zone rules:
 - (i) refer to Policy E38.3(1) and (6);
- (c) whether there is appropriate provision made for infrastructure including:
 - (i) whether provision is made for infrastructure including creation of common areas over parts of the parent site that require access by more than one site within the subdivision; and
 - (ii) whether appropriate management of effects of stormwater has been provided;
 - (iii) refer to Policies E38.83(1), (6), (19) to (23).

IXXX.8 Assessment – restricted discretionary activities

IXXX.8.1 Matters of discretion

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

- (1) For buildings that do not comply with one or more Standards IXXX.6.1.2 to IXXX.6.1.9:
 - (a) any precinct and zone policies relevant to the standard;
 - (b) the purpose of the standard;
 - (c) the effects of the infringement of the standard;
 - (d) the effects on the urban built character of the precinct;
 - (e) the effects on the amenity of neighbouring sites;
 - (f) the effects of any special or unusual characteristic of the site which is relevant to the standard;
 - (g) the characteristics of the development;
 - (h) any other matters specifically listed for the standard; and
 - (i) where more than one standard will be infringed, the effects of all infringements considered together.
- (a) For Visual Corridor:
 - (i) the width of the visual corridor
 - (ii) street furniture, artworks, other public amenity elements or retaining structures
- (b) For Publicly Accessible Open Space

Commented [A62]: There must be matters over which control is reserved (and discretion restricted, at IXXX.8 below). See s77B of the RMA.

Incorporation of MDRS requires that the subdivision provisions of Sch 3A are inserted into the precinct and supported by relevant content required by Part 5 RMA including s77B. The precinct cannot rely on the IPI, and the precinct subdivision provisions apply as operative E38 provisions do not include MDRS-subdivision clauses.

Reserved matters are suggested for integration with AUP as proposed to be amended by PC 78.

Commented [A63]: Matters over which control is reserved align with E38.11.1(2) as per PC 78, except that matter (a) is broadened to include concurrent LUC or COC.

Commented [A64]: Assessment criteria align with E38.11.2(2) as per PC 78

Commented [A65]: Restricted matters applied (and (d) adapted) from H5.8.1(4) PC78

- ~~(i) The purpose of the standard~~
- (ii) The size, location, dimensions, topography, aspect and landscaping of the open space.
- (iii) The strategy and outcomes identified in the Remuera Precinct Landscape Appendix A for the open space.

(c) For Publicly Accessible Pedestrian Routes

- ~~(i) The purpose of the standard~~
- (ii) The strategy and outcomes identified in the Remuera Precinct Landscape Appendix A for the open space.
- (iii) Temporary closures for safety, security, maintenance or repair purposes.

(d) For Existing Pohutukawa Trees

- ~~(i) The purpose of the standard~~
- (ii) Matters of discretion E17.8.1 (1)

(e) For Garden Streets

- ~~(i) The purpose of the standard~~
- (ii) The strategy and outcomes identified in the Remuera Precinct Landscape Appendix A for the open space.

(f) For Planted Embankment

- ~~(i) The purpose of the standard~~
- (ii) The strategy and outcomes identified in the Remuera Precinct Landscape Appendix A for the open space.

(g) For Private Open Space

- ~~(i) The purpose of the standard~~
- (ii) The strategy and outcomes identified in the Remuera Precinct Landscape Appendix A for the open space.

~~(h) Apartment Setback~~

- ~~(i) The purpose of the standard~~
- ~~(ii) Matters of discretion H6.8.1 (4)~~

(i) For Entry Point Identifier

- ~~(i) The purpose of the standard~~
- (ii) The strategy and outcomes identified in the Remuera Precinct Landscape at Appendix A for the entry point.

(j) For Stormwater Management

- (i) ~~The purpose of the standard.~~
- (ii) The approved Stormwater Management Plan.

IXXX.8.2 Assessment criteria

The Council will consider the assessment criteria below for restricted discretionary activities to the extent relevant to the proposal:

(1) For buildings that do not comply with one or more of Standards IXXX.6.1.2 to IXXX.6.1.9 1:

(a) for all infringements to standards:

- (i) refer to Policy IXXX.3(5)
- (ii) refer to Policy IXXX.3(6)

(b) for building height:

- (i) refer to Policy IXXX.3(1)
- (ii) refer to Policy IXXX.3(5)

Visual dominance

(iii) the extent to which buildings as viewed from the street or public places are designed to minimise visual dominance effects of any additional height, taking into account:

- the planned urban built character of the precinct; and
- the location, orientation and design of development,
- the effect of the proposed height on the surrounding and neighbouring development.

Character and Visual Amenity

(iv) the extent to which the form and design of the building and any additional height responds to the planned urban built character of the surrounding area, including natural landforms and features;

(v) how buildings as viewed from the street or public places are designed to appear against the skyline, taking into account:

- whether roof plan, services and equipment are hidden from views; and
- whether the expression of the top of the building provides visual interest and variation.

(c) for height in relation to boundary:

- (i) refer to Policy IXXX.3(1)
- (ii) refer to Policy IXXX.3(5)

Sunlight access - Residential – Mixed Housing Urban Zone

(iii) whether sunlight access to the outdoor living space of an existing dwelling on a neighbouring site satisfies the following criterion:

Four hours of sunlight is retained between the hours of 9am – 4pm during the Equinox (22 September):

- over 75% of the existing outdoor living space where the area of the space is greater than the minimum required by Standard IXXX.6.1.8; or
- over 100% of existing outdoor living space where the area of this space is equal to or less than the minimum required by Standard IXXX.6.1.8.

(iv) in circumstances where sunlight access to the outdoor living space of an existing dwelling on a neighbouring site is less than the outcome referenced in IXXX.8.2(1)(b)(v):

- the extent to which there is any reduction in sunlight access as a consequence of the proposed development, beyond that enabled through compliance with Standard H5-6.5 IXXX.6.1.3 Height in relation to boundary control; and

Commented [A66]: Suggested insertion of proposed Pol H5.3(6A) for consistency with incorporation of MDRS as proposed by PC 78 to AUP.

Simplified criteria by direct cross reference to policy, and applying to all standards, in one clause.

- the extent to which the building affects the area and duration of sunlight access to the outdoor living space of an existing dwelling on a neighbouring site, taking into account site orientation, topography, vegetation and existing or consented development.

Daylight access - Residential – Terrace Housing and Apartment Buildings Zone

(ivA) The extent to which the height and bulk of development maintains daylight access and minimises visual dominance effects to adjoining sites and developments taking into account site orientation, topography, vegetation and existing or consented development.

Visual dominance

(v) the extent to which buildings as viewed from the side or rear boundaries of adjoining residential sites or developments are designed to reduce visual dominance effects, taking into account:

- the planned urban built character of the zone;
- the location, orientation and design of development;
- the physical characteristics of the site and the neighbouring site;
- the design of side and rear walls, including appearance and dominance; and
- providing adequate visual and/or physical break up of long continuous building forms.

Overlooking and privacy

(vi) the extent to which direct overlooking of a neighbour's habitable room windows and outdoor living space is minimised to maintain a reasonable standard of privacy, including through the design and location of habitable room windows, balconies or terraces, setbacks, or screening.

(d) for yards:

- (i) refer to Policy IXXX.3(1)
- (ii) refer to Policy IXXX.3(3)

(e) for building coverage:

- (i) refer to Policy IXXX.3(1)
- (ii) refer to Policy IXXX.3(3)
- (iii) whether the non-compliance is appropriate to the context, taking into account:
 - whether the balance of private open space and buildings is consistent with the existing and planned urban built character anticipated for the precinct;
 - the degree to which the balance of private open space and buildings reduces onsite amenity for residents, including the useability of outdoor living areas and functionality of landscape areas;

(f) for landscaped area:

- (i) refer to Policy IXXX.3(1)
- (ii) refer to Policy IXXX.3(3)
- (iii) refer to Policy H5.3(10) and
- (iv) the extent to which existing trees are retained.

(g) for outlook space:

- (i) refer to Policy IXXX.3(1)
- (ii) refer to Policy IXXX.3(3)
- (iii) refer to Policy IXXX.3(4)
- (iv) The extent to which overlooking of a neighbour's habitable room windows and private and/or communal outdoor living space can be minimised through the location and design of habitable room windows, balconies or terraces and the appropriate use of building and glazing setbacks and/or screening which is integrated part of the overall building design.

(h) for outdoor living space:

- (i) refer to Policy IXXX.3(1);

- (ii) refer to Policy IXXX.3(4); and
- (iii) the extent to which dwellings provide private open space and communal open space that is useable, accessible from each dwelling and attractive for occupants.

- (i) for windows facing the street:
 - (i) refer to Policy IXXX.3(3)
 - (ii) the extent to which the glazing:
 - allows views to the street and/or accessways to ensure passive surveillance; and
 - provides a good standard of privacy for occupants.

- (2) for visual corridor:
 - (i) the width of the visual corridor
 - (ii) street furniture, artworks, other public amenity elements or retaining structures

(3) Publicly Accessible Open Space

- (i) The extent to which the purpose of the standard is achieved or alternative solutions that achieve the purpose of the standard are demonstrated within the Precinct.
- (ii) The extent to which the strategy and outcomes identified in the Remuera Precinct Landscape Appendix A ~~B~~ for the open space are achieved in the Precinct.

Commented [A67]: Amended to refer to Appendix A, being the Remuera Precinct Landscape Plan

(4) Publicly Accessible Pedestrian Routes

- (i) The extent to which the purpose of the standard is achieved or alternative solutions that achieve the purpose of the standard are demonstrated within the Precinct.
- (ii) The extent to which the strategy and outcomes identified in the Remuera Precinct Landscape Appendix A for the open space are achieved within the Precinct.
- (iii) The extent to which any temporary closures of these routes are required for safety, security, maintenance or repair purposes.

(5) Existing Pohutukawa Trees

- (i) The extent to which the purpose of the standard is achieved or alternative solutions that achieve the purpose of the standard are demonstrated within the Precinct.
- (ii) Assessment Criteria E17.8.2 (1)

(6) Garden Streets

- (i) The extent to which the purpose of the standard is achieved or alternative solutions that achieve the purpose of the standard are demonstrated within the Precinct.
- (ii) The extent to which the strategy and outcomes identified in the Remuera Precinct Landscape Appendix A for the open space are achieved within the Precinct.

(7) Planted Embankment

- (i) The extent to which the purpose of the standard is achieved or alternative solutions that achieve the purpose of the standard are demonstrated within the Precinct.
- (ii) The extent to which the strategy and outcomes identified in the Remuera Precinct Landscape Appendix A for the open space are achieved within the Precinct.

(8) Private Open Space

- (i) The extent to which the purpose of the standard is achieved or alternative solutions that achieve the purpose of the standard are demonstrated within the Precinct.
- (ii) The extent to which the strategy and outcomes identified in the Remuera Precinct Landscape Appendix A for the open space are achieved within the Precinct.

~~(9) Apartment Setback~~

- ~~(i) The extent to which the purpose of the standard is achieved or alternative solutions that achieve the purpose of the standard are demonstrated within the Precinct.~~
- ~~(ii) Assessment Criteria H6.8.2 (9) (a), (b) and (d)~~

(10) Entry Point Identifier

- (i) The extent to which the purpose of the standard is achieved or alternative solutions that achieve the purpose of the standard are demonstrated within the Precinct.
- (ii) The extent to which the strategy and outcomes identified in the Remuera Precinct Landscape Appendix A for the entry point are achieved.

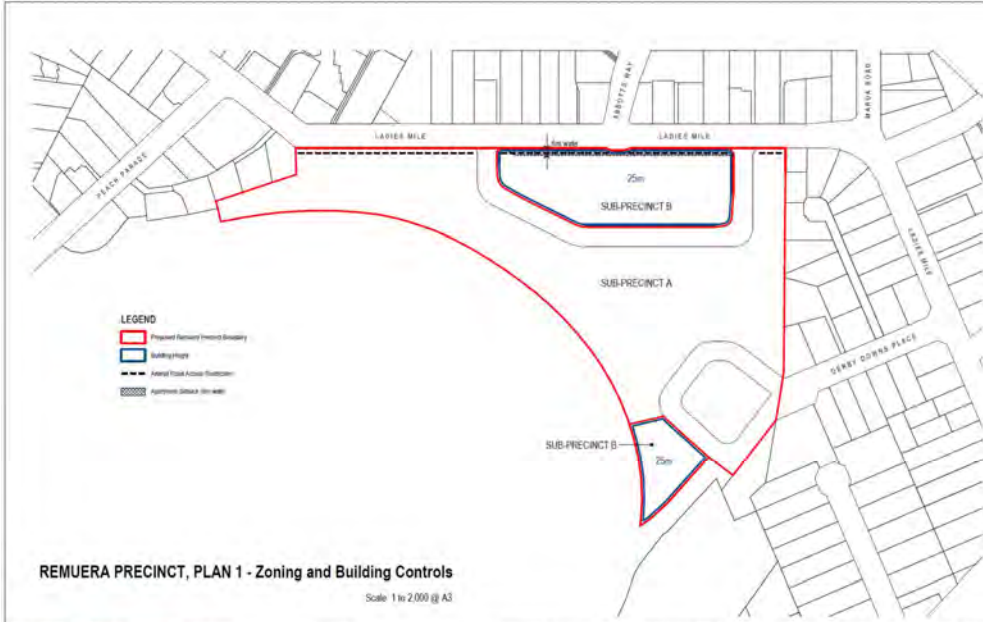
(11) Stormwater Management

- (i) The extent to which the provisions of the approved Stormwater Management Plan are met, including the following matters:
 - i. The design and efficacy of stormwater management devices;

- ii. Stormwater management calculations that confirm the design and capacity of the stormwater management device is fit for purpose and satisfies the requirements of the approved Stormwater Management Plan;
 - iii. The operation and maintenance of the stormwater system, including whether safe and direct access is provided to enable maintenance;
 - iv. Whether there will be health and safety effects associated with stormwater detention and retention ponds and wetlands and the extent to which these can be mitigated through measures such as fencing;
 - v. Whether new buildings and alterations and additions to buildings are made of inert materials; and
 - vi. Flood effects in the 10% and 1% AEP storm events (including climate change effects) and the extent to which any attenuation measures are required within the Precinct.
- (ii) Where alternatives to any approved or consented landscaping are proposed, whether the amended landscape plan will ensure the stormwater management outcomes are maintained and achieved.
- (iii) The extent to which interference with public use and enjoyment of proposed open space is minimised where stormwater detention and retention ponds and wetlands are proposed to be located in or adjacent to proposed public open space.

IXXX.10 Precinct plans

IXXX.10.1 Remuera Precinct Plan 1 ~~Zoning and~~ Building Controls



REMUERA PRECINCT, PLAN 1 - Zoning and Building Controls

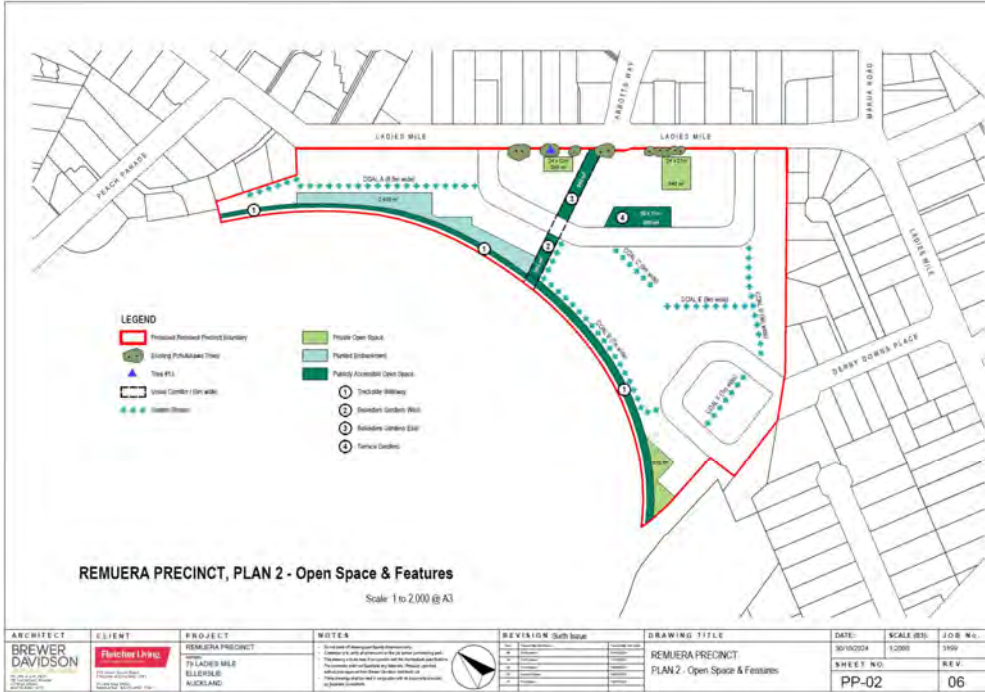
Scale 1 in 2,000 @ A3

ARCHITECT BREWER DAVIDSON <small>100 Victoria Road, Auckland</small>	CLIENT Fletcher Living <small>100 Victoria Road, Auckland</small>	PROJECT REMUERA PRECINCT 100 LADIES MILE EILEEN HUCKLAND	NOTES 1. This plan is a preliminary plan and is subject to change. 2. The proposed sub-precincts are shown in blue. 3. The proposed precinct boundary is shown in red. 4. The proposed internal road access is shown in dashed lines. 5. The proposed apartment blocks are shown in hatched areas. 6. The proposed 25m sub-precincts are shown in blue. 7. The proposed 25m sub-precincts are shown in blue.	REVISION Sixth Issue <table border="1"> <tr><th>No.</th><th>Description</th><th>Date</th></tr> <tr><td>1</td><td>Issue</td><td>10/10/2014</td></tr> <tr><td>2</td><td>Issue</td><td>10/10/2014</td></tr> <tr><td>3</td><td>Issue</td><td>10/10/2014</td></tr> <tr><td>4</td><td>Issue</td><td>10/10/2014</td></tr> <tr><td>5</td><td>Issue</td><td>10/10/2014</td></tr> <tr><td>6</td><td>Issue</td><td>10/10/2014</td></tr> <tr><td>7</td><td>Issue</td><td>10/10/2014</td></tr> <tr><td>8</td><td>Issue</td><td>10/10/2014</td></tr> <tr><td>9</td><td>Issue</td><td>10/10/2014</td></tr> <tr><td>10</td><td>Issue</td><td>10/10/2014</td></tr> <tr><td>11</td><td>Issue</td><td>10/10/2014</td></tr> <tr><td>12</td><td>Issue</td><td>10/10/2014</td></tr> <tr><td>13</td><td>Issue</td><td>10/10/2014</td></tr> <tr><td>14</td><td>Issue</td><td>10/10/2014</td></tr> <tr><td>15</td><td>Issue</td><td>10/10/2014</td></tr> <tr><td>16</td><td>Issue</td><td>10/10/2014</td></tr> <tr><td>17</td><td>Issue</td><td>10/10/2014</td></tr> <tr><td>18</td><td>Issue</td><td>10/10/2014</td></tr> <tr><td>19</td><td>Issue</td><td>10/10/2014</td></tr> <tr><td>20</td><td>Issue</td><td>10/10/2014</td></tr> <tr><td>21</td><td>Issue</td><td>10/10/2014</td></tr> <tr><td>22</td><td>Issue</td><td>10/10/2014</td></tr> <tr><td>23</td><td>Issue</td><td>10/10/2014</td></tr> <tr><td>24</td><td>Issue</td><td>10/10/2014</td></tr> <tr><td>25</td><td>Issue</td><td>10/10/2014</td></tr> <tr><td>26</td><td>Issue</td><td>10/10/2014</td></tr> <tr><td>27</td><td>Issue</td><td>10/10/2014</td></tr> <tr><td>28</td><td>Issue</td><td>10/10/2014</td></tr> <tr><td>29</td><td>Issue</td><td>10/10/2014</td></tr> <tr><td>30</td><td>Issue</td><td>10/10/2014</td></tr> <tr><td>31</td><td>Issue</td><td>10/10/2014</td></tr> <tr><td>32</td><td>Issue</td><td>10/10/2014</td></tr> <tr><td>33</td><td>Issue</td><td>10/10/2014</td></tr> <tr><td>34</td><td>Issue</td><td>10/10/2014</td></tr> <tr><td>35</td><td>Issue</td><td>10/10/2014</td></tr> <tr><td>36</td><td>Issue</td><td>10/10/2014</td></tr> <tr><td>37</td><td>Issue</td><td>10/10/2014</td></tr> <tr><td>38</td><td>Issue</td><td>10/10/2014</td></tr> <tr><td>39</td><td>Issue</td><td>10/10/2014</td></tr> <tr><td>40</td><td>Issue</td><td>10/10/2014</td></tr> <tr><td>41</td><td>Issue</td><td>10/10/2014</td></tr> <tr><td>42</td><td>Issue</td><td>10/10/2014</td></tr> <tr><td>43</td><td>Issue</td><td>10/10/2014</td></tr> <tr><td>44</td><td>Issue</td><td>10/10/2014</td></tr> <tr><td>45</td><td>Issue</td><td>10/10/2014</td></tr> <tr><td>46</td><td>Issue</td><td>10/10/2014</td></tr> <tr><td>47</td><td>Issue</td><td>10/10/2014</td></tr> <tr><td>48</td><td>Issue</td><td>10/10/2014</td></tr> <tr><td>49</td><td>Issue</td><td>10/10/2014</td></tr> <tr><td>50</td><td>Issue</td><td>10/10/2014</td></tr> </table>	No.	Description	Date	1	Issue	10/10/2014	2	Issue	10/10/2014	3	Issue	10/10/2014	4	Issue	10/10/2014	5	Issue	10/10/2014	6	Issue	10/10/2014	7	Issue	10/10/2014	8	Issue	10/10/2014	9	Issue	10/10/2014	10	Issue	10/10/2014	11	Issue	10/10/2014	12	Issue	10/10/2014	13	Issue	10/10/2014	14	Issue	10/10/2014	15	Issue	10/10/2014	16	Issue	10/10/2014	17	Issue	10/10/2014	18	Issue	10/10/2014	19	Issue	10/10/2014	20	Issue	10/10/2014	21	Issue	10/10/2014	22	Issue	10/10/2014	23	Issue	10/10/2014	24	Issue	10/10/2014	25	Issue	10/10/2014	26	Issue	10/10/2014	27	Issue	10/10/2014	28	Issue	10/10/2014	29	Issue	10/10/2014	30	Issue	10/10/2014	31	Issue	10/10/2014	32	Issue	10/10/2014	33	Issue	10/10/2014	34	Issue	10/10/2014	35	Issue	10/10/2014	36	Issue	10/10/2014	37	Issue	10/10/2014	38	Issue	10/10/2014	39	Issue	10/10/2014	40	Issue	10/10/2014	41	Issue	10/10/2014	42	Issue	10/10/2014	43	Issue	10/10/2014	44	Issue	10/10/2014	45	Issue	10/10/2014	46	Issue	10/10/2014	47	Issue	10/10/2014	48	Issue	10/10/2014	49	Issue	10/10/2014	50	Issue	10/10/2014	DRAWING TITLE REMUERA PRECINCT PLAN 1 - Zoning & Building Controls	DATE: 30/05/2014	SCALE (mm): 1:2000	JOB No: 3999
					No.	Description	Date																																																																																																																																																										
1	Issue	10/10/2014																																																																																																																																																															
2	Issue	10/10/2014																																																																																																																																																															
3	Issue	10/10/2014																																																																																																																																																															
4	Issue	10/10/2014																																																																																																																																																															
5	Issue	10/10/2014																																																																																																																																																															
6	Issue	10/10/2014																																																																																																																																																															
7	Issue	10/10/2014																																																																																																																																																															
8	Issue	10/10/2014																																																																																																																																																															
9	Issue	10/10/2014																																																																																																																																																															
10	Issue	10/10/2014																																																																																																																																																															
11	Issue	10/10/2014																																																																																																																																																															
12	Issue	10/10/2014																																																																																																																																																															
13	Issue	10/10/2014																																																																																																																																																															
14	Issue	10/10/2014																																																																																																																																																															
15	Issue	10/10/2014																																																																																																																																																															
16	Issue	10/10/2014																																																																																																																																																															
17	Issue	10/10/2014																																																																																																																																																															
18	Issue	10/10/2014																																																																																																																																																															
19	Issue	10/10/2014																																																																																																																																																															
20	Issue	10/10/2014																																																																																																																																																															
21	Issue	10/10/2014																																																																																																																																																															
22	Issue	10/10/2014																																																																																																																																																															
23	Issue	10/10/2014																																																																																																																																																															
24	Issue	10/10/2014																																																																																																																																																															
25	Issue	10/10/2014																																																																																																																																																															
26	Issue	10/10/2014																																																																																																																																																															
27	Issue	10/10/2014																																																																																																																																																															
28	Issue	10/10/2014																																																																																																																																																															
29	Issue	10/10/2014																																																																																																																																																															
30	Issue	10/10/2014																																																																																																																																																															
31	Issue	10/10/2014																																																																																																																																																															
32	Issue	10/10/2014																																																																																																																																																															
33	Issue	10/10/2014																																																																																																																																																															
34	Issue	10/10/2014																																																																																																																																																															
35	Issue	10/10/2014																																																																																																																																																															
36	Issue	10/10/2014																																																																																																																																																															
37	Issue	10/10/2014																																																																																																																																																															
38	Issue	10/10/2014																																																																																																																																																															
39	Issue	10/10/2014																																																																																																																																																															
40	Issue	10/10/2014																																																																																																																																																															
41	Issue	10/10/2014																																																																																																																																																															
42	Issue	10/10/2014																																																																																																																																																															
43	Issue	10/10/2014																																																																																																																																																															
44	Issue	10/10/2014																																																																																																																																																															
45	Issue	10/10/2014																																																																																																																																																															
46	Issue	10/10/2014																																																																																																																																																															
47	Issue	10/10/2014																																																																																																																																																															
48	Issue	10/10/2014																																																																																																																																																															
49	Issue	10/10/2014																																																																																																																																																															
50	Issue	10/10/2014																																																																																																																																																															
SHEET NO: PP-01	REV: 06																																																																																																																																																																

Remuera Precinct Plan 2 – Privately owned Open Space & Features

[comment:

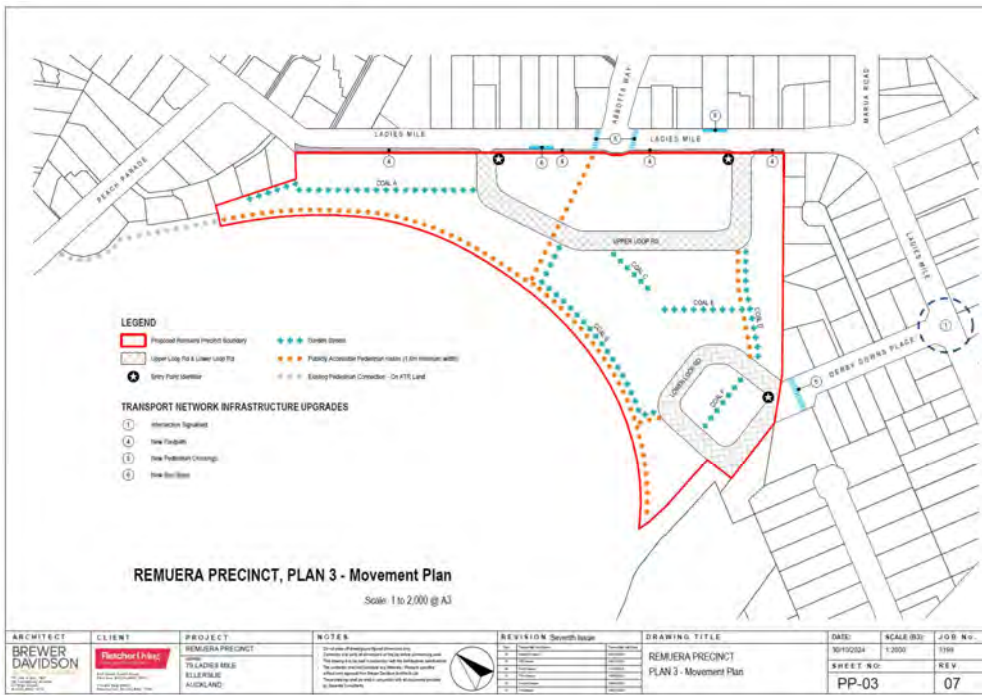
1. Amend 'Garden Streets' label: private garden streets (commonly owned access lots)



IXXX10.3 Remuera Precinct Plan 3 Movement

[comments:

1. Replace ATR with the relevant words]
2. Amend 'Garden Streets' label: private garden streets (commonly owned access lots)



APPENDIX A

Remuera Precinct Landscape – Refer Separate Attachment

APPENDIX B

Commented [A68]: Deleted as addressed in above precinct

~~Density standards from Part 2 of Schedule 3A, RMA, or the objectives and policies in clause 6 of Schedule 3A, RMA:~~

~~The following objectives, policies, rules and other provisions apply to and modify the Residential Mixed Housing Urban and Residential Terrace House and Apartment Building zoned land within the Precinct until Plan Change 78 becomes operative, after which point the following provisions no longer apply. Further the Qualifying Matters within PC78 also apply within the Precinct until Plan Change 78 becomes operative, after which point the following provisions no longer apply.~~

~~[Reference number TBC] Additional MDRS Land Use~~

~~Objectives Objectives (H5.2 and H6.2)~~

~~(A1) — A well-functioning urban environment that enables all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.~~

~~(B1) — A relevant residential zone provides for a variety of housing types and sizes that respond to —~~

- ~~i. — Housing needs and demand; and~~
- ~~ii. — The neighbourhood's planned urban built character, including 3-storey buildings.~~

~~*Note: these objectives are adopted from H5.2 and H6.2 (A1) and (A2)*~~

~~[Reference number TBC] Additional MDRS Land~~

~~Use Policies Policies (H5.3 and H6.3)~~

~~(A1) — Enable a variety of housing typologies with a mix of densities within the zone, including three-storey attached and detached dwellings, and low-rise apartments.~~

~~(B1) — Apply the MDRS across all relevant residential zones in the district plan except in circumstances where a qualifying matter is relevant (including matters of significance such as historic heritage and the relationship of Māori and their culture and traditions with their ancestral lands, water, sites wāhi tapu, and other taonga).~~

~~(C1) — Encourage development to achieve attractive and safe streets and public open spaces, including by providing for passive surveillance.~~

(D1) — Enable housing to be designed to meet the day to day needs of residents.

(E1) — Provide for developments not meeting permitted activity status, while encouraging high quality developments.

Note: these policies are adopted from H5.3 and H6.3

[Reference number TBC] Notification

(A1) — 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(4.9) of the Resource Management Act 1991:

(A2) — Unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991, public notification of an application for resource consent is precluded if the application is for the construction and use of 1, 2 or 3 dwellings that do not comply with 1 or more of the following:

- i — Standard H5.6.4 Building height;
- ii — Standard H5.6.5 Height in relation to boundary;
- iii — Standard H5.6.8(1) Yards;
- iv — Standard H5.6.10 Building coverage;
- v — Standard H5.6.11(3) and (4) Landscaped area;
- vi — Standard H5.6.12(A1) Outlook space;
- vii — Standard H5.6.14(A1) — (B1) Outdoor living space; and
- viii — Standard H5.6.18(1) Windows to street and private vehicle and pedestrian accessways.

Note: this rule is adopted from H5.5(4) and H6.5(4)

[Reference number TBC] Rules

[Reference number TBC] Number of dwellings per site

(1) — There must be no more than three dwellings per site.

Note: this rule is adopted from H5.6.3A and H6.6.4A

[Reference number TBC] Building Height

Purpose: to manage the height of buildings to:

- — achieve the planned urban built character of predominantly three storeys;
- — minimise visual dominance effects;

- maintain a reasonable standard of residential amenity for adjoining sites; and
- provide some flexibility to enable variety in roof forms; and
- provide for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites wāhi tapu, and other taonga, where located adjacent to Pukekiwiri Pā Historic Reserve, Red Hill.

(1) Buildings must not exceed 11m in height, except that 50 per cent of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1m, where the entire roof slopes 15 degrees or more, as shown in Figure H5.6.4.1 Building height in the Residential Mixed Housing Urban Zone below.

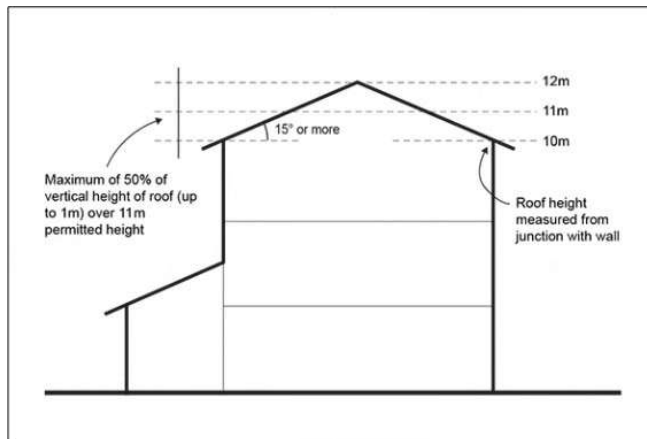


Figure 1 H5.6.4.1 Building Height in the MHUZ and Figure H6.6.5.1 of the THABZ Note: this rule is adopted from H5.6.4 and H6.6.5 of PC78

[Reference number TBC] Height in Relation to boundary

Purpose: to manage the height and bulk of buildings at boundaries to maintain a reasonable level of sunlight access, privacy and minimise adverse visual dominance effects to immediate neighbours.

(1) Buildings must not project beyond a 60-degree recession plane measured from a point 4m vertically above ground level alongside and rear boundaries, as shown in Figure H5.6.5.1 and H6.6.6.1 Height in relation to boundary below.

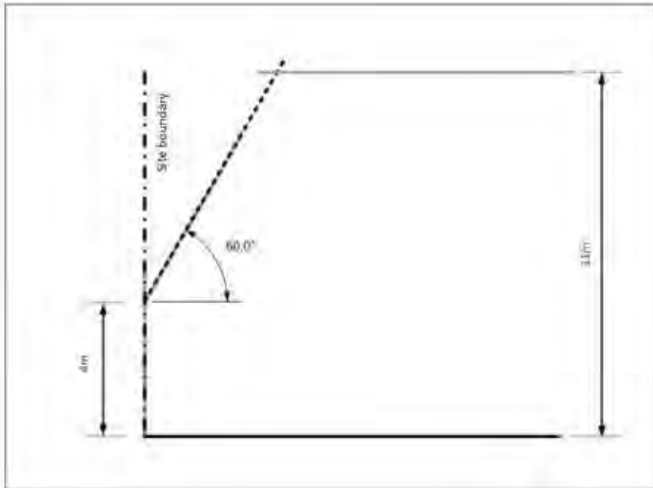


Figure 2 – Height in Relation to Boundary

Note: this rule is adopted from H5.6.5 and H6.6.6 of PC78

[Reference number TBC] Yards/Setbacks

(1) — A building or parts of a building must be set back from the relevant boundary by the minimum depth listed in Table H5.6.8.1 and Table H6.6.9.1 Yards below.

Yard	Minimum depth
Front	1.5 metre
Side	4 metre
Rear	1 metre (excluded on corner sites)

Note: this rule is adopted from H5.6.8.1 and H6.6.9.1 of PC78

[Reference number TBC] Building Coverage

Purpose: to manage the extent of buildings on a site to achieve the planned urban character of buildings surrounded by open space and to provide for the protection and management of significant ecological areas.

(1) — The maximum building coverage must not exceed 50 per cent of the net site area

Note: this rule is adopted from H5.6.10 and H6.6.11 of PC78

[Reference number TBC] Landscape areas Purpose:

- to provide for quality living environments consistent with the planned urban built character of buildings surrounded by open space vegetation; and
- to create a vegetated urban streetscape character within

the zone. Developments containing up to three dwellings must comply

with the following:

- (1) A dwelling at ground floor level must have a landscaped area of a minimum of 20 per cent of a developed site with grass or plants, and can include the canopy of trees regardless of the ground treatment below them.
- (2) The landscaped area may be located on any part of the development site, and does not need to be associated with each dwelling.

Note: this rule is adopted from H5.6.11 H6.6.12 of PC78

[Reference number TBC] Outlook Space

Purpose:

- to ensure a reasonable standard of visual privacy between habitable rooms of different buildings, on the same or adjacent sites; and
- in combination with the daylight standard, manage visual dominance effects within a site by ensuring that habitable rooms have an outlook and sense of space.

Development containing up to three dwellings must comply with the following:

- (A1) An outlook space must be provided for each dwelling as specified in this clause.
 - (a) An outlook space must be provided from habitable room windows as shown in Figure H5.6.12.1 Outlook space requirements for development containing up to three dwellings below.
 - (b) The minimum dimensions for a required outlook space are as follows and as shown in Figure H5.6.12.1 Outlook space requirements for development containing up to three dwellings below:

- i. a principal living room must have an outlook space with a minimum dimension of 4 metres in depth and 4 metres in width; and
- ii. all other habitable rooms must have an outlook space with a minimum dimension of 1 metre in depth and 1 metre in width.

The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies.

- (c) Outlook spaces may be over driveways and footpaths within the site or over a public street or other public open space.
- (d) Outlook spaces may overlap where they are on the same wall plane in the case of a multi-storey building.
- (e) Outlook spaces may be under or over a balcony.
- (f) Outlook spaces required from different rooms within the same building may overlap.
- (g) Outlook spaces must —
 - i. be clear and unobstructed by buildings; and
 - ii. not extend over an outlook space or outdoor living space required by another dwelling

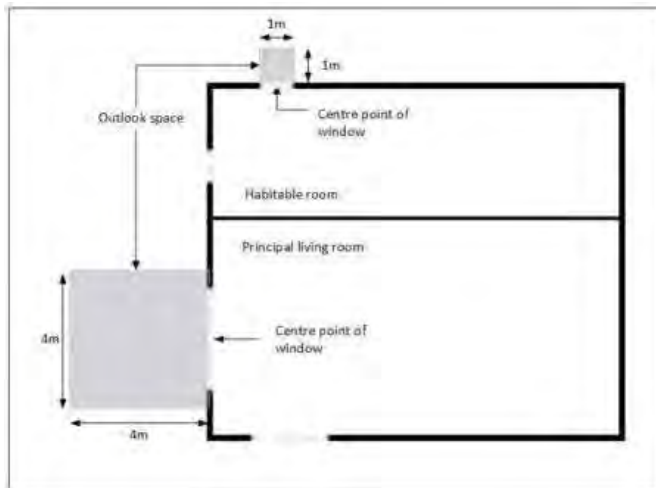


Figure 3 outlook space requirements for development containing up to three dwellings (H5.6.12.A1 & H6.6.13.A1)

Note: this rule is adopted from H5.6.12 and H6.6.13 of PC78

[Reference number TBC] Outdoor living space

Development containing up to three dwellings must comply with the following:

~~(A1) — A dwelling at ground floor level must have an outdoor living space that is at least 20m² and that comprises ground floor, balcony, patio, or roof terrace space that, where located at ground level, has no dimension less than 3 metres for three or more dwellings; and~~

- ~~(a) — where provided in the form of a balcony, patio, or roof terrace, is at least 8m² and has a minimum dimension of 1.8 metres; and~~
- ~~(b) — is accessible from the dwelling; and~~
- ~~(c) — may be —
 - ~~(i) — grouped cumulatively by area in 1 communally accessible location; or~~
 - ~~(ii) — located directly adjacent to the unit; and~~~~
- ~~(d) — is free of buildings, parking spaces, and servicing and manoeuvring areas.~~

~~(B1) — A dwelling located above ground floor level must have an outdoor living space in the form of a balcony, patio, or roof terrace that —~~

- ~~(a) — is at least 8m² and has a minimum dimension of 1.8 metres for three or more dwellings; and~~
- ~~(b) — is accessible from the dwelling; and~~
- ~~(c) — may be —
 - ~~(i) — grouped cumulatively by area in 1 communally accessible location, in which case it may be located at ground level; or~~
 - ~~(ii) — located directly adjacent to the unit~~~~

Note: this rule is adopted from H5.6.14 and H6.15 of PC78

~~[Reference number TBC] Windows to Street and Private Vehicle and pedestrian accessways Purpose: To provide for passive surveillance while maintaining privacy for residents and users.~~

Development containing up to three dwellings must comply with the following:

~~(1) — Any dwelling facing the street must have a minimum of 20 per cent of the street facing façade in glazing. This can be in the form of windows or doors.~~

~~Note: this rule is adopted from H5.6.18 and H6.6.19 of PC78~~

~~[Reference number TBC] Activity Table – Subdivision in Residential Zones (E.38.4.2)~~

Activity		Activity Status
Subdivision for the purpose of the construction or use of dwellings, which are provided for as either permitted or restricted discretionary activities in the Residential – Low Density Residential Zone, Residential – Mixed Housing Urban Zone and Residential – Terrace Housing and Apartment Buildings Zone		
Note 1		
All Applicants for subdivision consent, including controlled activities A13A and A13B, are subject to section 106 of the RMA.		
(A13A)	Subdivision in accordance with an approved land use resource consent complying with Standard E38.8.1A.1	C
(A13B)	Subdivision around existing buildings and development complying with Standard E38.8.1A.2.	C

~~[Reference number TBC] Notification (E.38.5)~~

~~(2A) In the Residential – Mixed Housing Urban and Residential – Terrace Housing and Apartment Buildings Zones, any application for subdivision associated with an application for resource consent for the construction and use of one, two or three dwellings that do not comply with 1 or more of the relevant zone standards will be considered without public and limited notification unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991.~~

~~The standards referenced in clause 2A above include:~~

- ~~• Standards H5.6.4, H5.6.5, H5.6.8(1), H5.6.10, H5.6.11(3) and (4), H5.6.12, H5.6.14 and H5.6.18 in the Residential – Mixed Housing Urban Zone.~~
- ~~• Standards H6.6.5(1)(a), H6.6.6(1), (5), (6), (7) and (10), H6.6.9, H6.6.11(1), H6.6.12(1A) and (2A), H6.6.13(A1) – (J1), H6.6.15(A1) and (B1), H6.6.19(1) in the Residential – Terrace Housing and Apartment Buildings Zone.~~

~~2B) In the Residential – Mixed Housing Urban and Residential – Terrace Housing and Apartment Zones, any application for subdivision associated with an application for resource consent for the construction and use of 4 or more dwellings that comply with the relevant zone standards will be considered without public and limited notification unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991.~~

~~The standards referenced in clause 2B above include:~~

- ~~Standards H5.6.4, H5.6.5, H5.6.8(1), H5.6.9, H5.6.10, H5.6.11(5), (6) and (7) and H5.6.12~~

~~H5.6.16 and H5.6.18 – H5.6.21 in the Residential – Mixed Housing Urban~~

~~Zone. Across the Residential – Terrace Housing and Apartment Buildings~~

~~Zone~~

- ~~Standards H6.6.9, H6.6.10, H6.6.11, H6.6.12(1) – (3), H6.6.13(1) – (9), H6.6.14, H6.6.15(1) – (4), H6.6.16, H6.6.17, H6.6.19(2), H6.6.20, H6.6.21 and H6.6.22 in the Terrace Housing and~~

~~Apartment Buildings zone.~~

~~In the Residential – Terrace Housing and Apartment Buildings Zone – additional standards for development outside walkable catchments~~

- ~~Standards H6.6.5(1)(b) and H6.6.6(2), (5) – (7) and (10). In the Residential – Terrace Housing and Apartment Buildings Zone – additional standards for development inside a walkable catchment~~
- ~~Standards H6.6.5(1)(c) and H6.6.6(3) – (5), (7) and (10).~~

PART B

- Rezone the 6.2-hectare area of land identified as the Remuera Precinct in the plan below from Major Recreation Zone and Ellerslie Racecourse Precinct to Remuera Precinct and Residential – Mixed Housing Urban and Residential – Terrace House and Apartment Buildings zones.



PROPOSED UNITARY PLAN ZONING
Scale: 1 to 5,000 @ A3

ARCHITECT	CLIENT	PROJECT	NOTES	REVISION	DATE	SCALE	JOB No.
BREWER DAVIDSON	Freemore Living	REMUEIRA PRECINCT ZONING LADIES WALK SULLIVAN ST. BAYVIEW	<p>1. This plan is a proposed Unitary Plan for the Remuera Precinct.</p> <p>2. The proposed Unitary Plan is subject to the Resource Management Act 1991 and the Resource Management Act Regulations 1992.</p> <p>3. The proposed Unitary Plan is subject to the Resource Management Act Regulations 1992.</p> <p>4. The proposed Unitary Plan is subject to the Resource Management Act Regulations 1992.</p>	<p>1. Initial Design</p> <p>2. Final Design</p> <p>3. Final Design</p> <p>4. Final Design</p>	<p>11/10/2023</p> <p>1:5000</p> <p>2/24</p>	<p>2/24</p> <p>REV.</p> <p>ZN-01</p> <p>04</p>	

PART C

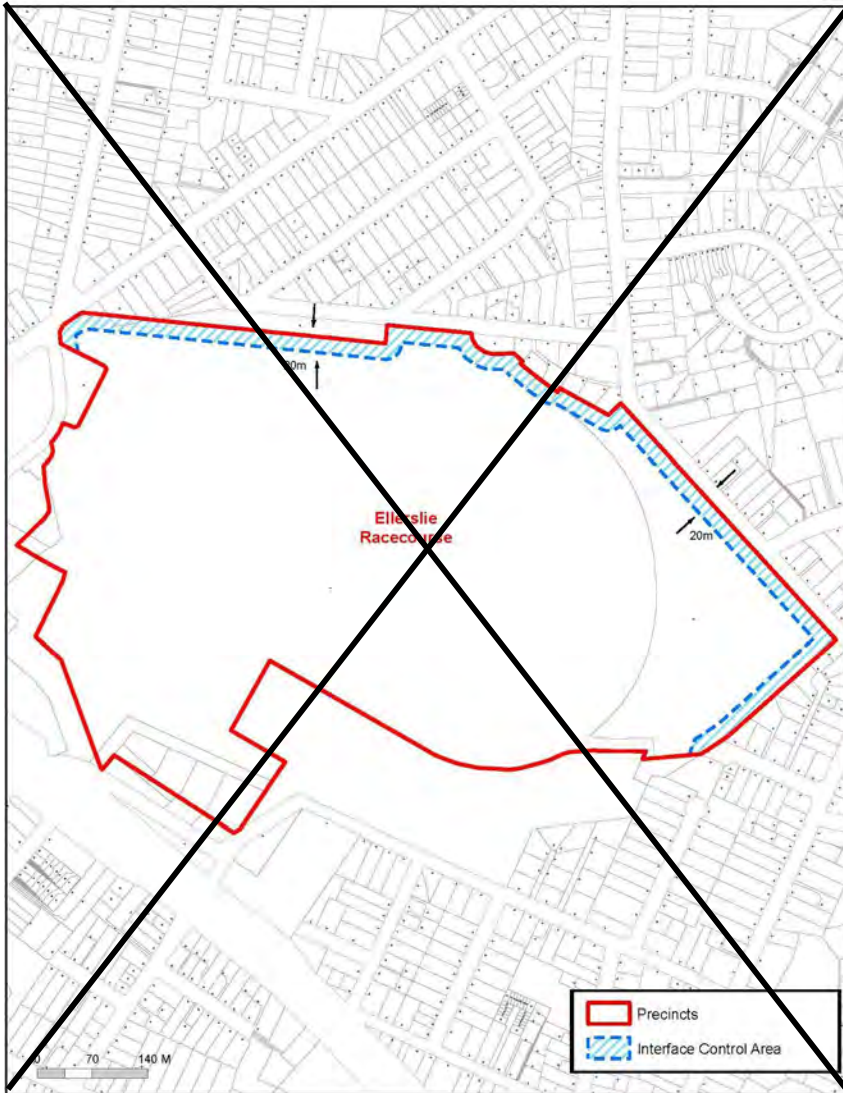
Amendments to I313 Ellerslie Racecourse Precinct

1. Amend I313.1 Ellerslie Racecourse Precinct Description as set out below

I313.1. Precinct description

The Ellerslie Racecourse Precinct provides specific planning controls for the use of the Ellerslie Racecourse. The Ellerslie Racecourse is a major horse racing venue that covers approximately 55 49 hectares of privately-owned land.

**2. Amend I313.10 Precinct Plans Ellerslie Racecourse Precinct I313.10.1 Ellerslie Racecourse: Precinct Plan 1
Delete the Below Precinct Plan 1**

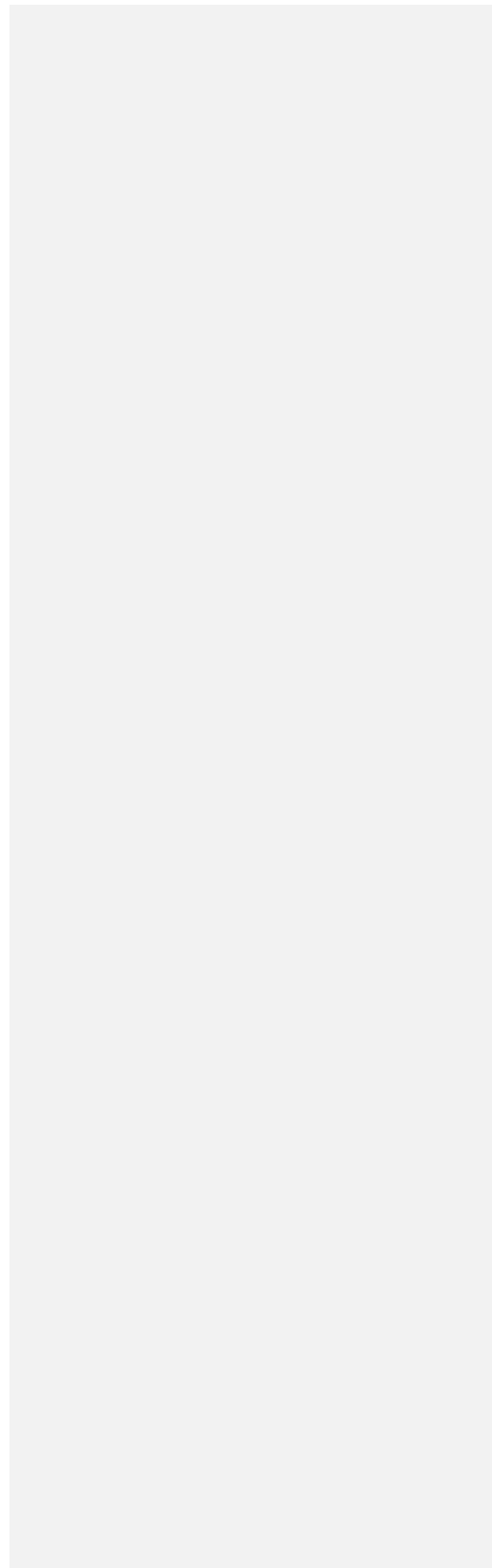


Replace I313.10.1 Ellerslie Racecourse: Precinct Plan 1 With the Proposed Amended Precinct Plan 1 Below

I313.10.1 Ellerslie Racecourse: Precinct Plan 1

1313.10. Precinct plans

1313.10.1. Ellerslie Racecourse: Precinct plan 1

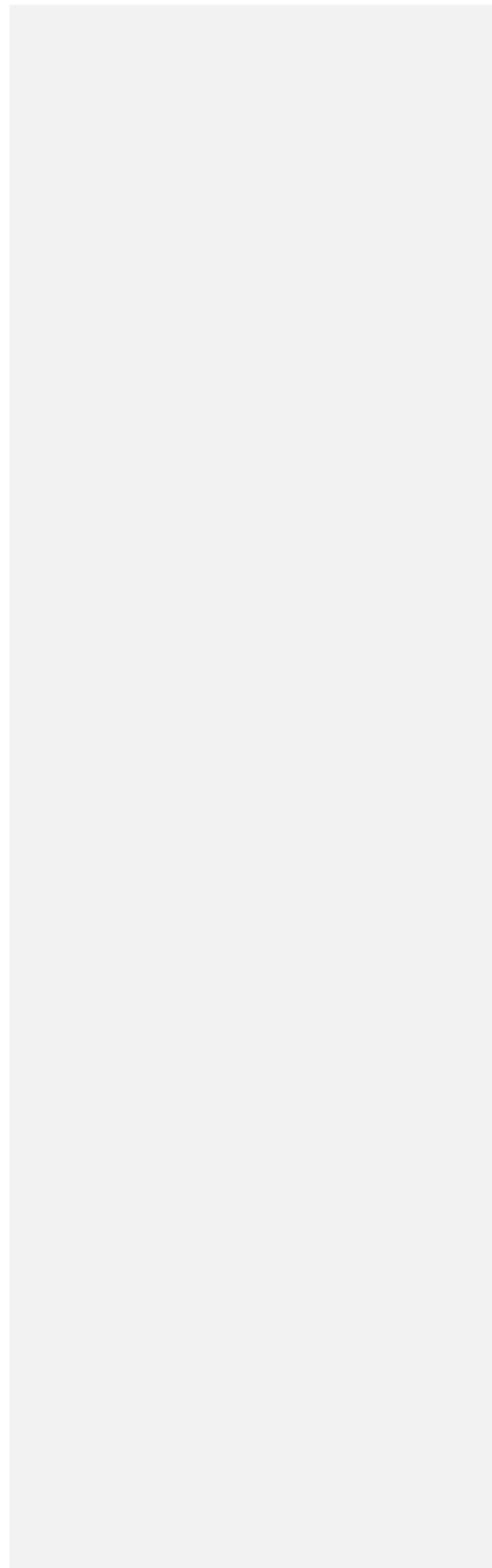


PART D

Amend Schedule 10: Notable Tree Schedule As follows:

Schedule is divided into Auckland Districts and is organised into alphabetical order by street name.

The Notable Tree Overlay symbols are marked on the Planning maps and should be viewed in conjunction with the Schedule below. The symbols indicate the presence of a notable tree, trees or groups of trees



ID	Botanical Name	Common Name	Number of Trees	Location/Street Address	Locality	Legal Description
166	<i>Quercus robur</i>	English Oak	1	Kohimarama Road 65 (reserve)	Kohimarama	Lot 1 DP 28945
165	<i>Araucaria heterophylla</i>	Norfolk Island Pine	2	Kohimarama Road 177	Kohimarama	Lot 27 DP 27807
318	<i>Quercus canariensis</i> , <i>Agathis australis</i>	Algerian Oak, Kauri	2	Korau Road 7	Greenlane	Lot 16 DP 25557
312	<i>Ulmus glabra</i>	Elm	1	Korau Road 14	Greenlane	Lot 23 DP 25557
311	<i>Ulmus glabra</i>	Elm	1	Korau Road 16	Greenlane	Lot 22 DP 25557
498	<i>Cinnamomum camphora</i> , <i>Quercus cerris</i>	Camphor Laurel, Turkey Oak (2)	3	Korma Road 30	Royal Oak	Lot 3 DP 327333
43	<i>Vitex lucens</i>	Puriri	1	Kotare Avenue 3A	Westmere	Lot 1 DP 120050
709	<i>Metrosideros excelsa</i>	Pōhutukawa	1	Kurahaupo Street 45	Orakei	Lot 296 DP 58659
670	<i>Vitex lucens</i>	Puriri	2	Kuranui Place 5B	Otahuhu	Pt Section 2 Blk VI Otahuhu SD
XXX	<i>Metrosideros excelsa</i>	Pōhutukawa	1	Ladies Mile 79	Remuera	Lot 1 DP 585358
342	<i>Metrosideros excelsa</i>	Pōhutukawa	1	Ladies Mile 112	Ellerslie	Lot 28 DP 7838
341	<i>Metrosideros excelsa</i> , <i>Ulmus glabra</i>	Pōhutukawa, (2) Wych Elm	3	Ladies Mile 118	Ellerslie	Part Lot 30 DP 7838, Lot 31 DP 7838
431	<i>Metrosideros excelsa</i>	Pōhutukawa	1	Ladies Mile 170	Ellerslie	Lot 1 DP 324725
432	<i>Metrosideros excelsa</i>	Pōhutukawa	1	Ladies Mile 170D	Ellerslie	Lot 1 DP 140735
490	<i>Metrosideros excelsa</i>	Pōhutukawa	8	Lagoon Drive 36-46	Panmure	Allotment 45 SECT 2 VILL OF Panmure
989	<i>Metrosideros excelsa</i>	Pōhutukawa	1	Landscape Road 5	Mount Eden	Eden
961	<i>Metrosideros excelsa</i>	Pōhutukawa	1	Landscape Road 7	Epsom	Lot 19 DP 6826
962	<i>Metrosideros excelsa</i>	Pōhutukawa	1	Landscape Road 8	Epsom	Lot 3 DP 19644
783	<i>Metrosideros excelsa</i>	Pōhutukawa	1	Landscape Road 9	Mount Eden	Lot 2 DP 53440

Commented [A69]: New tree to be scheduled as per the Arbor Connect report dated 21 February 2024

987	<i>Metrosideros excelsa</i>	Pōhutukawa	1	Landscape Road 11	Epsom	Lot 1 DP 53440
943	<i>Agathis australis</i>	Kauri	1	Landscape Road 13	Mount Eden	Lot 1 DP 99091
988	<i>Araucaria cunninghamii</i>	Hoop Pine	1	Landscape Road 14	Mount Eden	Pt Lot 1 DP 7015
839	<i>Quercus robur</i>	English Oak	1	Levonía Street 23	Western Springs	Allotment 52 SECT 5 SBRS OF Auckland
391	<i>Metrosideros excelsa</i>	Pōhutukawa	1	Lewin Road 1A	Epsom	Lot 37 DP 4280
378	<i>Vitex lucens</i>	Puriri	1	Lewin Road 6	Epsom	Lot 3 DP 17113
931	<i>Agathis australis</i>	Kauri	1	Lewin Road 16	Epsom	Pt Lot 23 DP 7434
377	<i>Vitex lucens, Phoenix canariensis</i>	Puriri, Phoenix Palm (3)	4	Lewin Road 19	Epsom	Lot 2 DP 33754
241	<i>Fraxinus excelsior 'aurea'</i>	Golden Ash	1	Line Road 50	Glen Innes	Lot 39 DP 42355
365	<i>Metrosideros excelsa</i>	Pōhutukawa	1	Liverpool Street 27	Epsom	Lot 3 DP 42495
364	<i>Vitex lucens, Podocarpus totara, Picea abies, Ilex aquifolium, Quercus robur, Cedrus deodara, Chamaecyparis lawsoniana</i>	Puriri (3), Avenue of trees including: Puriri (5), Totara (3), Spruce, Holly, English Oak (2), Cedar, False Cypress	17	Liverpool Street 40	Royal Oak	Lot 1 DP 8648
257	<i>Vitex lucens, Phoenix canariensis</i>	Puriri, Phoenix Palm (2)	3	Lloyd Avenue 39	Mt Albert	Lot 1 DP 44143
170	<i>Metrosideros excelsa</i>	Pōhutukawa	2	Long Drive 106	St Heliers	Lot 2 DP 46553
91	<i>Phoenix canariensis</i>	Phoenix Palm	3	Long Drive (road reserve on intersection with Tamaki Drive)	St Heliers	

Recommended changes from notified provisions shown as underline for additions, and ~~strikethrough~~ for deletion

IXXX. Remuera Precinct

IXXX.1 Precinct Description

The Remuera Precinct (~~Precinct~~) comprises approximately 6.2 hectares of sloping land which was formerly part of the Ellerslie Racecourse Precinct. The Remuera Precinct is located at the eastern end of the racecourse site and is bound by Ladies Mile and Derby Downs Place.

The Remuera Precinct enables housing choice including ~~both~~ medium to high density living opportunities with development up to 25m in height provided within the Residential - Terrace Housing and Apartment Buildings ~~Z~~zones. ~~The Remuera Precinct incorporates the Medium Density Residential Standards contained in Schedule 3A of the Resource Management Act 1991, except that additional building height is enabled to respond to the land's graduated rise from the racecourse and westward aspect encompassing the racecourse and its facilities, and communally accessible private outdoor spaces, which are required when high density living occurs.~~ Development of the Remuera Precinct is defined by identified publicly accessible open spaces, areas of private open space, privately owned and maintained garden streets, an attractive frontage to Ladies Mile along which existing mature Pōhūtukawa trees are retained, buildings set back from the arterial road, and a safe and attractive environment created for pedestrians by restricting vehicle access and providing roading improvements. ~~on Ladies Mile (combined with a 6m setback in their vicinity) and garden streets.~~

Movement through the Remuera Precinct is provided by two new public roads, one of which connects to Ladies Mile while the other connects to Derby Downs Place. Entry markers are proposed at these locations. A series of interconnected commonly owned access lots in combination with identified pedestrian routes provide internal linkages within and through the Remuera Precinct. An existing tunnel also connects Derby Downs Place with the infield of the racecourse.

Stormwater ~~from the precinct~~ is managed by the approved Stormwater Management Plan approved for the development and functioning of the Remuera Precinct.

The zoning of the land within the Remuera Precinct is Residential - Terrace Housing and Apartment Buildings and Residential – Mixed Housing Urban. All relevant overlay, Auckland-wide and zone provisions apply in this Precinct unless otherwise specified below.

~~The objectives, policies, rules and other provisions in Appendix B apply to and modify the Residential Mixed Housing Urban and Residential Terrace House and Apartment Building zoned land within the Precinct until Plan Change 78 becomes operative, after which point the provisions no longer apply.~~

IXXX.2 Objectives

- (1) A well-functioning urban environment that enables all people and communities to provide for their social, economic and cultural wellbeing, and for their health and safety, now and into the future.

Commented [A1]: Amendments to precinct description are recommended in response to submission from Auckland Council as submitter. Changes pertain to drafting, consistency with AUP style guide, and referencing to MDRS.

Commented [A2]: Objectives (1) & (2) per Sch 3A cls 6(1). Proposed objectives (1)-(5) renumbered as (3)-(7).

- (2) A relevant residential zone provides for a variety of housing types and sizes that respond to –
 (a) housing needs and demand; and
 (b) the neighbourhood's planned urban built character, including three-storey buildings
- (3) (4) The Remuera Precinct is a well-functioning urban environment that is serviced with adequate infrastructure and which recognises the importance of intensification of this locality in proximity to the Ellerslie Rail Station.
- (4) (2) Development is based around an integrated and connected series of public streets, publicly accessible open spaces, garden streets and publicly accessible pedestrian routes.
- (5) (3) An accessible, safe and well-connected transport network is established for all modes within the Remuera Precinct and to the surrounding transport network which enables travel choice including public transport services, pedestrian, cycle, vehicle access and egress.
- (6) (4) Subdivision and development in the Remuera Precinct is coordinated with the supply of adequate provision of required sufficient three waters, energy and communications infrastructure.
- (7) (5) Adverse effects on the safe and efficient operation of the road network are avoided.

Commented [A3]: Recommended amendment per submission point 11.4

~~All relevant overlay, Auckland wide and zone objectives apply in this Precinct in addition to those specified above. The Precinct objectives prevail where there is a conflict between objectives in the Precinct and the Auckland wide and zone objectives.~~

In addition to the objectives specified above, all relevant overlay, Auckland-wide and zone objectives apply in this precinct with the exception of the following:

- Objective H5.2(2)

IXXX.3 Policies

- (1) Enable a variety of housing types with a mix of densities within the zone, including three-storey attached and detached dwellings, and low-rise apartments.
- (2) Apply the MDRS across all relevant residential zones in the District Plan except in circumstances where a qualifying matter is relevant (including matters of significance such as historic heritage and the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga).
- (3) Encourage development to achieve attractive and safe streets and public open spaces, including by providing for passive surveillance.
- (4) Enable housing to be designed to meet the day-to-day needs of residents.
- (5) Provide for developments not meeting permitted activity status, while encouraging high-quality developments.
- (6) Require development to achieve a built form that contributes to high-quality built environment outcomes by:

Commented [A4]: Sch 3A cls 6(2): policies (1)-(5)

Policy (6) replicates in part Policy H5.3(6A) proposed in PC78. It has been scaled back to reflect that this policy would only be considered where there is an infringement to a standard for up to the three dwellings only. Four or more dwellings will remain subject to the underlying zone.

Proposed policies (1)-(5) renumbered as (7)-(14).

- (a) maintaining privacy, outlook, daylight and sunlight access to provide for the health and safety of residents on-site;
 - (b) providing for residents' safety and privacy while enabling passive surveillance on the street;
 - (c) minimising visual dominance effects to adjoining sites; and
 - (d) maintaining a level of privacy, and sunlight and daylight access for adjoining sites.
- (7) (4) Require a high-quality open space and landscape outcome as set out on IXXX.10.2 Precinct Plan 2 that achieves all of the following:
- (a) Publicly accessible open spaces
 - (b) A sloping 10m wide visual corridor along the alignment of Abbots Way through to the racetrack ~~as identified on Precinct Plan 2~~
 - (c) Private open spaces within the ~~northern 25m building height area~~ Sub-precinct B as shown on IXXX.10.1 Precinct Plan 1
 - (d) Retention of identified mature ~~Ppōehutukawa~~ trees along the Ladies Mile frontage
 - (e) Two public roads
 - (f) Garden streets
- (8) (2) Require development to ~~consider and positively respond to the natural and physical features of the area while delivering the planned built outcomes of the Remuera Precinct including a spacious frontage from Ladies Mile and a visual link between the racecourse and the Ladies Mile/Abbots Way intersection at the crown of the hill (including viewshafts and boundary setbacks), while concurrently providing for the planned built outcomes of the Precinct.~~
- (9) (3) Provide for varying building heights through the application of a 25 metre building height area as shown on IXXX.10.1 Precinct Plan 1.
- (10) (4) ~~Enable~~ Provide a variety of residential dwelling types that ~~will enable housing choices that to meet varying community housing needs.~~
- (11) (5) ~~Require that~~ Ensure stormwater is managed in accordance with the approved Stormwater Management Plan.
- (12) (6) Implement the transport network connections and elements as shown on IXXX.10.3 Precinct Plan 3 including the following:
- (a) The upgrade of the Derby Downs Place/Ladies Mile intersection to a signalised intersection.
 - (b) A new pedestrian footpath along the western side of Ladies Mile adjacent to the Remuera Precinct boundary
 - (c) New pedestrian crossings at the Ladies Mile/Abbots Way intersection and on Derby Downs Place
 - (d) New bus stops on Ladies Mile
 - (e) Two public roads
 - (f) A flush median on Ladies Mile opposite the Upper Loop Road intersection
- (13) (7) ~~Restrict vehicle intersections to Ladies Mile and avoid vehicle access from individual lots to Ladies Mile to support the effective, efficient and safe operation of the arterial road network.~~
- (14) (8) Avoid any activity, development and/or subdivision that would result in adverse effects on the safe and efficient operation of the road network from more than 357 dwellings within the Precinct.

Commented [A5]: Per submission points 7.5, 13.5, and 14.5, and s42A recommendation from council's transport engineer/AT

Commented [A6]: Amendment to address concerns at submission point 6.1, and s42A recommendation from council's transport engineer/AT

Commented [A7]: Recommended amendment to simplify wording in association with precinct-specific vehicle access restriction control. Numerous submission points relating to transport including ACS submission point 9.4.

(15) (9) Require subdivision and development in the Remuera Precinct to be coordinated with the provision of adequate stormwater, wastewater, and water supply infrastructure.

Commented [A8]: Recommended amendment per submission point 11.6

~~All relevant overlay, Auckland-wide and zone policies apply in the Precinct in addition to those specified above. The Precinct policies prevail where there is a conflict between policies in the Precinct and the Auckland-wide and zone policies.~~

In addition to the policies specified above, all relevant overlay, Auckland-wide and zone policies apply in this precinct with the exception of the following:

- Policies H5.3(1) – (6)
- Policies H6.3(3), (5), (6)

IXXX.4 Activity table

All relevant overlay, Auckland-wide and zone activities activity tables apply unless the activity is listed in Activity table IXXX.4.1 below specified below at IXXX.4(1)-(5).

- (1) E27.4.1(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)
- (2) H5.4.1(A5) The conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings.
- (3) H6.4.1(A3) Dwellings (for up to three dwellings on a site)
- (4) H6.4.1(A4) The conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings.
- (5) H6.4.1(A35) New buildings and additions to buildings (for up to three dwellings on a site)

Commented [A9]: Retention of this as a specific rule to be excluded from applying in precinct, due to proposed rule (A7). Relates to submission sub-point 9.4.

Table IXXX.4.1 specifies the activity status of activities in the IXXX Remuera Precinct pursuant to section 9(3) and section 11 of the Resource Management Act 1991.

Commented [A10]: While activity table should follow AUP precinct template and include subheadings, in this case a number of the rules are both use and development and/or subdivision. Considered appropriate for this precinct to not use a specific header for the first grouping, and allow for the specifics of the rule wording to be considered.

A blank in the activity status column means that the activity status in the relevant overlay, Auckland-wide or zone provision applies.

Note 1

All applications for subdivision consent are subject to section 106 of the RMA.

Commented [A11]: See Sch 3A cls 3. Consistent with proposed incorporation of MDRS in PC 78 at Chapter E38

Table IXXX.4.1 Activity Table

Activity	Activity Status
(A1) Up to three dwellings per site each of which complies with Standards IXXX.6.1.1 to IXXX.6.1.20 inclusive	P
(A2) The conversion of a principal dwelling into a maximum of three dwellings each of which complies with Standards IXXX.6.1.1 to IXXX.6.1.20 inclusive	P
(A3) Accessory buildings associated with a development of dwellings each of which complies with Standards IXXX.6.1.1 to IXXX.6.1.20 inclusive	P
(A4) Internal and external alterations to buildings for a development of dwellings all of which complies with Standards IXXX.6.1.1 to IXXX.6.1.20 inclusive	P
(A5) Additions to an existing dwelling which complies with Standards IXXX.6.1.1 to IXXX.6.1.20	P

Commented [A12]: Sch 3A cls 2(1) and 10

Commented [A13]: Sch 3A cls 2(1) and cls 1(1) see definition of construction

Commented [A14]: Sch 3A cls 2(1)

Commented [A15]: Sch 3A cls (2(1) and cls (1) see 'construction' definition

Commented [A16]: Sch 3A cls (2(1) and cls (1) see 'construction' definition

Activity	Activity Status	
	<u>inclusive</u>	
(A6)	<u>Any buildings that do not comply with one or more of Standards IXXX.6.1.2 to IXXX.6.1.9</u>	RD
(A1) (A7)	<u>Any activity, development and/or subdivision that does not comply with one or more of Standards IXXX.6.1.10 to IXXX.6.13.18</u>	RD
(A2) (A8)	<u>Any activity, development and/or subdivision that does not comply with Standard IXXX.6.12.19 Arterial Road Access Restriction</u>	D
(A3) (A9)	<u>Any activity, development and/or subdivision that does not comply with Standard IXXX.6.13.20 Subdivision and Development Staging & Transport Network Infrastructure Requirements and Table IX.6.13.4</u>	D
(A4) (A10)	<u>Any activity, development and/or subdivision that would result in or enable more than 357 dwellings within the Remuera Precinct</u>	NC
Subdivision for the purpose of the construction or use of dwellings		
(A11)	<u>Subdivision in accordance with an approved land use consent for the purpose of the construction, or use of dwellings as permitted or restricted discretionary activities in the precinct, and meeting IXXX.6.2 Standards for controlled subdivision activities</u>	C
(A12)	<u>Subdivision for up to three sites accompanied by:</u> (a) <u>A land use consent application for up to three dwellings one or more of which does not comply with any of Standards IXXX.6.1.2 to IXXX.6.1.9 inclusive but does comply with all applicable zonal, Auckland-wide, overlay and all other precinct standards; or</u> (b) <u>A certificate of compliance for up to three dwellings each of which complies with Standards IXXX.6.1.2 to IXXX.6.1.20 inclusive and applicable zone, Auckland-wide, precinct and overlay standards</u>	C
(A13)	<u>Any subdivision listed above not meeting IXXX.6.2 Standards for controlled subdivision activities</u>	
(A14)	<u>Any subdivision listed above not meeting General Standards E38.6.2 to E38.6.6 inclusive</u>	D
(A15)	<u>Any subdivision listed above not meeting Standards for subdivision in residential zones</u>	D

Commented [A17]: See comment below. While C1.9(2) would technically apply for any infringement to the standards listed in (A1) to (A5), consider it appropriate to draw in a specific rule for this precinct to maintain consistent with the 'infringement' rules below, so anyone reading the precinct sees that all these rules are in the same place.

Rule uses the same wording as proposed at matters of discretion/assessment criteria.

Commented [A18]: While general rule C1.9(2) would apply to the permitted activities under (1)-(A5) above, there is no catch all P/C/RD rule for all other development in the precinct that would then see a non-compliance with a standard caught by rule C1.9(2). Anything not covered by this table is controlled by the underlying zones. Hence a specific infringement of standard rule is recommended to be retained in this activity table.

Hierarchy would be that where not listed in this activity table, the zone, overlay or Auckland-wide rules would apply. However if there is an activity, development and/or subdivision that would otherwise not meet the standards in this precinct, this activity rule confers a clear RD activity status to that activity.

Commented [A19]: Controlled activity subdivision must be enabled for permitted and RDA dwellings (as per cls 3) but the controlled activity status of the subdivision is contingent on satisfaction of cls 8.

No vacant allotments may be created and either there must be compliance with MDRS or conformity with an approved breach of one or more of those standards.

Maintenance of the CA status is tied to compliance with IXXX.6.2 standards so the two elements must be linked in the activity table.

Commented [A20]: Sch 3A Cls 3, and cls 7 and cls 8

Suggested text clarifies land use consent granted was MDRS related (as that is the purpose of the Precinct - any other form of subdivision is addressed by Chapter E38 whose provisions continue to apply).

Subdivision around existing MDRS development. The relevant subdivision standards are 6.2.1 OR 6.2.2 depending on the particulars.

Commented [A21]: See Sch 3A cls 8(b)(i) and (ii).

Subdivision of a vacant lot for the purpose of the construction or use of dwellings that comply with MDRS, or for which an MDRS land use consent application is sought.

(A8)(a) provides for subdivision as a controlled activity as per cls 3 where purpose is construction and use of residential units (in accordance with cls 4).

... [1]

Commented [A22]: General residential subdivision standards excluding the matters specified in Sch 3A cls 8. Equivalent to E38.4.2 (A30)

Commented [A23]: General standards in residential zones: transport; access to rear sites.

Activity	Activity Status
E38.8.1.1(1) and E38.8.1.2	

IXXX.5 Notification

- (1) Unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991, public notification of an application for resource consent is precluded if the application is for the construction and use of one, two or three dwellings that do not comply with Standards IXXX.6.1.2 to IXXX.6.1.9
- (2) Unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991, public and limited notification of an application for a controlled subdivision resource consent is precluded if the subdivision is associated with:
 - (a) a land use consent application for the construction and use of one, two or three dwellings that do not comply with one or more of Standards IXXX.6.1.2 to IXXX.6.1.9; or
 - (b) four or more dwellings for which a land use consent has been approved for the purpose of the construction, or use of dwellings as a restricted discretionary activity in the Remuera Precinct.
- (3) Unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991, public notification of an application for resource consent is precluded if the application is for the construction and use of four or more dwellings on a site all of which comply with Standards IXXX.6.1.2 to IXXX.6.1.9.

Commented [A24]: Sch 3A cls 5(1)

Commented [A25]: Sch 3A cls 5(3)

Note 2

RMA Schedule 3A Part 2 density standards do not apply to four or more dwellings on a site. The AUP already incorporates MDRS in providing for four or more dwellings on a site as a restricted discretionary activity (see underlying zone). IXXX.5(3) is included only to satisfy clause 5(2) Schedule 3A, RMA but cannot be utilised as no application can be made for four or more dwellings on a site all of which comply with Standards IXXX.6.1.2 to IXXX.6.1.9 under any Activity Table IXXX.4.1 rule.

- (4) Any application for a resource consent which is listed above which also requires resource consent under other rules in the Plan will be subject to the normal tests for notification under the relevant sections of the RMA.
 - (1) Any application for a resource consent listed in Table IXXX.4.1 Activity table above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
 - (2) 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).

Commented [A26]: Additional provision suggested to assist plan readers and for integration with AUP (as proposed to be modified by PC78)

Notification preclusions in Sch 3A only apply to particular Sch 3A matters specified in clause 5 - not other parts of a plan.

IXXX.6 Standards

- (1) Unless specified in Standards IXXX.6(2) or IXXX.6(3) below, all relevant overlay, Auckland-wide and zone standards apply to all activities in Activity Table IXXX.4.1 above.
- (2) The following zone standards do not apply to a permitted activity listed in Activity Table IXXX.4.1 above:

Residential – Mixed Housing Urban Zone:

Commented [A27]: Sch 3A does not authorise additional density standards for a permitted activity or building to be included in a district plan - see Sch 3A cls 2(2).

"Density standard" has the meaning set out in Sch 3A cls 1.

A density standard may be modified and a qualifying matter rule may be proposed provided the relevant statutory tests at section 771-L are met, and the matter is addressed sufficiently in the section 32 report.

- (a) H5.6.3 The conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings;
- (b) H5.6.4 Building height;
- (c) H5.6.5 Height in relation to boundary;
- (d) H5.6.6 Alternative height in relation to boundary;
- (e) H5.6.7 Height in relation to boundary adjoining lower intensity zones;
- (f) H5.6.8 Yards;
- (g) H5.6.10 Building coverage;
- (h) H5.6.11 Landscaped area;
- (i) H5.6.12 Outlook space; and
- (j) H5.6.14 Outdoor living space.

Commented [A28]: The underlying zonal height for MHU is the same as in Sch 3A clause 12. However Sch 3A requires a replacement diagram. It is easier to specify H5.6.4 does not apply and to include a replacement rule complete with diagram, than having a height precinct standard that contains just the replacement diagram and refers back to H5.6.4.

Commented [A29]: Some parts of H5.6.5 are included in Sch 3A cls 12. For simplicity no part of H5.6.5 is to apply, and the more lenient (H.5.6.5(2)(a)) and Sch 3A cls 12 equivalents are incorporated at IXXX6.1.3 (H.5.6.5(3), (4) and (7)).

Residential – Terrace Housing and Apartment Buildings Zone:

- (k) H6.6.3 The conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings;
- (l) H6.6.5 Building height;
- (m) H6.6.6 Height in relation to boundary;
- (n) H6.6.7 Alternative height in relation to boundary within the Residential – Terrace Housing and Apartment Buildings Zone
- (o) H6.6.8 Height in relation to boundary adjoining lower intensity zones;
- (p) H6.6.9 Yards;
- (q) H6.6.11 Building coverage;
- (r) H6.6.12 Landscaped area;
- (s) H6.6.13 Outlook space; and
- (t) H6.6.15 Outdoor living space.

(3) The following Auckland-wide standard does not apply to activities listed in Activity Table IXXX.4.1 above:

- (a) Standards E27.6.4.1(2) and (3) Vehicle Access Restriction

(4) Activities listed as a permitted activity in Activity Table IXXX.4.1 must comply with permitted activity standards IXXX.6.1.1 to IXXX.6.1.20.

(5) Activities listed as a controlled activity in Activity Table IXXX.4.1 must comply with IXXX.6.2 Standards for controlled subdivision activities.

~~(6) The standards in the relevant zones, overlays and Auckland-wide provisions apply in this precinct, in addition to the standards below I6.1 to I6.13, except for the following:~~

- ~~(a) H6 Residential – Terrace House and Apartment Buildings Zone~~

i. H6.6.5 Building Height

ii. H6.6.9.1 Front Yard – Only on Ladies Mile Frontage

(b) E27 Transport

i. E27.6.4.1 Vehicle Access Restriction

IXXX.6.1.1 Number of dwellings per site

- (1) There must be no more than three dwellings per site.

Commented [A30]: Sch 3A cls 10

IXXX.6.1.12 Building Height

Purpose: To manage the height of buildings to:

- achieve the planned urban built character of predominantly three storeys and to enable higher building intensity and scale of up to 25 metres in specified areas up to 25m within the Terrace Housing and Apartment Buildings zoned areas of the Precinct;
- minimise visual dominance effects;
- maintain a reasonable standard of residential amenity for adjoining sites; and
- provide some flexibility to enable variety in roof forms.

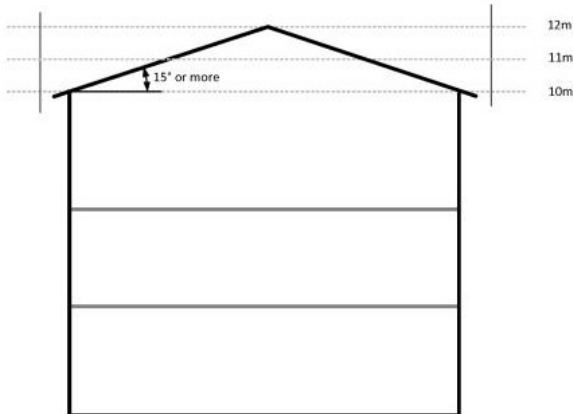
Commented [A31]: Sch 3A cls 11

Commented [A32]: Suggested amalgamation of template text and notified PPC purpose statement “To enable higher building intensity and scale in specified areas up to 25m within the Terrace Housing and Apartment Buildings zoned areas of the Precinct”

- (1) In the Residential – Mixed Housing Urban Zone buildings must not exceed 11m in height, except that 50% of a building’s roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1m, where the entire roof slopes 15° or more, as shown in Figure IXXX.6.1.2.1 below.

Figure IXXX.6.1.2.1 Building height

Commented [A33]: Sch 3A cls 12



- (2) In the Residential – Terrace Housing and Apartment Buildings Zone buildings must not exceed 25 metres in height.

- (3) Buildings within the Terrace Housing and Apartment Buildings zoned areas identified on Precinct Plan 1 must not exceed 25m in height.

- (4) Buildings within the Mixed Housing Urban zoned areas identified on Precinct Plan 1 are subject to the Building Height standard for the Mixed Housing Urban zone.

IXXX.6.1.3 Height in relation to boundary

Purpose: To manage the height and bulk of buildings at boundaries to maintain a reasonable level of sunlight access, privacy and minimise adverse visual dominance effects to immediate neighbours.

Commented [A34]: Sch 3A cls 12

Commented [A35]: Suggested amendment for consistency with incorporation of MDRS in AUP via PC 78

- (1) Buildings must not project beyond a 60-degree recession plane measured from a point 4m vertically above ground level along side and rear boundaries as shown in Figure IXXX.6.1.3.1 Height in relation to boundary below.

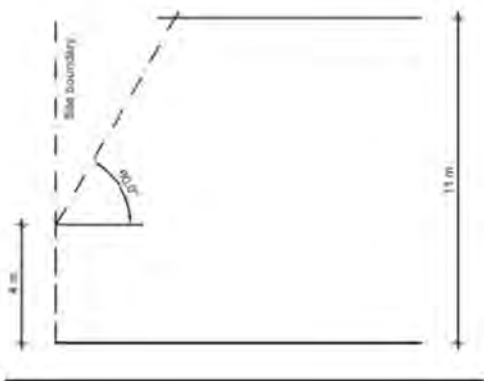
Commented [A36]: Sch 3A cls 12(2)(a).

- (2) Where the boundary forms part of a legal right of way, entrance strip, access site or pedestrian access way, the control in Standard IXXX.6.1.3 applies from the farthest boundary of that legal right of way, entrance strip, access site or pedestrian access way.
- (3) Standard IXXX.6.1.3(1) above does not apply to a boundary, or part of a boundary, adjoining any Business Zone.
- (4) Standard IXXX.6.1.3(1) above does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.
- (5) Standard IXXX.6.1.3(1) above does not apply does not apply to existing or proposed internal boundaries within a site.

Commented [A37]: Sch 3A cls 12(1) sentence two.

Commented [A38]: More lenient than Sch 3A so may be incorporated.

Figure IXXX.6.1.3.1 Height in relation to boundary



IXXX.6.1.4 Yards

Purpose:

- to create an urban streetscape character and provide sufficient space for landscaping within the front yard including protecting the health of existing pōhutukawa trees along the Ladies Mile frontage;
- to ensure a sufficient set back from the Ladies Mile frontage to protect the character and amenity of the street while minimising dominance effects from higher intensity apartment buildings
- to maintain a reasonable standard of residential amenity for adjoining sites; and
- to enable buildings and services on the site or adjoining sites to be adequately maintained.

- (1) A building or parts of a building must be set back from the relevant boundary by the minimum depth listed below:
 - (a) Front yard: 1.5m, except in Sub-precinct B where the boundary is with the Ladies Mile frontage shown on IXXX.10.1 Precinct Plan 1, in which case the front yard is 6m
 - (b) Side yard: 1m
 - (c) Rear yard: 1m
- (2) This standard does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.

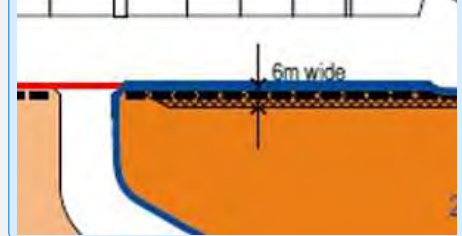
Commented [A39]: Sch 3A cls 13

Commented [A40]: Adapted from purpose for original proposed IXXX.6.9 Apartment Setback standard; integrated with MDRS template

Commented [A41]: Original proposed IXXX.6.9 Apartment Setback standard integrated with MDRS template.

Precinct Plan 1 will likely have some implementation difficulties as:

1. The yard annotation is uncertain: it is unclear whether it applies (partially or fully) where shown with a chamfered edge
2. There are insufficient measurements on the in-precinct diagram, especially before construction of the road.



Commented [A42]: Sch 3A cls 13(2)

Commented [A43]: Sch 3A cls 14

IXXX.6.1.5 Building coverage

Purpose: To manage the extent of buildings on a site to achieve the planned character of buildings surrounded by open space.

- (1) The maximum building coverage must not exceed 50 per cent of the net site area.

IXXX.6.1.6 Landscaped area

Purpose:

- to provide for quality living environments consistent with the planned urban built character of buildings surrounded by vegetation; and
- to create a vegetated urban streetscape character.

- (1) A dwelling at ground floor level must have a landscaped area of a minimum of 20 per cent of a developed site with grass or plants, and can include the canopy of trees regardless of the ground treatment below them.

- (2) The landscaped area may be located on any part of the development site, and does not need to be associated with each dwelling.

IXXX.6.1.7 Outlook space

Purpose:

- to ensure a reasonable standard of visual privacy between habitable rooms of different buildings, on the same or adjacent sites; and
- in combination with H5.6.13 or H6.6.14 Daylight Standard, manage visual dominance effects within a site by ensuring that habitable rooms have an outlook and sense of space.

- (1) An outlook space must be provided for each development as specified in this standard.

- (2) An outlook space must be provided from habitable room windows as shown in Figure IXXX.6.1.7.1 Outlook space requirements.

- (3) The minimum dimensions for a required outlook space are as follows and as shown in Figure IXXX.6.1.7.1 Outlook space requirements:

- (a) a principal living room must have an outlook space with a minimum dimension of 4 metres in depth and 4 metres in width; and
- (b) all other habitable rooms must have an outlook space with a minimum dimension of 1 metre in depth and 1 metre in width.

- (3) The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies.

- (4) Outlook spaces may be over driveways and footpaths within the site or over a public street or other public open space.

- (5) Outlook spaces may overlap where they are on the same wall plane in the case of a multi-storey building.

- (6) Outlook spaces may be under or over a balcony.

- (7) Outlook spaces required from different rooms within the same building may overlap.

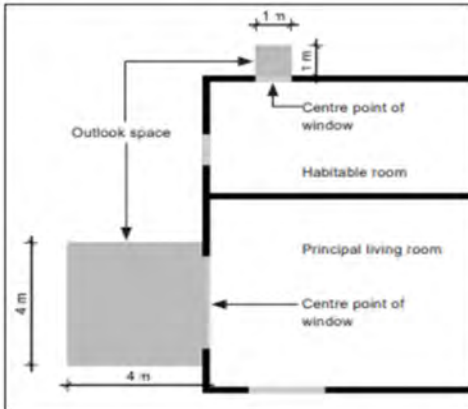
- (8) Outlook spaces must—

- (i) be clear and unobstructed by buildings; and
- (ii) not extend over an outlook space or outdoor living space required by another dwelling.

Figure IXXX.6.1.7.1 Outlook space requirements

Commented [A44]: Sch 3A cls 18

Commented [A45]: Sch 3A cls 16



IXXX.6.1.8 Outdoor living space

Purpose: To provide dwellings with outdoor living space that is of a functional size and dimension, has access to sunlight, is separated from vehicle access and manoeuvring areas, and ensure:

- private outdoor living spaces are directly accessible from the principal living room, dining room or kitchen;
 - communal outdoor living spaces are conveniently accessible for all occupants.
- (1) A dwelling at ground floor level must have an outdoor living space that is at least 20m² and that comprises ground floor, balcony, patio, or roof terrace space that, —
- (a) where located at ground level, has no dimension less than 3 metres; and
 - (b) where provided in the form of a balcony, patio, or roof terrace, is at least 8m² and has a minimum dimension of 1.8 metres; and
 - (c) is accessible from the dwelling; and
 - (d) may be—
 - (i) grouped cumulatively by area in 1 communally accessible location; or
 - (ii) located directly adjacent to the dwelling; and
 - (e) is free of buildings, parking spaces, and servicing and manoeuvring areas.
- (2) A dwelling located above ground floor level must have an outdoor living space in the form of a balcony, patio, or roof terrace that—
- (a) is at least 8m² and has a minimum dimension of 1.8 metres; and
 - (b) is accessible from the dwelling; and
 - (c) may be—
 - (i) grouped cumulatively by area in 1 communally accessible location, in which case it may be located at ground level; or
 - (ii) located directly adjacent to the dwelling.

IXXX.6.1.9 Windows facing the street

Purpose: To provide for passive surveillance while maintaining privacy for residents and users.

- (1) Any dwelling facing the street must have a minimum of 20 per cent of the street-facing façade in glazing. This can be in the form of windows or doors.

Commented [A46]: Sch 3A cls 17

IXXX.6.2 IXXX.6.1.10 Visual Corridor

Purpose:

- To ensure public views from Ladies Mile through the Remuera Precinct to the racecourse and the infield along the alignment of Abbots Way as identified on IXXX.10.2 Precinct Plan 2.

- (1) Buildings must not be located within the 10m wide Visual Corridor identified on IXXX.10.2 Precinct Plan 2.

IXXX.6.3 IXXX.6.1.11 Publicly Accessible Open Space

Purpose:

- To ensure a publicly accessible network of connected open spaces that are available for public use and enjoyment

- (1) Any activity, development and/or subdivision within any part of the Remuera Precinct must provide the Publicly Accessible Open Spaces identified on IXXX.10.2 Precinct Plan 2 in accordance with the Remuera Precinct Landscape at Appendix A and ensure these spaces are accessible to the public at all times. The Publicly Accessible Open Spaces must be located in the areas identified and with the dimensions specified on IXXX.10.2 Precinct Plan 2.
- (2) A landscape plan demonstrating compliance with this standard shall be prepared and lodged with any resource consent or building consent application.

IXXX.6.4 IXXX.6.1.12 Publicly Accessible Pedestrian Routes

Purpose:

- To ensure a connected and publicly accessible pedestrian network within the Remuera Precinct.

- (1) Any activity, development and/or subdivision within any part of the Remuera Precinct must provide the Publicly Accessible Pedestrian Routes within the Precinct that are identified on IXXX.10.3 Precinct Plan 3 2 in accordance with the Remuera Precinct Landscape at Appendix A and ensure these routes are accessible to the public at all times except where they need to be temporarily closed for safety, security, maintenance or repair purposes.
- (2) The Publicly Accessible Pedestrian Routes within the Remuera Precinct must be located in the areas identified and with the dimensions specified on IXXX.10.3 Precinct Plan 3 2.
- (3) A landscape plan demonstrating compliance with this standard shall be prepared and lodged with any resource consent or building consent application.

Commented [A47]: Correction, as this detail is shown on Precinct Plan 3 and not Precinct Plan 2

Commented [A48]: Correction, as this detail is shown on Precinct Plan 3 and not Precinct Plan 2

IXXX.6.5 IXXX.6.1.13 Existing Pōhūtukawa Trees

Purpose:

- To retain a mature landscaped frontage along the Ladies Mile boundary of the Remuera Precinct by protecting identified Pōhūtukawa trees along this frontage.
- To provide a landscaped buffer for the potential 25m high apartment buildings within this part of the Remuera Precinct.

QM
under
s771(j)
RMA

- (1) Any activity, development and/or subdivision within any part of the Remuera Precinct must not result in the removal of the Pōhūtukawa trees identified on IXXX.10.2 Precinct Plan 2 or any works within the protected root zone of these trees, except as provided for by Standard E17.6.3 Works within the protected root zone.
- (2) Any trimming or alteration of the Pōhūtukawa trees identified on IXXX.10.2 Precinct Plan 2 ~~must comply with~~ is subject to Standard E17.6.1 Tree trimming or alteration.
- (3) ~~This Standard IXXX.6.1.13 does not apply to Tree #13 as identified on IXXX.10.2 Precinct Plan 2, on the planning maps, and in Schedule 10: Notable Tree Schedule. Tree #13 is subject to the provisions of D13 Notable Trees Overlay.~~

IXXX.6.6 IXXX.6.1.14 Garden Streets

Purpose:

- To ensure a connected network of privately owned and maintained Garden Streets within the Remuera Precinct to provide vehicular and pedestrian access to dwellings ~~within the Precinct.~~

- (1) Any activity, development and/or subdivision within any part of the Remuera Precinct must provide the relevant Garden Street identified on IXXX.10.2 Precinct Plan 2 and IXXX.10.3 Precinct Plan and 3 necessary to access the activity, development and/or subdivision in accordance with the Remuera Precinct Landscape at Appendix A.
- (2) The Garden Streets must be located in the areas identified and with the dimensions specified on IXXX.10.2 Precinct Plan 2.
- (3) The Garden Street must be provided in accordance with the Remuera Precinct Landscape at Appendix A.
- (4) A landscape plan demonstrating compliance with this standard shall be prepared and lodged with any resource consent or building consent application.

IXXX.6.7 IXXX.6.1.15 Planted Embankment

Purpose:

- To ensure a landscaped Planted Embankment within the Remuera Precinct to improve the visual amenity ~~of the Precinct~~ and acknowledge the distinctive Ellerslie racecourse landform.

- (1) Any activity, development and/or subdivision within any part of the Remuera Precinct must provide the Planted Embankment identified on IXXX.10.2 Precinct Plan 2 in accordance with the Remuera Precinct Landscape at Appendix A.
- (2) The Planted Embankment must be located in the area identified and with the dimensions specified on IXXX.10.2 Precinct Plan 2.

- (3) A landscape plan demonstrating compliance with this standard shall be prepared and lodged with any resource consent or building consent application.

IXXX.6.8 IXXX.6.1.16 Private Open Space

Purpose:

- ~~To ensure Private Open Spaces within the THAB zoned areas of the Precinct to provide useable open spaces for residents.~~
 - To ensure useable communal private open space for people residing in higher intensity residential development within the Remuera Precinct
 - ~~To ensure the spatial layout of buildings within the THAB zoned areas of the Precinct is integrated with the Private Open Spaces and results in building forms that do not dominate the streetscape or the Precinct.~~
 - To ensure higher intensity residential buildings are well-integrated with communal private open space and whose building forms do not dominate the Ladies Mile streetscape or the Remuera Precinct.
- (1) Any activity, development and/or subdivision within the Sub-precinct B THAB zoned areas of the Precinct must provide the Private Open Space identified on IXXX.10.2 Precinct Plan 2 and in accordance with the Remuera Precinct Landscape at Appendix A, except that:
- (a) where a permitted activity listed in Activity Table IXXX.4.1 is undertaken, the application is required to satisfy Standard IXXX.6.1.8 and Standard IXXX.6.1.16, subject to Standard IXXX.6.1.16(1)(b)
 - (b) private open space is to be provided in compliance with Standard IXXX.6.1.16(2) and neither Standard IXXX.6.1.8(1)(d)(i) nor Standard IXXX.6.1.8(2)(c)(i) applies
 - (c) where a controlled activity listed in Activity Table IXXX.4.1 is undertaken the application is required to satisfy IXXX.6.1.8 and IXXX.6.1.16, subject to Standard IXXX.6.1.16(1)(b).
- (2) The Private Open Spaces must be located in the general areas identified and with the dimensions specified on IXXX.10.2 Precinct Plan 2 or in an alternative location within the relevant part of Sub-precinct B THAB zoned areas as long as the total area of Private Open Space is no less than that identified on IXXX.10.2 Precinct Plan 2.
- (3) A landscape plan demonstrating compliance with this standard shall be prepared and lodged with any resource consent or building consent application.

IXXX.6.X Apartment Setback

Purpose:

- ~~To ensure any buildings within the THAB zone adjoining Ladies Mile identified on Precinct Plan 1 are setback from the street frontage to protect the health of the existing Pohutukawa trees along this frontage.~~
 - ~~To ensure the potentially 25m high apartment buildings are sufficiently setback from this frontage to protect the character and amenity of this streetscape.~~
- (1) ~~Any development within the THAB zone adjoining Ladies Mile shall be setback from the street front boundary by a distance of no less than 6m as identified on Precinct Plan 1.~~

Commented [A49]: Amendment proposed, to be replaced by yard standard incorporated as required by MDRS - see IXXX.6.1.4 - and modified to include requirements specific to Ladies Mile frontage

IXXX.6.10 ~~IXXX.6.1.17~~ Entry Point Identifier

Purpose:

- To enable a high-quality landscape feature at the prominent public entrances to the Remuera Precinct.

- (1) Any development within the Upper or Lower Loop Road blocks shall construct the entry point identifiers in the locations identified on IXXX.10.3 Precinct Plan 3 and in accordance with the Remuera Precinct Landscape at Appendix A.
- (2) A landscape plan demonstrating compliance with this standard shall be prepared and lodged with any resource consent or building consent application.

IXXX.6.11 ~~IXXX.6.1.18~~ Stormwater Management

Purpose:

- To ensure stormwater is managed in accordance with the approved Stormwater Management Plan.

- (1) The management of stormwater from any activity, development and/or subdivision shall be in accordance with the approved Stormwater Management Plan.

IXXX.6.12 ~~IXXX.6.1.19~~ Arterial Road Access Restriction

Purpose:

- To restrict road intersections onto Ladies Mile.
- To avoid direct vehicle access from individual sites to Ladies Mile.
- To achieve the effective, safe and efficient operation of the arterial road network and existing and future transport network for all modes, ~~and~~
- To avoid or mitigate adverse safety and operational effects on the transport network including Ladies Mile, Abbots Way, Marua Road and Derby Downs Place.

- (1) ~~No road intersections shall be permitted directly onto Ladies Mile except for the two intersections indicated on IXXX.10.3 Precinct Plan 3.~~
- (2) (1) No private vehicle access from any property shall be permitted directly onto Ladies Mile in the location of the Arterial Road Access Restriction identified on IXXX.10.1 Precinct Plan 1.
- (2) Standard IXXX.6.1.19(1) above does not apply to the public road intersections shown on IXXX.10.3 Precinct Plan 3.

Commented [A50]: Recommended amendments to simplify wording and operation of standard. Numerous submission points relating to transport including ACS submission point 9.4.

Commented [A51]: Recommended amendment to link to the arterial road access restriction control shown on Precinct Plan 1.

IXXX.6.13 ~~IXXX.6.1.20~~ Subdivision and Development Staging & Transport Network Infrastructure Requirements

Purpose:

- To ensure subdivision and development is integrated with the delivery of the required

transport infrastructure upgrades identified in Table IXXX.6.1.20.1.

- To ensure that the required transport infrastructure upgrades are implemented to avoid or mitigate the adverse traffic effects of any activity, development and/or subdivision on the existing and future transport network.
- To ensure that the required transport infrastructure upgrades are implemented in an integrated and planned manner, and coordinated with development in the Remuera Precinct.
- To ensure an efficient, safe and effective transport network, with infrastructure and service connections for all modes to and through the Remuera Precinct.

(1) Activities, development and/or subdivision (~~excluding site preparation works, retaining, infrastructure and earthworks~~) within the stages identified on the Precinct Plans must not exceed the thresholds specified in Column 1 in Table IXXX.6.1.20.1 below until the transport network infrastructure upgrades and measures identified in Column 2 have been implemented, constructed and are operational. ~~This does not apply to site preparation works, retaining, infrastructure and earthworks within the Precinct.~~

Note 3:

Works in the legal road require prior written agreement from the road controlling authority.

Table IXXX.6.1.20.1: Transport Network Infrastructure Upgrades and Measures

Column 1 Activity, development and / or subdivision thresholds for transport network infrastructure upgrades and measures		Column 2 Transport network infrastructure upgrades and measures required
(a)	Prior to occupation of the 20 th dwelling with access from Derby Downs Place	<ul style="list-style-type: none"> • Upgrade the Derby Downs Place/Ladies Mile intersection to a signalised two-lane intersection with separate through lanes and turning lanes including pedestrian crossings as identified on <u>IXXX.10.3 Precinct Plan 3 (Upgrade 1)</u> • Construction of the Lower Loop Road in the location identified on <u>IXXX.10.3 Precinct Plan 3 (Upgrade 2)</u> • <u>Installation of a pedestrian crossing facility on Derby Downs Place opposite 15 Derby Downs Place in the location identified on IXXX.10.3 Precinct Plan 3 (Upgrade 3)</u>

Commented [A52]: Per submission points 7.5, 13.5, and 14.5, and s42A recommendation from council's transport engineer/AT

Column 1 Activity, development and / or subdivision thresholds for transport network infrastructure upgrades and measures	Column 2 Transport network infrastructure upgrades and measures required
(b) Prior to the occupation of the first dwelling within the northeastern part of Sub-precinct B adjacent Ladies Mile THAB 25m building height area (shown on IXXX.10.1 Precinct Plan 1) block, or the first dwelling requiring access to the Upper Loop Road, whichever occurs first	<ul style="list-style-type: none"> • Construction of the Upper Loop Road in the location identified on IXXX.10.3 Precinct Plan 3 (Upgrade 4 3) • Installation of the Ladies Mile footpath on the western side as identified on IXXX.10.3 Precinct Plan 3 (Upgrade 5 4) • Installation of pedestrian crossings at the Ladies Mile/Abbotts Way intersection as identified on IXXX.10.3 Precinct Plan 3 (Upgrade 6 5) • Installation of new bus stops as identified on IXXX.10.3 Precinct Plan 3 (Upgrade 6) • Installation of a flush median along Ladies Mile opposite the Upper Loop Road intersection (Upgrade 7)

Commented [A53]: Per submission point 6.1, and s42A recommendation from council's transport engineer/AT

IXXX.6.2 Standards for controlled subdivision activities

Purpose:

- To provide for subdivision of land for the purpose of construction and use of dwellings in accordance with MDRS permitted and restricted discretionary land use activities

Commented [A54]: Sch 3A cls 7.

IXXX.6.2.1 Subdivision in accordance with an approved land use consent for the purpose of the construction or use of dwellings as permitted or restricted discretionary activities in the precinct

- (1) Any subdivision relating to an approved land use consent must comply with that land use consent.
- (2) Subdivision does not increase the degree of any non-compliance with standards IXXX.6.1.1 to IXXX.6.1.9 except that Standard IXXX.6.1.3(1) does not apply along the length of any proposed boundary where dwellings share a common wall.
- (3) No vacant sites are created.

Commented [A55]: Sch 3A cls 3.

Commented [A56]: Sch 3A cls 8(a)

Commented [A57]: Sch 3A cls 8(a)

Commented [A58]: Sch 3A cls 9

IXXX.6.2.2 Subdivision around existing buildings and development

- (1) Prior to subdivision occurring, all development must meet the following:
 - (a) Comply with the relevant overlay, Auckland-wide, zone and precinct rules; or
 - (b) Be in accordance with an approved land use consent.
- (2) Subdivision does not increase the degree of any non-compliance with standards IXXX.6.1.1 to IXXX.6.1.9 except that Standard IXXX.6.1.3(1) does not apply along the length of any proposed boundary where dwellings share a common wall.
- (3) No vacant sites are created.

Commented [A59]: Sch 3A cls 8(a)

Commented [A60]: Sch 3A cls 8(a)

Commented [A61]: Sch 3A cls 9

IXXX.6.2.3 Subdivision for up to three sites accompanied by a land use consent application or certificate of compliance for up to three dwellings

- (1) The subdivision application and land use consent application or certificate of compliance relate to a site on which there are no dwellings;
- (2) The subdivision application and land use consent application or certificate of compliance must be determined concurrently;
- (3) Each dwelling, relative to its proposed boundaries, complies with Standards IXXX.6.1.2 to IXXX.6.1.9;

Commented [A62]: Sch 3A cls 8(b) is problematic in requiring a land use consent application for a permitted activity to accompany the subdivision application.

Further, a residential development may comply with MDRS density standards but infringe a zonal non-density standard so be ineligible to receive a certificate of compliance.

- (4) A maximum of three sites and three dwellings are created; and
- (5) No vacant sites are created.

IXXX.7 Assessment – controlled activities

IXXX.7.1 Matters of control

The Council will reserve its control to all of the following matters when assessing a controlled activity resource consent application:

(1) All controlled activities in Table IXXX.4.1:

- (a) compliance with an approved resource consent or consistency with a concurrent land use consent application or certificate of compliance;
- (b) compliance with the relevant overlay, Auckland-wide, precinct and zone rules;
- (c) the effects of infrastructure provision.

IXXX.7.2 Assessment criteria

(1) The Council will consider the relevant assessment criteria below for controlled activities:

- (a) compliance with an approved resource consent or consistency with a concurrent land use consent application or certificate of compliance:
 - (i) refer to Policy E38.3(6);
- (b) compliance with the relevant overlay, Auckland-wide, precinct and zone rules:
 - (i) refer to Policy E38.3(1) and (6);
- (c) whether there is appropriate provision made for infrastructure including:
 - (i) whether provision is made for infrastructure including creation of common areas over parts of the parent site that require access by more than one site within the subdivision; and
 - (ii) whether appropriate management of effects of stormwater has been provided;
 - (iii) refer to Policies E38.83(1), (6), (19) to (23).

IXXX.7 IXXX.8 Assessment – R restricted D discretionary A activities

IXXX.7.4 IXXX.8.1 Matters of discretion

The Council will restrict its discretion to all of the following matters when assessing a restricted discretionary resource consent application, in addition to the matters specified under Auckland-wide Rule C1.9(2) for the relevant restricted discretionary activities in the overlay, zone or Auckland-wide provisions:

- (1) For buildings that do not comply with one or more Standards IXXX.6.1.2 to IXXX.6.1.9:
 - (a) any precinct and zone policies relevant to the standard;
 - (b) the purpose of the standard;
 - (c) the effects of the infringement of the standard;
 - (d) the effects on the urban built character of the precinct;
 - (e) the effects on the amenity of neighbouring sites;
 - (f) the effects of any special or unusual characteristic of the site which is relevant to the standard;
 - (g) the characteristics of the development;
 - (h) any other matters specifically listed for the standard; and
 - (i) where more than one standard will be infringed, the effects of all infringements considered together.

(1) Building Height

- (a) THAB zoned area –Matters of discretion H6.8.1 (4)
- (b) Mixed Housing Urban zoned area –Matters of discretion H5.8.1 (4)

(2) For any activity, development and/or subdivision that does not comply with Standard IXXX.6.1.10 Visual Corridor:

- (a) The purpose of the standard
- (b) ~~(a)~~ The width of the visual corridor
- (c) ~~(b)~~ Street furniture, artworks, other public amenity elements or retaining structures

Commented [A63]: There must be matters over which control is reserved (and discretion restricted, at IXXX.8 below). See s77B of the RMA.

Incorporation of MDRS requires that the subdivision provisions of Sch 3A are inserted into the precinct and supported by relevant content required by Part 5 RMA including s77B. The precinct cannot rely on the IPI, and the precinct subdivision provisions apply as operative E38 provisions do not include MDRS-subdivision clauses.

Reserved matters are suggested for integration with AUP as proposed to be amended by PC 78.

Commented [A64]: Matters over which control is reserved align with E38.11.1(2) as per PC 78, except that matter (a) is broadened to include concurrent LUC or COC.

Commented [A65]: Assessment criteria align with E38.11.2(2) as per PC 78

Commented [A66]: Proposed to only refer to C1.9(3), as all RD activities in the precinct relate to an infringement of a standard. Ensures that matters at C1.9(3) can be considered. Considered to be an appropriate departure from the usual AUP styling for this specific precinct.

Commented [A67]: Restricted matters applied (and (d) adapted) from H5.8.1(4) PC78

Commented [A68]: Will fall under proposed matter (1) above, integrated with MDRS.

Commented [A69]: Recommended amendment to use same wording as used in the rule.

Commented [A70]: “The purpose of the standard” is recommended to be deleted for each, as this is already listed at C1.9(3), which is recommended to be referenced above.

(3) For any activity, development and/or subdivision that does not comply with Standard XXX.6.1.11 Publicly Accessible Open Space

~~(a) The purpose of the standard~~

~~(b) (a) The size, location, dimensions, topography, aspect and landscaping of the open space.~~

~~(c) (b) The strategy and outcomes identified in the Remuera Precinct Landscape Appendix A for the open space.~~

(4) For any activity, development and/or subdivision that does not comply with Standard XXX.6.1.12 Publicly Accessible Pedestrian Routes

~~(a) The purpose of the standard~~

~~(b) (a) The strategy and outcomes identified in the Remuera Precinct Landscape Appendix A for the open space pedestrian routes.~~

~~(c) (b) Temporary closures for safety, security, maintenance or repair purposes.~~

(5) For any activity, development and/or subdivision that does not comply with Standard XXX.6.1.13 Existing Pōhutukawa Trees

~~(a) The purpose of the standard~~

~~(b) (a) Matters of discretion E17.8.1(1)~~

(6) For any activity, development and/or subdivision that does not comply with Standard XXX.6.1.14 Garden Streets

~~(a) The purpose of the standard~~

~~(b) (a) The strategy and outcomes identified in the Remuera Precinct Landscape Appendix A for the garden streets open space.~~

(7) For any activity, development and/or subdivision that does not comply with Standard XXX.6.1.15 Planted Embankment

~~(a) The purpose of the standard~~

~~(b) (a) The strategy and outcomes identified in the Remuera Precinct Landscape Appendix A for the planted embankment open space.~~

(8) For any activity, development and/or subdivision that does not comply with Standard XXX.6.1.16 Private Open Space

~~(a) The purpose of the standard~~

~~(b) (a) The strategy and outcomes identified in the Remuera Precinct Landscape Appendix A for the private open space.~~

(9) Apartment Setback

~~(a) The purpose of the standard~~

~~(b) Matters of discretion H6.8.1 (4)~~

Commented [A71]: Will fall under proposed matter (1) above, integrated with MDRS.

~~(10) (9) For any activity, development and/or subdivision that does not comply with Standard IXXX.6.1.17 Entry Point Identifier~~

~~(a) The purpose of the standard~~

~~(b) (a) The strategy and outcomes identified in the Remuera Precinct Landscape at Appendix A for the entry point.~~

~~(11) (10) For any activity, development and/or subdivision that does not comply with Standard IXXX.6.1.18 Stormwater Management~~

~~(a) The purpose of the standard.~~

~~(b) (a) The approved Stormwater Management Plan.~~

IXXX.7.2 IXXX.8.2 Assessment criteria

The Council will consider the relevant assessment criteria ~~identified~~ below for restricted discretionary activities, ~~in addition to the assessment criteria specified for assessment of the relevant restricted discretionary activities in the zone, Auckland wide or overlay provisions:~~

(1) For buildings that do not comply with one or more of Standards IXXX.6.1.2 to IXXX.6.1.9:

(a) for all infringements to standards:

(i) refer to Policy IXXX.3(5)

(ii) refer to Policy IXXX.3(6)

(b) for building height:

(i) refer to Policy IXXX.3(1)

(ii) refer to Policy IXXX.3(5)

Visual dominance

(iii) the extent to which buildings as viewed from the street or public places are designed to minimise visual dominance effects of any additional height, taking into account:

- the planned urban built character of the precinct;
- the location, orientation and design of development; and
- the effect of the proposed height on the surrounding and neighbouring development.

Character and Visual Amenity

(iv) the extent to which the form and design of the building and any additional height responds to the planned urban built character of the surrounding area, including natural landforms and features;

(v) how buildings as viewed from the street or public places are designed to appear against the skyline, taking into account:

- whether roof plan, services and equipment are hidden from views; and
- whether the expression of the top of the building provides visual interest and variation.

(c) for height in relation to boundary:

(i) refer to Policy IXXX.3(1)

(ii) refer to Policy IXXX.3(5)

Sunlight access - Residential – Mixed Housing Urban Zone

(iii) whether sunlight access to the outdoor living space of an existing dwelling on a neighbouring site satisfies the following criterion:

Commented [A72]: Suggested insertion of proposed Pol H5.3(6A) (in part) as Policy IXXX.3(6) for consistency with incorporation of MDRS as proposed by PC 78 to AUP.

Simplified criteria by direct cross reference to policy, and applying to all standards, in one clause.

Four hours of sunlight is retained between the hours of 9am – 4pm during the Equinox (22 September):

- over 75% of the existing outdoor living space where the area of the space is greater than the minimum required by Standard IXXX.6.1.8; or
 - over 100% of existing outdoor living space where the area of this space is equal to or less than the minimum required by Standard IXXX.6.1.8.
- (iv) in circumstances where sunlight access to the outdoor living space of an existing dwelling on a neighbouring site is less than the outcome referenced in IXXX.8.2(1)(c)(iii):
- the extent to which there is any reduction in sunlight access as a consequence of the proposed development, beyond that enabled through compliance with Standard IXXX.6.1.3 Height in relation to boundary; and
 - the extent to which the building affects the area and duration of sunlight access to the outdoor living space of an existing dwelling on a neighbouring site, taking into account site orientation, topography, vegetation and existing or consented development.

Daylight access - Residential – Terrace Housing and Apartment Buildings Zone

- (v) the extent to which the height and bulk of development maintains daylight access and minimises visual dominance effects to adjoining sites and developments taking into account site orientation, topography, vegetation and existing or consented development.

Visual dominance

- (vi) the extent to which buildings as viewed from the side or rear boundaries of adjoining residential sites or developments are designed to reduce visual dominance effects, taking into account:
- the planned urban built character of the zone;
 - the location, orientation and design of development;
 - the physical characteristics of the site and the neighbouring site;
 - the design of side and rear walls, including appearance and dominance; and
 - providing adequate visual and/or physical break up of long continuous building forms.

Overlooking and privacy

- (vii) the extent to which direct overlooking of a neighbour's habitable room windows and outdoor living space is minimised to maintain a reasonable standard of privacy, including through the design and location of habitable room windows, balconies or terraces, setbacks, or screening.

(d) for yards:

- (i) refer to Policy IXXX.3(1)
- (ii) refer to Policy IXXX.3(3)

(e) for building coverage:

- (i) refer to Policy IXXX.3(1)
- (ii) refer to Policy IXXX.3(3)
- (iii) whether the non-compliance is appropriate to the context, taking into account:
 - whether the balance of private open space and buildings is consistent with the planned urban built character anticipated for the precinct; and
 - the degree to which the balance of private open space and buildings reduces onsite amenity for residents, including the useability of outdoor living areas and functionality of landscape areas;

(f) for landscaped area:

- (i) refer to Policy IXXX.3(1)
- (ii) refer to Policy IXXX.3(3)
- (iii) refer to Policy H5.3(10)

- (iv) the extent to which existing trees are retained.
- (g) for outlook space:
 - (i) refer to Policy IXXX.3(1)
 - (ii) refer to Policy IXXX.3(3)
 - (iii) refer to Policy IXXX.3(4)
 - (iv) the extent to which overlooking of a neighbour's habitable room windows and private and/or communal outdoor living space can be minimised through the location and design of habitable room windows, balconies or terraces and the appropriate use of building and glazing setbacks and/or screening which is integrated part of the overall building design.
- (h) for outdoor living space:
 - (i) refer to Policy IXXX.3(1)
 - (ii) refer to Policy IXXX.3(4)
 - (iii) the extent to which dwellings provide private open space and communal open space that is useable, accessible from each dwelling and attractive for occupants.
- (i) for windows facing the street:
 - (i) refer to Policy IXXX.3(3)
 - (ii) the extent to which the glazing:
 - allows views to the street and/or accessways to ensure passive surveillance; and
 - provides a good standard of privacy for occupants.

(2) Building Height

- (a) THAB Zoned Area – Assessment Criteria H6.8.2 (5) (a), (b) and (d)
- (b) Mixed Housing Urban Zoned Area – Assessment Criteria H5.8.2(4)

(2) For any activity, development and/or subdivision that does not comply with Standard IXXX.6.1.10 Visual Corridor:

- (a) The extent to which the purpose of the standard is achieved or alternative solutions that achieve the purpose of the standard are demonstrated within the Remuera Precinct.
- (b) Whether the width of the corridor exceeds 10m in parts to compensate for any reductions in the 10m width.
- (c) Whether street furniture, artworks, other public amenity elements or retaining structures will enable a reasonable view corridor to be achieved.

(3) For any activity, development and/or subdivision that does not comply with Standard IXXX.6.1.11 Publicly Accessible Open Space

- (a) The extent to which the purpose of the standard is achieved or alternative solutions that achieve the purpose of the standard are demonstrated within the Remuera Precinct.
- (b) The extent to which the strategy and outcomes identified in the Remuera Precinct Landscape Appendix A B for the open space are achieved in the Remuera Precinct.

(4) For any activity, development and/or subdivision that does not comply with Standard IXXX.6.1.12 Publicly Accessible Pedestrian Routes

- (a) The extent to which the purpose of the standard is achieved or alternative solutions that achieve the purpose of the standard are demonstrated within the Remuera Precinct.
- (b) The extent to which the strategy and outcomes identified in the Remuera Precinct Landscape Appendix A for the pedestrian routes open space are achieved within the Remuera Precinct.

Commented [A73]: Will fall under proposed assessment criteria (1)(b) above, integrated with MDRS assessment matters.

Commented [A74]: Recommended amendment to use same wording as used in the rule.

Commented [A75]: Amended to refer to Appendix A, being the Remuera Precinct Landscape Plan

- (c) The extent to which any temporary closures of these routes are required for safety, security, maintenance or repair purposes.
- (5) For any activity, development and/or subdivision that does not comply with Standard XXX.6.1.13 Existing Pōhutukawa Trees
- (a) The extent to which the purpose of the standard is achieved or alternative solutions that achieve the purpose of the standard are demonstrated within the Remuera Precinct.
- (b) Assessment Criteria E17.8.2(1).
- (6) For any activity, development and/or subdivision that does not comply with Standard XXX.6.1.14 Garden Streets
- (a) The extent to which the purpose of the standard is achieved or alternative solutions that achieve the purpose of the standard are demonstrated within the Remuera Precinct.
- (b) The extent to which the strategy and outcomes identified in the Remuera Precinct Landscape Appendix A for the garden streets open space are achieved within the Remuera Precinct.
- (7) For any activity, development and/or subdivision that does not comply with Standard XXX.6.1.15 Planted Embankment
- (a) The extent to which the purpose of the standard is achieved or alternative solutions that achieve the purpose of the standard are demonstrated within the Remuera Precinct.
- (b) The extent to which the strategy and outcomes identified in the Remuera Precinct Landscape Appendix A for the planted embankment open space are achieved within the Remuera Precinct.
- (8) For any activity, development and/or subdivision that does not comply with Standard XXX.6.1.16 Private Open Space
- (a) The extent to which the purpose of the standard is achieved or alternative solutions that achieve the purpose of the standard are demonstrated within the Remuera Precinct.
- (b) The extent to which the strategy and outcomes identified in the Remuera Precinct Landscape Appendix A for the private open space are achieved within the Remuera Precinct.
- ~~(9) Apartment Setback~~
- ~~(i) The extent to which the purpose of the standard is achieved or alternative solutions that achieve the purpose of the standard are demonstrated within the Precinct.~~
- ~~(ii) Assessment Criteria H6.8.2 (9) (a), (b) and (d)~~
- (10) (9) For any activity, development and/or subdivision that does not comply with Standard XXX.6.1.17 Entry Point Identifier
- (a) The extent to which the purpose of the standard is achieved or alternative solutions that achieve the purpose of the standard are demonstrated within the Remuera Precinct.
- (b) The extent to which the strategy and outcomes identified in the Remuera Precinct Landscape Appendix A for the entry point are achieved within the Remuera Precinct.

(14) (10) For any activity, development and/or subdivision that does not comply with Standard IXXX.6.1.18 Stormwater Management

- (a) The extent to which the provisions of the approved Stormwater Management Plan are met, including the following matters:
 - (i) The design and efficacy of stormwater management devices;
 - (ii) Stormwater management calculations that confirm the design and capacity of the stormwater management device is fit for purpose and satisfies the requirements of the approved Stormwater Management Plan;
 - (iii) The operation and maintenance of the stormwater system, including whether safe and direct access is provided to enable maintenance;
 - (iv) Whether there will be health and safety effects associated with stormwater detention and retention ponds and wetlands and the extent to which these can be mitigated through measures such as fencing;
 - (v) Whether new buildings and alterations and additions to buildings are made of inert materials; and
 - (vi) Flood effects in the 10% and 1% AEP storm events (including climate change effects) and the extent to which any attenuation measures are required within the Remuera Precinct.
- (b) Where alternatives to any approved or consented landscaping are proposed, whether the amended landscape plan will ensure the stormwater management outcomes are maintained and achieved.
- (c) The extent to which interference with public use and enjoyment of proposed open space is minimised where stormwater detention and retention ponds and wetlands are proposed to be located in or adjacent to proposed public open space.

IXXX.9 Special information requirements

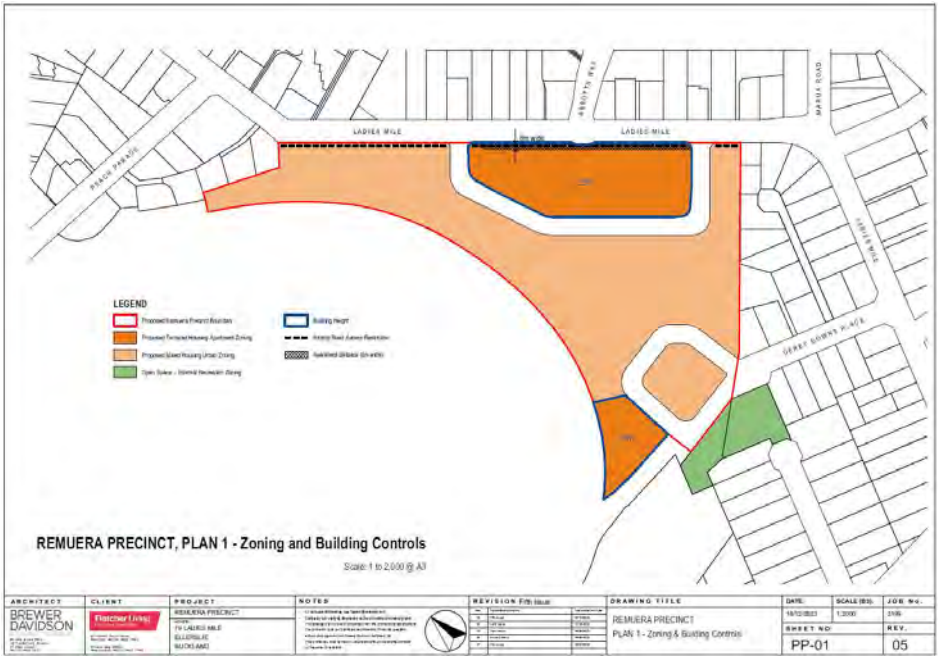
There are no special information requirements in this precinct.

Commented [A76]: Recommended to be inserted to maintain style across precinct, notwithstanding no special information requirements.

IXXX.10 Precinct plans

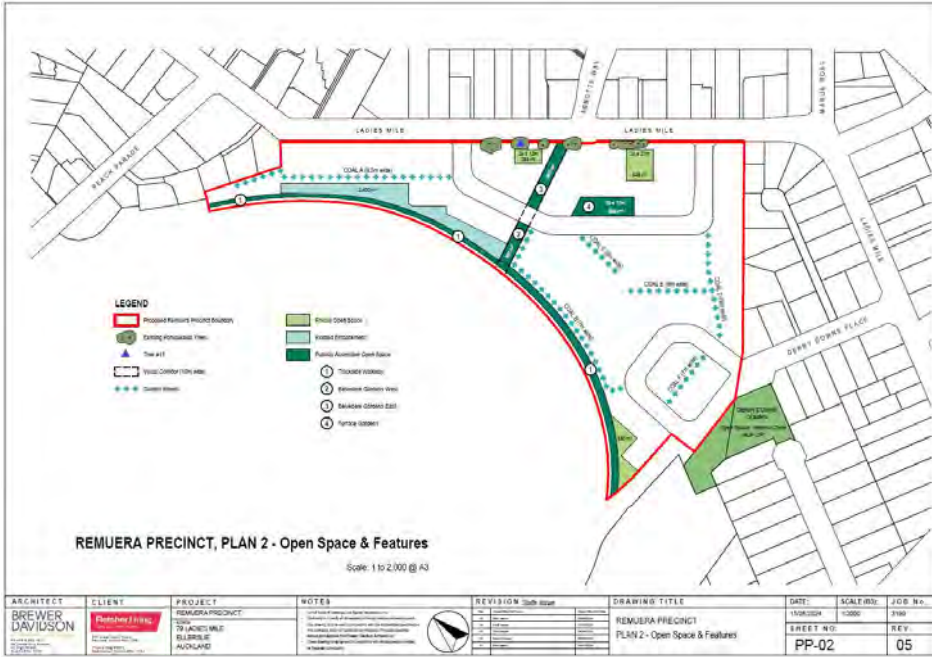
IXXX.10.1 Remuera Precinct Plan 1 – Zoning and Sub-Precincts and Building Controls

1. Comment: Amend Title of Plan to “Sub-Precincts and Building Controls”
2. Comment: Remove zone references within and outside of precinct and replace with sub-precincts – Sub-precinct A for MHU and Sub-precinct B for THAB
3. Comment: Remove the chamfering of the 6m setback zone from Ladies Mile at the intersection with the Upper Loop Road, as this may lead to implementation difficulties with Standard IXXX.6.1.4(1)(a)



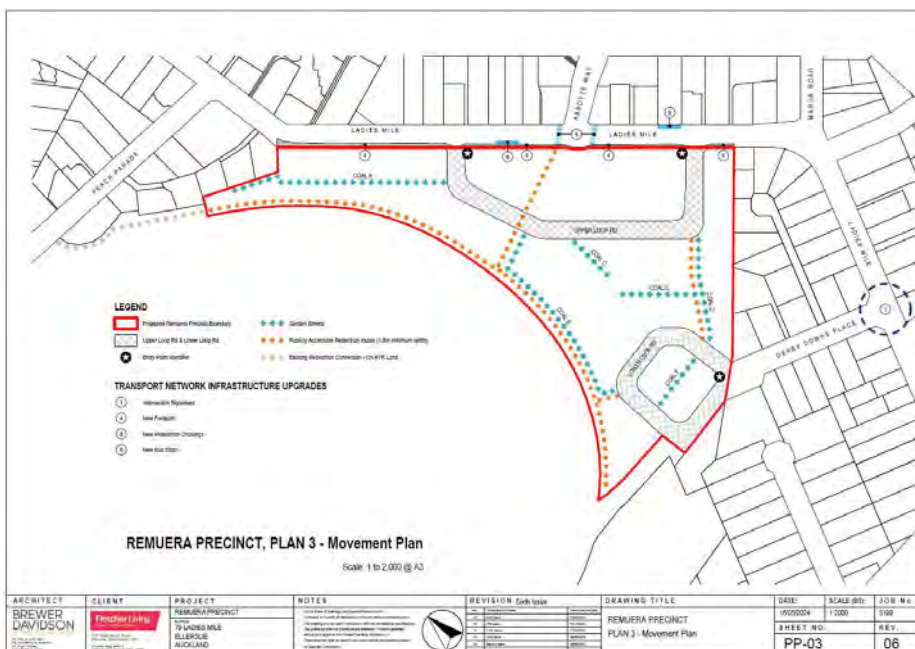
IXXX.10.2 Remuera Precinct Plan 2 – Open Space & Features

1. Comment: Amend 'Garden Streets' label: Garden Streets (commonly owned access lots)
2. Comment: Remove colour and labelling of open space zoning for Derby Downs Domain



IXXX.10.3 Remuera Precinct Plan 3-Movement

1. Comment: Replace "ATR" with the relevant words, rather than use of acronym
2. Comment: Amend 'Garden Streets' label: Garden streets (commonly owned access lots)
3. Comment: Show location of flush median upgrade on Ladies Mile, and proposed pedestrian crossing on Derby Downs Place, per recommended inclusion of these upgrades in Policy (11) and Table IXXX.6.1.20.1.
4. Comment: If using 'COAL' on drawing, include full meaning of term within legend.
5. Comment: Use same "Upgrade 1" through "Upgrade 8" labelling on this plan as is used in Table IXXX.6.1.20.1. Each upgrade to be shown.



APPENDIX A

Remuera Precinct Landscape – Refer Separate Attachment

APPENDIX B

Commented [A77]: Deleted as addressed in above precinct

~~Density standards from Part 2 of Schedule 3A, RMA, or the objectives and policies in clause 6 of Schedule 3A, RMA.~~

~~The following objectives, policies, rules and other provisions apply to and modify the Residential Mixed Housing Urban and Residential Terrace House and Apartment Building zoned land within the Precinct until Plan Change 78 becomes operative, after which point the following provisions no longer apply. Further the Qualifying Matters within PC78 also apply within the Precinct until Plan Change 78 becomes operative, after which point the following provisions no longer apply.~~

~~[Reference number TBC] Additional MDRS Land Use~~

~~Objectives (H5.2 and H6.2)~~

~~(A1) — A well-functioning urban environment that enables all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.~~

~~(B1) — A relevant residential zone provides for a variety of housing types and sizes that respond to —~~

- ~~i. — Housing needs and demand; and~~
- ~~ii. — The neighbourhood's planned urban built character, including 3-storey buildings.~~

~~*Note: these objectives are adopted from H5.2 and H6.2 (A1) and (A2)*~~

~~[Reference number TBC] Additional MDRS Land~~

~~Use Policies (H5.3 and H6.3)~~

~~(A1) — Enable a variety of housing typologies with a mix of densities within the zone, including three-storey attached and detached dwellings, and low-rise apartments.~~

~~(B1) — Apply the MDRS across all relevant residential zones in the district plan except in circumstances where a qualifying matter is relevant (including matters of significance such as historic heritage and the relationship of Māori and their culture and traditions with their ancestral lands, water, sites wāhi tapu, and other taonga).~~

~~(C1) — Encourage development to achieve attractive and safe streets and public open spaces, including by providing for passive surveillance.~~

(D1) — Enable housing to be designed to meet the day to day needs of residents.

(E1) — Provide for developments not meeting permitted activity status, while encouraging high quality developments.

Note: these policies are adopted from H5.3 and H6.3

[Reference number TBC] Notification

(A1) — 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(4.9) of the Resource Management Act 1991:

(A2) — Unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991, public notification of an application for resource consent is precluded if the application is for the construction and use of 1, 2 or 3 dwellings that do not comply with 1 or more of the following:

- i — Standard H5.6.4 Building height;
- ii — Standard H5.6.5 Height in relation to boundary;
- iii — Standard H5.6.8(1) Yards;
- iv — Standard H5.6.10 Building coverage;
- v — Standard H5.6.11(3) and (4) Landscaped area;
- vi — Standard H5.6.12(A1) Outlook space;
- vii — Standard H5.6.14(A1) — (B1) Outdoor living space; and
- viii — Standard H5.6.18(1) Windows to street and private vehicle and pedestrian accessways.

Note: this rule is adopted from H5.5(4) and H6.5(4)

[Reference number TBC] Rules

[Reference number TBC] Number of dwellings per site

(1) — There must be no more than three dwellings per site.

Note: this rule is adopted from H5.6.3A and H6.6.4A

[Reference number TBC] Building Height

Purpose: to manage the height of

buildings to:

- — achieve the planned urban built character of predominantly three storeys;
- — minimise visual dominance effects;

- maintain a reasonable standard of residential amenity for adjoining sites; and
- provide some flexibility to enable variety in roof forms; and
- provide for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites wāhi tapu, and other taonga, where located adjacent to Pukekiwiriki Pā Historic Reserve, Red Hill.

(1) Buildings must not exceed 11m in height, except that 50 per cent of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1m, where the entire roof slopes 15 degrees or more, as shown in Figure H5.6.4.1 Building height in the Residential Mixed Housing Urban Zone below.

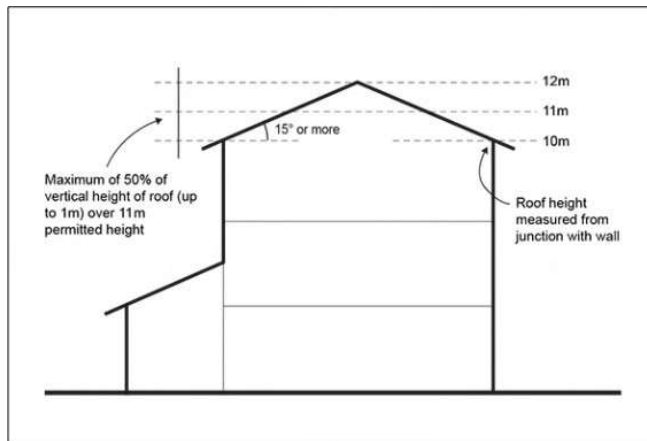


Figure 1 H5.6.4.1 Building Height in the MHUZ and Figure H6.6.5.1 of the THABZ Note: this rule is adopted from H5.6.4 and H6.6.5 of PC78

[Reference number TBC] Height in Relation to boundary

Purpose: to manage the height and bulk of buildings at boundaries to maintain a reasonable level of sunlight access, privacy and minimise adverse visual dominance effects to immediate neighbours.

(1) Buildings must not project beyond a 60-degree recession plane measured from a point 4m vertically above ground level alongside and rear boundaries, as shown in Figure H5.6.5.1 and H6.6.6.1 Height in relation to boundary below.

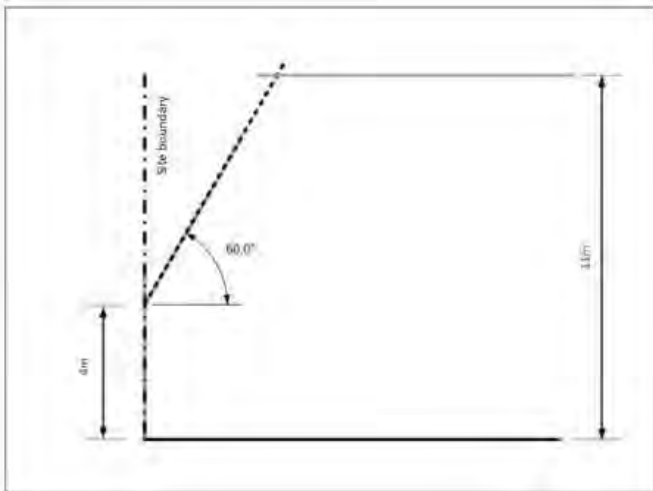


Figure 2 – Height in Relation to Boundary

Note: this rule is adopted from H5.6.5 and H6.6.6 of PC78

[Reference number TBC] Yards/Setbacks

(1) — A building or parts of a building must be set back from the relevant boundary by the minimum depth listed in Table H5.6.8.1 and Table H6.6.9.1 Yards below.

Yard	Minimum depth
Front	1.5 metre
Side	1 metre
Rear	1 metre (excluded on corner sites)

Note: this rule is adopted from H5.6.8.1 and H6.6.9.1 of PC78

[Reference number TBC] Building Coverage

Purpose: to manage the extent of buildings on a site to achieve the planned urban character of buildings surrounded by open space and to provide for the protection and management of significant ecological areas.

(1) — The maximum building coverage must not exceed 50 per cent of the net site area

Note: this rule is adopted from H5.6.10 and H6.6.11 of PC78

[Reference number TBC] Landscape areas Purpose:

- to provide for quality living environments consistent with the planned urban built character of buildings surrounded by open space vegetation; and
- to create a vegetated urban streetscape character within

the zone. Developments containing up to three dwellings must comply

with the following:

- (1) A dwelling at ground floor level must have a landscaped area of a minimum of 20 per cent of a developed site with grass or plants, and can include the canopy of trees regardless of the ground treatment below them.
- (2) The landscaped area may be located on any part of the development site, and does not need to be associated with each dwelling.

Note: this rule is adopted from H5.6.11 H6.6.12 of PC78

[Reference number TBC] Outlook Space

Purpose:

- to ensure a reasonable standard of visual privacy between habitable rooms of different buildings, on the same or adjacent sites; and
- in combination with the daylight standard, manage visual dominance effects within a site by ensuring that habitable rooms have an outlook and sense of space.

Development containing up to three dwellings must comply with the following:

- (A1) An outlook space must be provided for each dwelling as specified in this clause.
 - (a) An outlook space must be provided from habitable room windows as shown in Figure H5.6.12.1 Outlook space requirements for development containing up to three dwellings below.
 - (b) The minimum dimensions for a required outlook space are as follows and as shown in Figure H5.6.12.1 Outlook space requirements for development containing up to three dwellings below:

- i. a principal living room must have an outlook space with a minimum dimension of 4 metres in depth and 4 metres in width; and
- ii. all other habitable rooms must have an outlook space with a minimum dimension of 1 metre in depth and 1 metre in width.

The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies.

- (c) Outlook spaces may be over driveways and footpaths within the site or over a public street or other public open space.
- (d) Outlook spaces may overlap where they are on the same wall plane in the case of a multi-storey building.
- (e) Outlook spaces may be under or over a balcony.
- (f) Outlook spaces required from different rooms within the same building may overlap.
- (g) Outlook spaces must —
 - i. be clear and unobstructed by buildings; and
 - ii. not extend over an outlook space or outdoor living space required by another dwelling

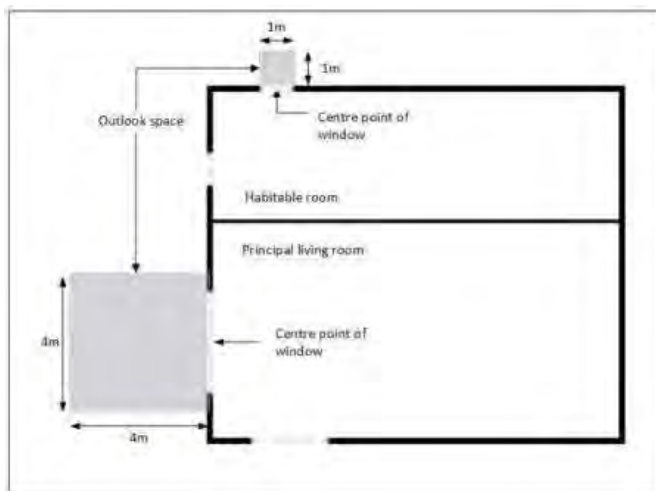


Figure 3 outlook space requirements for development containing up to three dwellings (H5.6.12.A1 & H6.6.13 A1)

Note: this rule is adopted from H5.6.12 and H6.6.13 of PC78

[Reference number TBC] Outdoor living space

Development containing up to three dwellings must comply with the following:

~~(A1) — A dwelling at ground floor level must have an outdoor living space that is at least 20m² and that comprises ground floor, balcony, patio, or roof terrace space that, where located at ground level, has no dimension less than 3 metres for three or more dwellings; and~~

- ~~(a) — where provided in the form of a balcony, patio, or roof terrace, is at least 8m² and has a minimum dimension of 1.8 metres; and~~
- ~~(b) — is accessible from the dwelling; and~~
- ~~(c) — may be —
 - ~~(i) — grouped cumulatively by area in 1 communally accessible location; or~~
 - ~~(ii) — located directly adjacent to the unit; and~~~~
- ~~(d) — is free of buildings, parking spaces, and servicing and manoeuvring areas.~~

~~(B1) — A dwelling located above ground floor level must have an outdoor living space in the form of a balcony, patio, or roof terrace that —~~

- ~~(a) — is at least 8m² and has a minimum dimension of 1.8 metres for three or more dwellings; and~~
- ~~(b) — is accessible from the dwelling; and~~
- ~~(c) — may be —
 - ~~(i) — grouped cumulatively by area in 1 communally accessible location, in which case it may be located at ground level; or~~
 - ~~(ii) — located directly adjacent to the unit~~~~

Note: this rule is adopted from H5.6.14 and H6.15 of PC78

~~[Reference number TBC] Windows to Street and Private Vehicle and pedestrian accessways Purpose: To provide for passive surveillance while maintaining privacy for residents and users.~~

Development containing up to three dwellings must comply with the following:

~~(1) — Any dwelling facing the street must have a minimum of 20 per cent of the street facing façade in glazing. This can be in the form of windows or doors.~~

~~Note: this rule is adopted from H5.6.18 and H6.6.19 of PC78~~

~~[Reference number TBC] Activity Table – Subdivision in Residential Zones (E.38.4.2)~~

Activity		Activity Status
Subdivision for the purpose of the construction or use of dwellings, which are provided for as either permitted or restricted discretionary activities in the Residential – Low Density Residential Zone, Residential – Mixed Housing Urban Zone and Residential – Terrace Housing and Apartment Buildings Zone		
Note 1		
All Applicants for subdivision consent, including controlled activities A13A and A13B, are subject to section 106 of the RMA.		
(A13A)	Subdivision in accordance with an approved land use resource consent complying with Standard E38.8.1A.1	C
(A13B)	Subdivision around existing buildings and development complying with Standard E38.8.1A.2.	C

~~[Reference number TBC] Notification (E.38.5)~~

~~(2A) — In the Residential – Mixed Housing Urban and Residential – Terrace Housing and Apartment Buildings Zones, any application for subdivision associated with an application for resource consent for the construction and use of one, two or three dwellings that do not comply with 1 or more of the relevant zone standards will be considered without public and limited notification unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991.~~

~~The standards referenced in clause 2A above include:~~

- ~~• Standards H5.6.4, H5.6.5, H5.6.8(1), H5.6.10, H5.6.11(3) and (4), H5.6.12, H5.6.14 and H5.6.18 in the Residential – Mixed Housing Urban Zone.~~
- ~~• Standards H6.6.5(1)(a), H6.6.6(1), (5), (6), (7) and (10), H6.6.9, H6.6.11(1), H6.6.12(1A) and (2A), H6.6.13(A1) – (J1), H6.6.15(A1) and (B1), H6.6.19(1) in the Residential – Terrace Housing and Apartment Buildings Zone.~~

~~2B) — In the Residential – Mixed Housing Urban and Residential – Terrace Housing and Apartment Zones, any application for subdivision associated with an application for resource consent for the construction and use of 4 or more dwellings that comply with the relevant zone standards will be considered without public and limited notification unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991.~~

~~The standards referenced in clause 2B above include:~~

~~Standards H5.6.4, H5.6.5, H5.6.8(1), H5.6.9, H5.6.10, H5.6.11(5), (6) and (7) and H5.6.12~~

~~H5.6.16 and H5.6.18 – H5.6.21 in the Residential – Mixed Housing Urban~~

~~Zone. Across the Residential – Terrace Housing and Apartment Buildings~~

~~Zone~~

~~Standards H6.6.9, H6.6.10, H6.6.11, H6.6.12(1) – (3), H6.6.13(1) – (9), H6.6.14, H6.6.15(1) – (4), H6.6.16, H6.6.17, H6.6.19(2), H6.6.20, H6.6.21 and H6.6.22 in the Terrace Housing and~~

~~Apartment Buildings zone.~~

~~In the Residential – Terrace Housing and Apartment Buildings Zone – additional standards for development outside walkable catchments~~

~~Standards H6.6.5(1)(b) and H6.6.6(2), (5) – (7) and (10). In the Residential – Terrace Housing and Apartment Buildings Zone – additional standards for development inside a walkable catchment~~

~~Standards H6.6.5(1)(c) and H6.6.6(3) – (5), (7) and (10).~~

PART B

- Rezone the 6.2-hectare area of land identified as the Remuera Precinct in the plan below from Major Recreation Zone and Ellerslie Racecourse Precinct to Remuera Precinct and Residential – Mixed Housing Urban and Residential – Terrace Housing and Apartment Buildings zones.

PART C

Amendments to I313 Ellerslie Racecourse Precinct

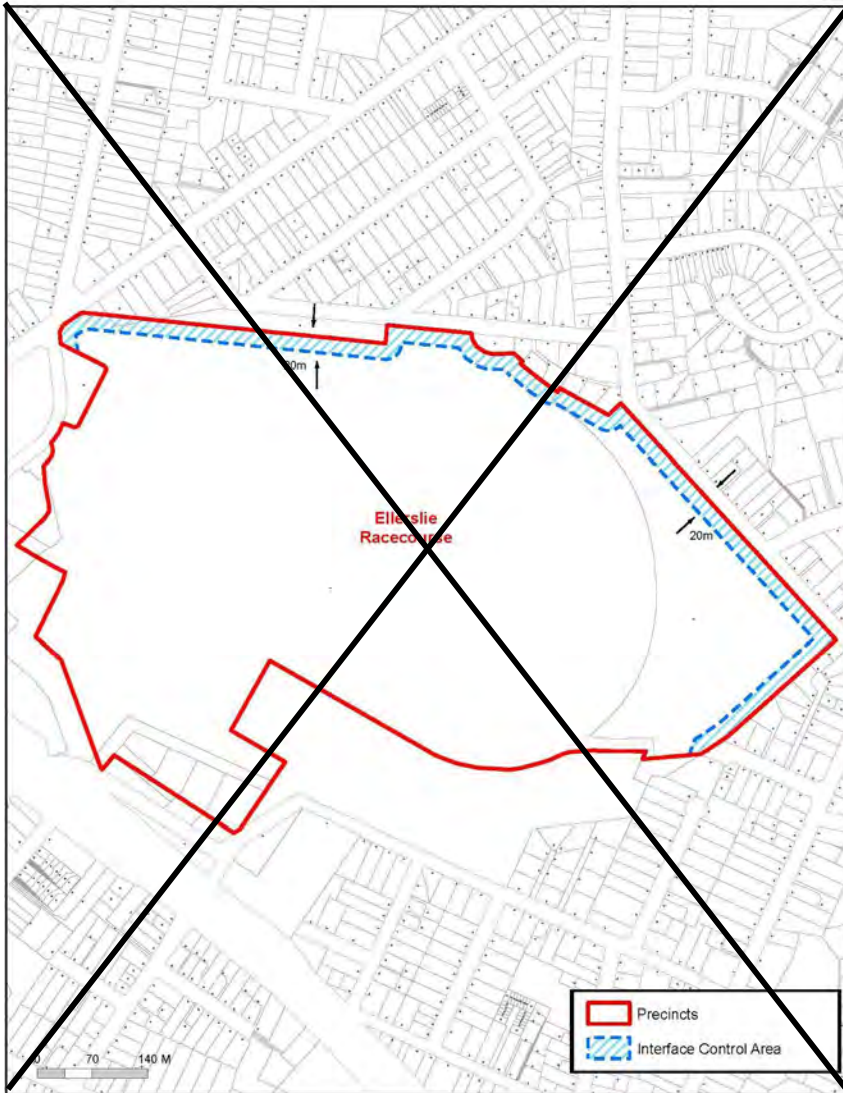
1. Amend I313.1 Ellerslie Racecourse Precinct Description as set out below

I313.1. Precinct description

The Ellerslie Racecourse Precinct provides specific planning controls for the use of the Ellerslie Racecourse. The Ellerslie Racecourse is a major horse racing venue that covers approximately 55 49 hectares of privately-owned land.

2. Amend I313.10 Precinct Plans Ellerslie Racecourse Precinct I313.10.1 Ellerslie Racecourse: Precinct Plan 1

Delete the Below Precinct Plan 1



Replace I313.10.1 Ellerslie Racecourse: Precinct Plan 1 With the Proposed Amended Precinct Plan 1 Below

I313.10.1 Ellerslie Racecourse: Precinct Plan 1

1313.10. Precinct plans

1313.10.1. Ellerslie Racecourse: Precinct plan 1

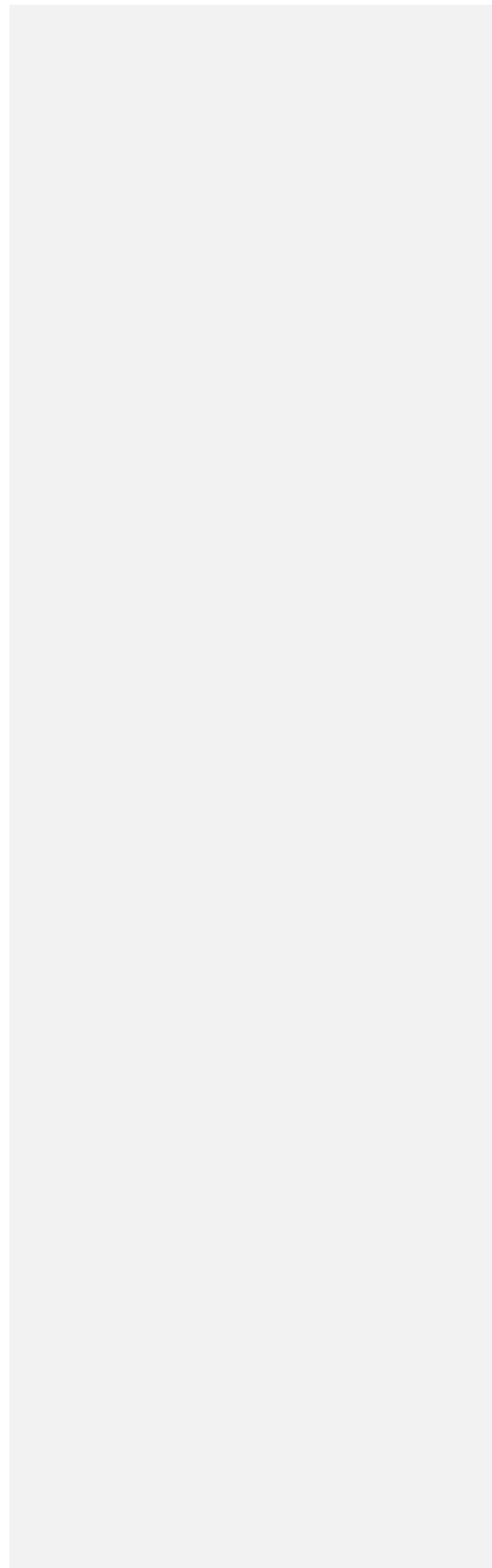


PART D

Amend Schedule 10: Notable Tree Schedule as follows:

Schedule is divided into Auckland Districts and is organised into alphabetical order by street name.

The Notable Tree Overlay symbols are marked on the Planning maps and should be viewed in conjunction with the Schedule below. The symbols indicate the presence of a notable tree, trees or groups of trees



ID	Botanical Name	Common Name	Number of Trees	Location/Street Address	Locality	Legal Description
166	<i>Quercus robur</i>	English Oak	1	Kohimarama Road 65 (reserve)	Kohimarama	Lot 1 DP 28945
165	<i>Araucaria heterophylla</i>	Norfolk Island Pine	2	Kohimarama Road 177	Kohimarama	Lot 27 DP 27807
318	<i>Quercus canariensis</i> , <i>Agathis australis</i>	Algerian Oak, Kauri	2	Korau Road 7	Greenlane	Lot 16 DP 25557
312	<i>Ulmus glabra</i>	Elm	1	Korau Road 14	Greenlane	Lot 23 DP 25557
311	<i>Ulmus glabra</i>	Elm	1	Korau Road 16	Greenlane	Lot 22 DP 25557
498	<i>Cinnamomum camphora</i> , <i>Quercus cerris</i>	Camphor Laurel, Turkey Oak (2)	3	Korma Road 30	Royal Oak	Lot 3 DP 327333
43	<i>Vitex lucens</i>	Puriri	1	Kotare Avenue 3A	Westmere	Lot 1 DP 120050
709	<i>Metrosideros excelsa</i>	Pōhutukawa	1	Kurahaupo Street 45	Orakei	Lot 296 DP 58659
670	<i>Vitex lucens</i>	Puriri	2	Kuranui Place 5B	Otahuhu	Pt Section 2 Blk VI Otahuhu SD
XXX	<i>Metrosideros excelsa</i>	Pōhutukawa	1	Ladies Mile 79	Remuera	Lot 1 DP 585358
342	<i>Metrosideros excelsa</i>	Pōhutukawa	1	Ladies Mile 112	Ellerslie	Lot 28 DP 7838
341	<i>Metrosideros excelsa</i> , <i>Ulmus glabra</i>	Pōhutukawa, (2) Wych Elm	3	Ladies Mile 118	Ellerslie	Part Lot 30 DP 7838, Lot 31 DP 7838
431	<i>Metrosideros excelsa</i>	Pōhutukawa	1	Ladies Mile 170	Ellerslie	Lot 1 DP 324725
432	<i>Metrosideros excelsa</i>	Pōhutukawa	1	Ladies Mile 170D	Ellerslie	Lot 1 DP 140735
490	<i>Metrosideros excelsa</i>	Pōhutukawa	8	Lagoon Drive 36-46	Panmure	Allotment 45 SECT 2 VILL OF Panmure
989	<i>Metrosideros excelsa</i>	Pōhutukawa	1	Landscape Road 5	Mount Eden	Eden
961	<i>Metrosideros excelsa</i>	Pōhutukawa	1	Landscape Road 7	Epsom	Lot 19 DP 6826
962	<i>Metrosideros excelsa</i>	Pōhutukawa	1	Landscape Road 8	Epsom	Lot 3 DP 19644
783	<i>Metrosideros excelsa</i>	Pōhutukawa	1	Landscape Road 9	Mount Eden	Lot 2 DP 53440

Commented [A78]: New tree to be scheduled as per the Arbor Connect report dated 21 February 2024

987	<i>Metrosideros excelsa</i>	Pōhutukawa	1	Landscape Road 11	Epsom	Lot 1 DP 53440
943	<i>Agathis australis</i>	Kauri	1	Landscape Road 13	Mount Eden	Lot 1 DP 99091
988	<i>Araucaria cunninghamii</i>	Hoop Pine	1	Landscape Road 14	Mount Eden	Pt Lot 1 DP 7015
839	<i>Quercus robur</i>	English Oak	1	Levonía Street 23	Western Springs	Allotment 52 SECT 5 SBRS OF Auckland
391	<i>Metrosideros excelsa</i>	Pōhutukawa	1	Lewin Road 1A	Epsom	Lot 37 DP 4280
378	<i>Vitex lucens</i>	Puriri	1	Lewin Road 6	Epsom	Lot 3 DP 17113
931	<i>Agathis australis</i>	Kauri	1	Lewin Road 16	Epsom	Pt Lot 23 DP 7434
377	<i>Vitex lucens, Phoenix canariensis</i>	Puriri, Phoenix Palm (3)	4	Lewin Road 19	Epsom	Lot 2 DP 33754
241	<i>Fraxinus excelsior 'aurea'</i>	Golden Ash	1	Line Road 50	Glen Innes	Lot 39 DP 42355
365	<i>Metrosideros excelsa</i>	Pōhutukawa	1	Liverpool Street 27	Epsom	Lot 3 DP 42495
364	<i>Vitex lucens, Podocarpus totara, Picea abies, Ilex aquifolium, Quercus robur, Cedrus deodara, Chamaecyparis lawsoniana</i>	Puriri (3), Avenue of trees including: Puriri (5), Totara (3), Spruce, Holly, English Oak (2), Cedar, False Cypress	17	Liverpool Street 40	Royal Oak	Lot 1 DP 8648
257	<i>Vitex lucens, Phoenix canariensis</i>	Puriri, Phoenix Palm (2)	3	Lloyd Avenue 39	Mt Albert	Lot 1 DP 44143
170	<i>Metrosideros excelsa</i>	Pōhutukawa	2	Long Drive 106	St Heliers	Lot 2 DP 46553
91	<i>Phoenix canariensis</i>	Phoenix Palm	3	Long Drive (road reserve on intersection with Tamaki Drive)	St Heliers	



Plan Change 104 - Remuera Precinct Proposed Notable Tree

Botanical Name: *Metrosideros excelsa*
Common Name: Pōhutukawa
Location/Street Address: 79 Ladies Mile
Locality: Remuera
Legal Description: Lot 1 DP 585358



THE HILL

LANDSCAPE PACKAGE FOR RESOURCE CONSENT

AUGUST 2022





Boffa Miskell is proudly a
Toitū net carbonzero certified consultancy

DOCUMENT QUALITY ASSURANCE

BIBLIOGRAPHIC REFERENCE FOR CITATION:

Boffa Miskell, 2022. *The Hill, Ellerslie, Landscape Package for Resource Consent*. Report by Boffa Miskell Limited for Fletcher Living

PREPARED BY:

Monica Bainbridge
Landscape Architect
Boffa Miskell Ltd

Rebecca Freeman
Landscape Architect
Boffa Miskell Ltd

Bailen Thatcher
Landscape Architect
Boffa Miskell Ltd

Kieran Dove
Landscape Architect
Boffa Miskell Ltd

REVIEWED BY:

John Potter
Landscape Architect - Partner
Boffa Miskell Ltd

Emma Todd
Landscape Architect - Associate Partner
Boffa Miskell Ltd

STATUS:

Revision / version: 2

Issue date: 23 August 2022



CONTENTS

OVERVIEW	1	JOAL B GARDEN STREET - PLAN	23	BELVEDERE GARDENS WEST - VIEW	48
LANDSCAPE STATEMENT	1	EXCERPT FROM DWG.NO. RC 40.04	23	BELVEDERE GARDENS - VIEW	49
MASTERPLAN (BREWER DAVIDSON)	2	JOAL B GARDEN STREET - VIEW	24	LANDSCAPE STATEMENT - TERRACE GARDENS	50
PART ONE :		JOAL D GARDEN STREET - PLAN	25	TERRACE GARDENS - PLAN	51
SITE-WIDE LANDSCAPE STRATEGY	3	EXCERPT FROM DWG.NO. RC 40.05	25	EXCERPT FROM DWG.NO. RC 40.19	51
LANDSCAPE STRATEGY - KEY MOVE 01	4	JOAL D GARDEN STREET - VIEW	26	TERRACE GARDENS - VIEW	52
LANDSCAPE STRATEGY - KEY MOVE 02	5	JOAL A GARDEN STREET - PLAN	27	LANDSCAPE STATEMENT - APARTMENT PRECINCT	53
LANDSCAPE STRATEGY - KEY MOVE 03	6	EXCERPT FROM DWG.NO. RC 40.06	27	APARTMENT PRECINCT - PLAN	55
LANDSCAPE STRATEGY - KEY MOVE 04	7	JOAL A GARDEN STREET - VIEW	28	EXCERPT FROM DWG.NO. RC 40.20	55
LANDSCAPE STRATEGY - KEY MOVE 05	8	JOAL C GARDEN STREET - PLAN	29	APARTMENT PRECINCT - NORTHERN RESIDENTS COURTYARD PLAN	56
LANDSCAPE STRATEGY - KEY MOVE 06	9	EXCERPT FROM DWG.NO. RC 40.07	29	EXCERPT FROM DWG.NO. RC 40.21	56
LANDSCAPE STRATEGY - KEY MOVE 07	10	JOAL C GARDEN STREET - VIEW	30	APARTMENT PRECINCT - NORTHERN RESIDENTS COURTYARD VIEW	57
LANDSCAPE STRATEGY - KEY MOVE 08	11	JOAL E GARDEN STREET - PLAN	31	APARTMENT PRECINCT -SOUTHERN RESIDENTS COURTYARD PLAN	58
LANDSCAPE STRATEGY - KEY MOVE 09	12	EXCERPT FROM DWG.NO. RC 40.08	31	EXCERPT FROM DWG.NO. RC 40.22	58
LANDSCAPE STRATEGY DIAGRAM	13	JOAL E GARDEN STREET - VIEW	32	APARTMENT PRECINCT - LADIES MILE FRONTAGE PLAN SHEET 01	60
PART TWO :		JOAL F GARDEN STREET - PLAN	33	EXCERPT FROM DWG.NO. RC 40.23	60
PUBLIC REALM AND	14	EXCERPT FROM DWG.NO. RC 40.09	34	APARTMENT PRECINCT - LADIES MILE FRONTAGE PLAN SHEET 02	61
RESIDENTIAL LANDSCAPE	14	JOAL F GARDEN STREET - VIEW	34	EXCERPT FROM DWG.NO. RC 40.24	61
INTRODUCTION	15	LANDSCAPE STATEMENT - TRACKSIDE WALK	35	APARTMENT PRECINCT - LADIES MILE FRONTAGE VIEWS	62
LANDSCAPE STATEMENT - UPPER AND LOWER LOOP ROAD	16	TRACKSIDE WALK - OVERALL PLAN	36	APARTMENT PRECINCT - LADIES MILE FRONTAGE VIEWS	63
OVERVIEW	16	EXCERPT FROM DWG.NO. RC 40.10	36	APARTMENT PRECINCT - LADIES MILE FRONTAGE SECTIONS	64
UPPER LOOP ROAD - PLAN	17	TRACKSIDE WALK - THE EMBANKMENT PLAN	37	EXCERPT FROM DWG.NO. RC 40.25	64
UPPER LOOP ROAD - VIEW	18	EXCERPT FROM DWG.NO. RC 40.11	37	LANDSCAPE STATEMENT - VIVID LIVING APARTMENT BUILDING	65
LOWER LOOP ROAD - PLAN	19	TRACKSIDE WALK - THE EMBANKMENT VIEW	38	VIVID LIVING APARTMENT - PLAN Excerpt from Dwg.No. RC 40.26	66
LOWER LOOP ROAD - VIEW	20	TRACKSIDE WALK - JOAL B PLAN	39	VIVID LIVING APARTMENT - VIEW	67
LOWER LOOP ROAD/DERBY DOWNS PLACE SITE ENTRANCE	21	EXCERPT FROM DWG.NO. RC 40.12	39	LANDSCAPE STATEMENT – HOUSE TYPOLOGY LANDSCAPE	68
LANDSCAPE STATEMENT - GARDEN STREETS	22	TRACKSIDE WALK - VIVID LIVING APARTMENT PLAN	40		
OVERVIEW	22	Excerpt from Dwg.No. RC 40.13	40		
		TRACKSIDE WALK - SECTIONS SHEET 1	41		
		EXCERPT FROM DWG.NO. RC 40.14	41		
		TRACKSIDE WALK - SECTIONS SHEET 2	42		
		EXCERPT FROM DWG.NO. RC 40.15	42		
		TRACKSIDE WALK - SECTIONS SHEET 3	43		
		EXCERPT FROM DWG.NO. RC 40.16	43		
		LANDSCAPE STATEMENT - BELVEDERE GARDENS	44		
		BELVEDERE GARDENS EAST - PLAN	45		
		EXCERPT FROM DWG.NO. RC 40.17	45		
		BELVEDERE GARDENS EAST - VIEW	46		
		BELVEDERE GARDENS WEST - PLAN	47		
		EXCERPT FROM DWG.NO. RC 40.18	47		

PART THREE:

LANDSCAPE ELEMENTS STRATEGY

LANDSCAPE ELEMENTS

SITEWIDE - PLANTING STRATEGY

PLANTING LOOK & FEEL

PLANTING STRATEGY SHEET LOCATIONS

SITE-WIDE STREET TREE STRATEGY

LADIES MILE FRONTAGE

APARTMENT PRECINCT - PLANTING STRATEGY

APARTMENT PRECINCT - PRIVATE PLANTING PALETTE

APARTMENT PRECINCT - PUBLIC PLANTING PALETTE

UPPER LOOP ROAD - PLANTING STRATEGY

UPPER LOOP ROAD - PLANTING PALETTE

JOAL B GARDEN STREET NORTH - PLANTING STRATEGY

JOAL B GARDEN STREET NORTH - PLANTING PALETTE

JOAL D GARDEN STREET - PLANTING STRATEGY

JOAL D GARDEN STREET - PLANTING PALETTE

JOAL A GARDEN STREET - PLANTING STRATEGY

JOAL A GARDEN STREET - PLANTING PALETTE

JOAL C GARDEN STREET - PLANTING STRATEGY

JOAL C GARDEN STREET - PLANTING PALETTE

JOAL E GARDEN STREET - PLANTING STRATEGY

JOAL E GARDEN STREET - PLANTING PALETTE

JOAL B SOUTH & TRACKSIDE WALK - PLANTING STRATEGY

69	JOAL B SOUTH & TRACKSIDE WALK - PLANTING PALETTE	91
	TRACKSIDE WALK - THE EMBANKMENT - PLANTING STRATEGY	92
	TRACKSIDE WALK - THE EMBANKMENT - PLANTING PALETTE	93
70	LOWER LOOP ROAD / JOAL F - PLANTING STRATEGY	94
70	LOWER LOOP ROAD / JOAL F - PLANTING PALETTE	95
71	VIVID LIVING APARTMENTS - PLANTING STRATEGY	96
72	VIVID LIVING APARTMENTS- PLANTING PALETTE	97
73	BOUNDARY TREATMENT AND LEVEL CHANGE STRATEGY	98
74	BOUNDARY TREATMENT - SITE CONTEXT & REMUERA VERNACULAR	99
75	BOUNDARY TREATMENT - STREETScape FRONTAGE STRATEGY	100
76	BOUNDARY TREATMENT - WALL AND FENCING STRATEGY	101
77	BOUNDARY TREATMENT - HEDGING STRATEGY	102
78	BOUNDARY TREATMENT - PALETTE	103
79	RETAINING WALLS - STRATEGY	104
80	RETAINING WALLS - PALETTE	105
81	VIVID LIVING APARTMENTS - RETAINING AND BOUNDARY TREATMENTS STRATEGY	107
82		
83		
84		
85		
86		
87		
88		
89		
90		

OVERVIEW

LANDSCAPE STATEMENT



Boffa Miskell has worked in close collaboration with the Architectural, Engineering and Urban Design Teams and the Fletcher Living Team to provide a fully integrated Landscape Design response across the development. This document describes and provides background rationale for the the Landscape Design proposals (as illustrated in the Resource Consent package) as follows:

PART ONE: SITE-WIDE LANDSCAPE STRATEGY

Part One details the proposed nine **Key Moves** that collectively define the Landscape Strategy for the Hill. Key Moves 1 to 3 speak to site context considerations by: acknowledging and celebrating the site as a special place to acknowledge the landscape of Tāmaki Makaurau; establishing a relationship with the heritage and landscape character qualities of the Auckland Racing Club and integrating the architectural and streetscape form into the distinctive and character-defining landform of 'The Hill'.

Key Moves 4 to 7 focus on maximising the opportunities offered by the public realm to: create opportunities offered by the elevated landform to enjoy the site's unique outlook; provide legible and safe pedestrian connections within and through the site for use by residents and the wider community; design the streetscape as a vibrant part of the public realm that prioritises the use by people over vehicles where appropriate, and seeks to retain the existing Pohutukawa trees along the Ladies Mile frontage to form a character-defining garden edge to 'The Hill' along the Ladies Mile frontage.

Key Move 8 focuses on the development of an integrated vegetation strategy that offers a contemporary interpretation of the formal traditional style of the racecourse and Remuera gardenesque style, whilst celebrating the use of native planting and providing opportunities for native biodiversity and habitat creation. Lastly, **Key Move 9** describes the key themes that will collectively deliver a sustainable landscape.

PART TWO: PUBLIC REALM AND RESIDENTIAL LANDSCAPE

These Key Moves are manifested in the design and location of the following proposed open spaces which collectively form the public realm and private open spaces of the development, and in doing so play a key role in defining the overall character of 'The Hill':

- Upper and Lower Loop Roads
- Garden Streets
- Trackside Walk
- Belvedere Gardens
- Terrace Gardens
- Apartment Precinct and Vivid Living Apartments - Residents Courtyards
- Terraced/Duplex/Detached Housing – Residents Gardens

Part Two provides an overview of each of the open spaces listed above and includes intended use of the space and spatial composition illustrated through plan and 3D view illustrations.

PART THREE: LANDSCAPE ELEMENTS STRATEGY

Part Three provides an overview of the site-wide strategic approach to the use of planting, boundary treatments (fencing and walls) and retaining wall treatments across the development. Collectively, these elements will build on the variety and quality of the open spaces described in Part Two, through how they contribute to both the functionality and visual character of these spaces.

MANA WHENUA ENGAGEMENT

It should be noted that in addition to the concepts and rationale included in the Resource Consent package, the Project Team is engaged in a process to establish a collaborative relationship with Mana Whenua, with two Hui having taken place to date.

Through this process it is hoped that Mana Whenua will develop a cultural design narrative for the site, and work alongside the Project Team to identify opportunities to embed Mana Whenua cultural values in an authentic manner into designs for the site.

To date, all parties have agreed that the site is a fantastic opportunity to appreciate the surrounding maunga. This place has also been one of passage across the isthmus and between the maunga and has also been an area where crops have historically been located. Lastly we have learned that this place has been recognised as Waiatarua (2 songs) in recognition of the singing noise that could be heard from the lava caves. Discussion have commenced regarding specific opportunities for iwi inputs to artworks at key locations, in particular as part of eth journey through Belvedere Gardens

PLANNING CONTEXT

Under the current permitted use of the site (horse racing) a large grandstand structure could be erected on The Hill land as a permitted activity. We acknowledge that from a landscape perspective, a more modest development comprising of a mixture of residential activities set within a high quality landscape is an improved outcome overall that integrates well into the existing urban fabric.

It should also be noted that The Hill provides for access by the wider local community, and as such does not function as a 'gated community'.

MASTERPLAN (BREWER DAVIDSON)



LEGEND

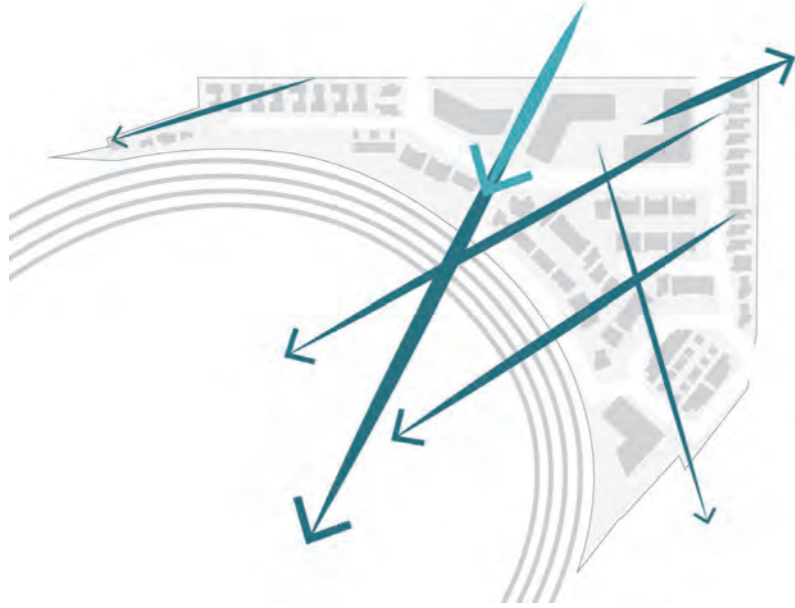
- ① Apartment Precinct
- ② Belvedere Gardens East
- ③ Belvedere Gardens West
- ④ Existing Pohutukawa Trees Retained
- ⑤ Vivid Living Retirement Apartments
- ⑥ Planted Embankment
- ⑦ Trackside Walkway
- ⑧ Planted Swale
- ⑨ Path Connection to Peach Parade*
- ⑩ Relocated Access To Racecourse Infield*
- ⑪ Infield Pond*

* Provided by ATRI, not part of application, shown for context only

PART ONE : SITE-WIDE LANDSCAPE STRATEGY

LANDSCAPE STRATEGY - KEY MOVE 01

CELEBRATE THE SITE AND ITS CONTEXT AS A SPECIAL PLACE IN TĀMAKI MAKAUURAU

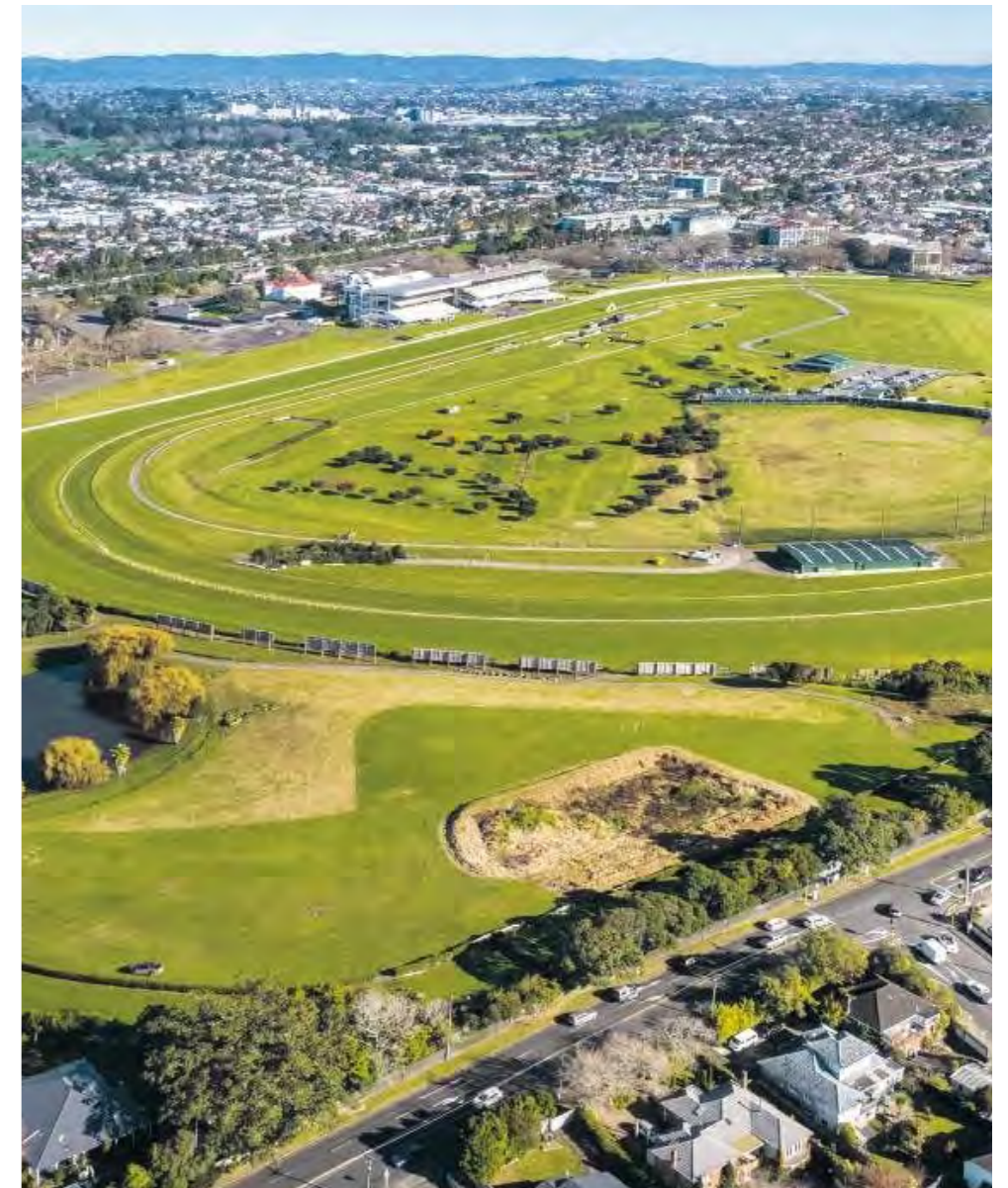


Celebrate distant views to the remnant volcanic landscape of Tāmaki Makaurau – Auckland through retaining and enhancing views to Maungakiekie – One Tree Hill, Maungawhau – Mt Eden, Te Kōpuke – Mt St John, Te Pane o Mataoho – Mangere Mountain, Ōhinerau – Mount Hobson and Maungarei - Mt Wellington, both between and over the top of the buildings of The Hill.

Celebrate the foreground views over the flat open green space of an iconic Auckland Racing Club Destination.

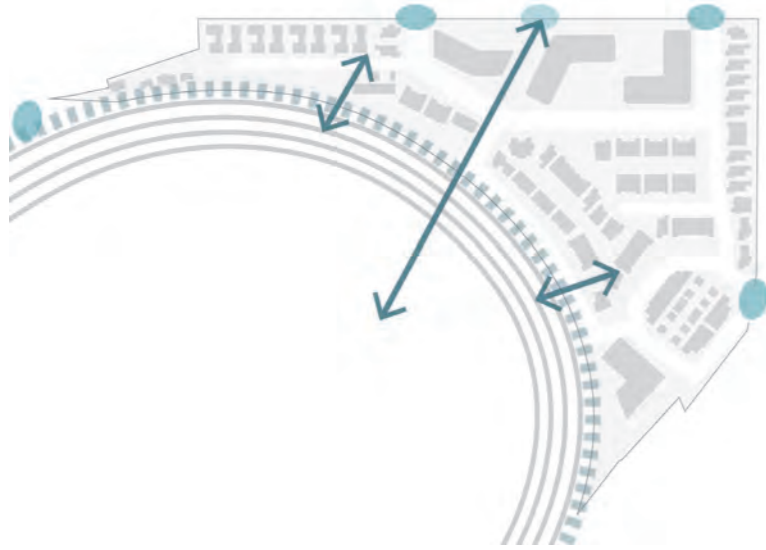
Enhance the Abbotts Way viewshaft through creating a gesture of welcome, entrance and invitation to explore the spectacular vista beyond.

Engage with mana whenua to explore opportunities for celebrating the site's connection with its physical and cultural landscape.



LANDSCAPE STRATEGY - KEY MOVE 02

ESTABLISH A STRONG IDENTITY AND CONNECTION WITH AUCKLAND RACING CLUB AND REMUERA

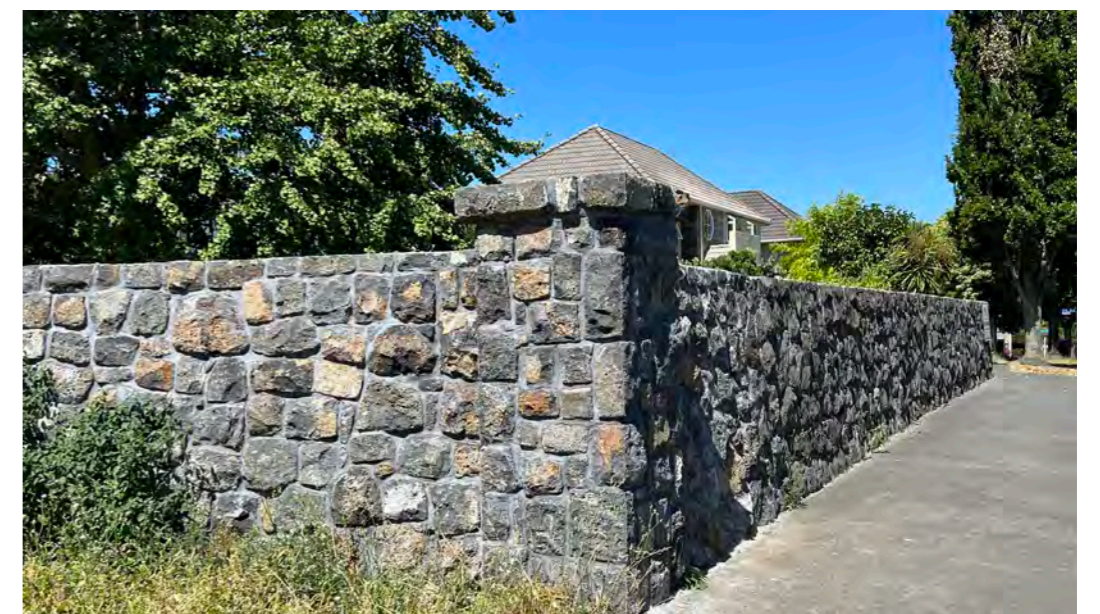
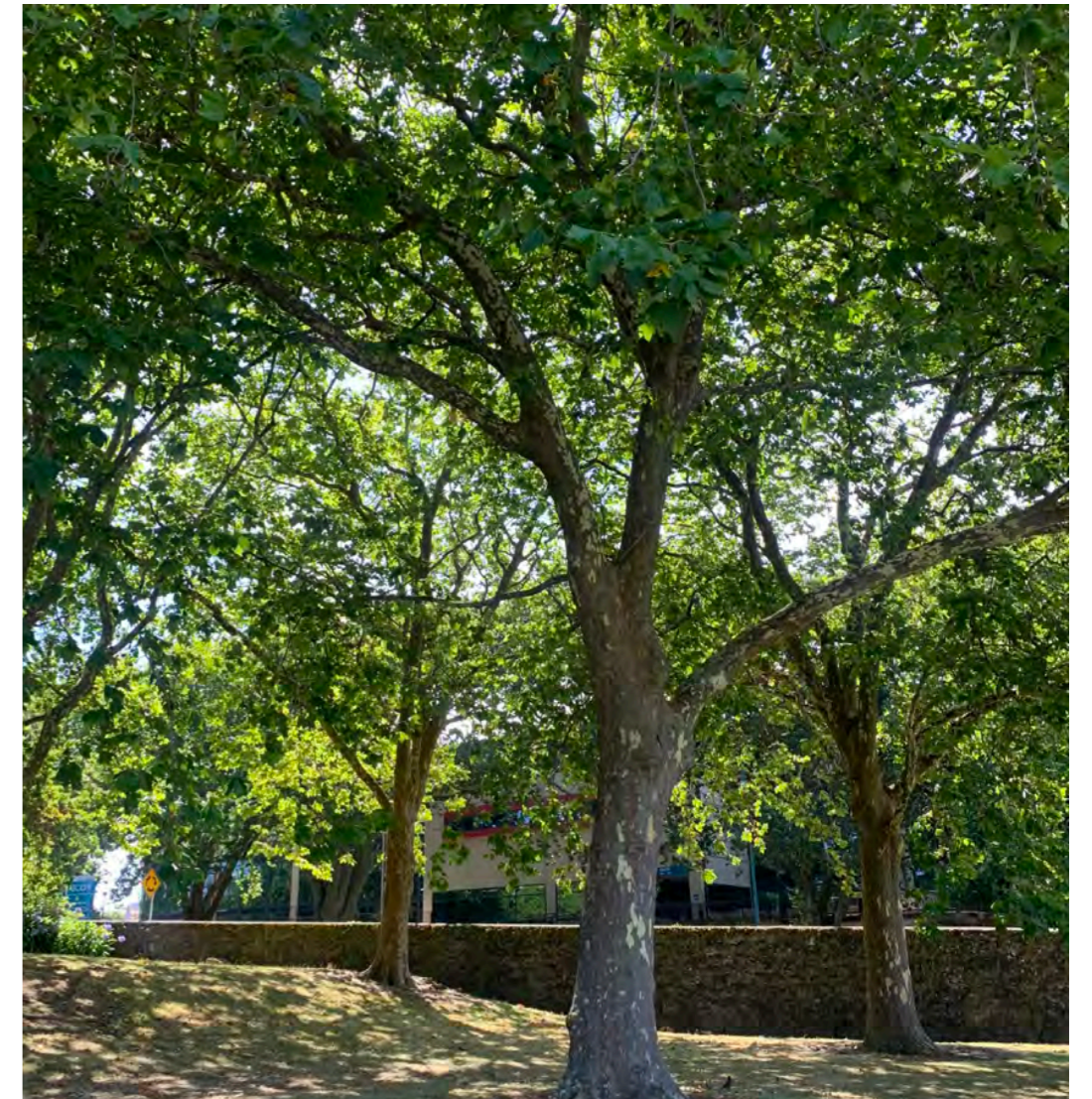
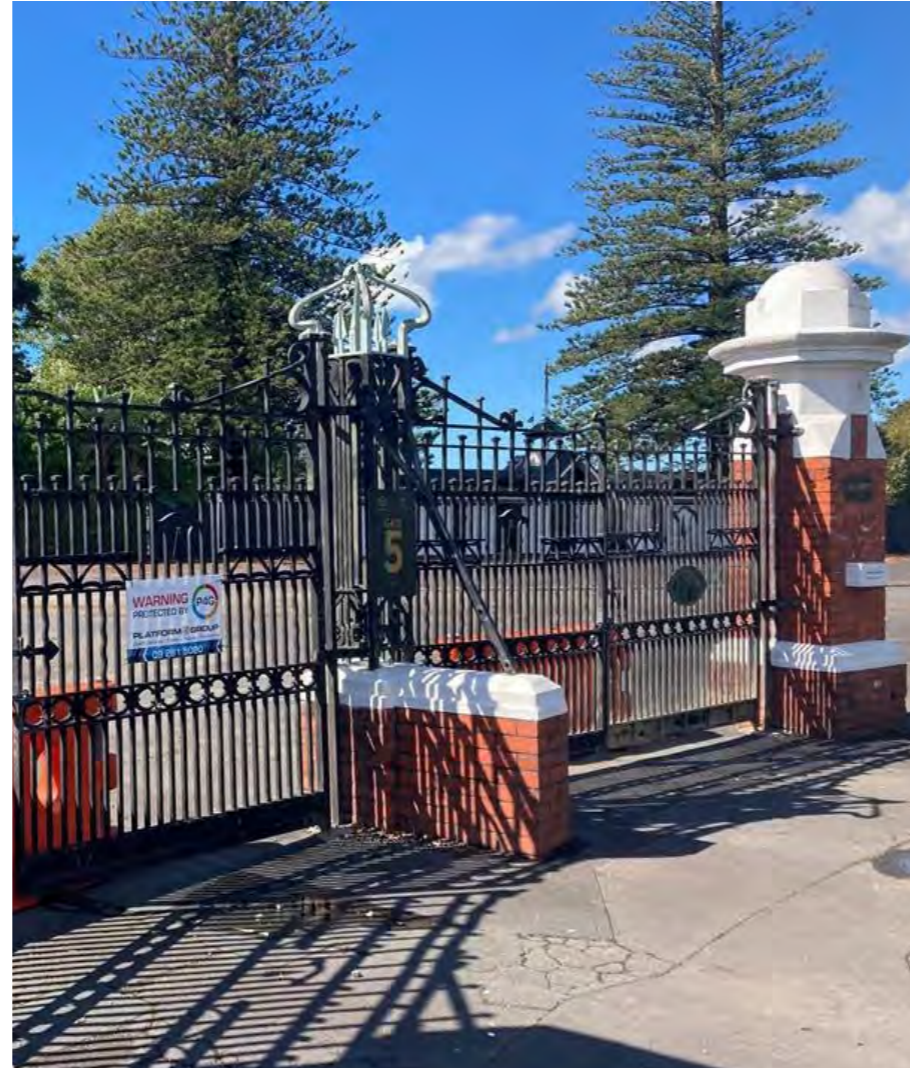


Deliver an outstanding architectural and landscape design approach which creates a strong emotional and physical connection between a new community and the unique development setting.

Attract a community of residents who love living adjacent to the activities of the Auckland Racing Club.

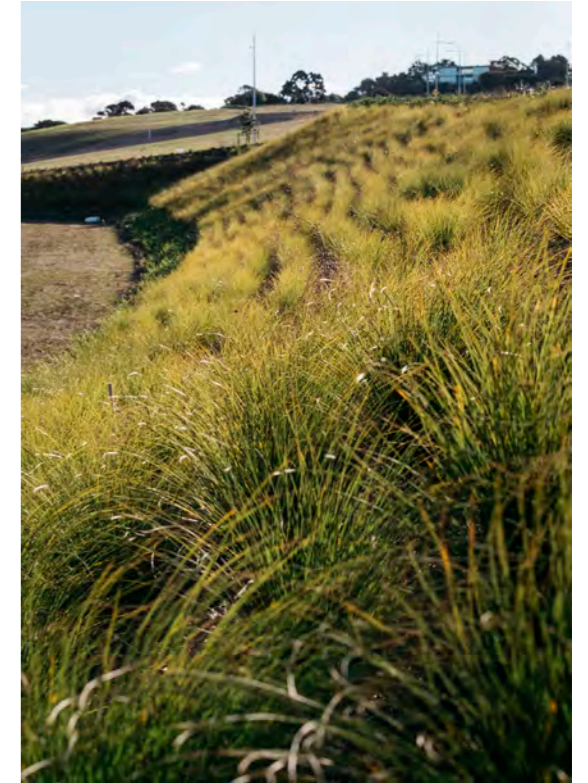
Reflect the established heritage qualities of the Auckland Racing Club through the use of appropriate site entry threshold and site boundary design proposals, and explore other design opportunities to reflect the site's horse racing heritage and history.

Work with the built form and landform to establish a strong visual and physical connection between the Hill and the racecourse.



LANDSCAPE STRATEGY - KEY MOVE 03

INTEGRATE THE DEVELOPMENT INTO THE LANDFORM OF 'THE HILL'



Develop a landscape organising strategy to ensure successful integration of the architectural form into the landform.

To include:

Use of a sloped embankment adjacent to the track to reflect the current landform of 'The Hill' and that of the distant maunga.

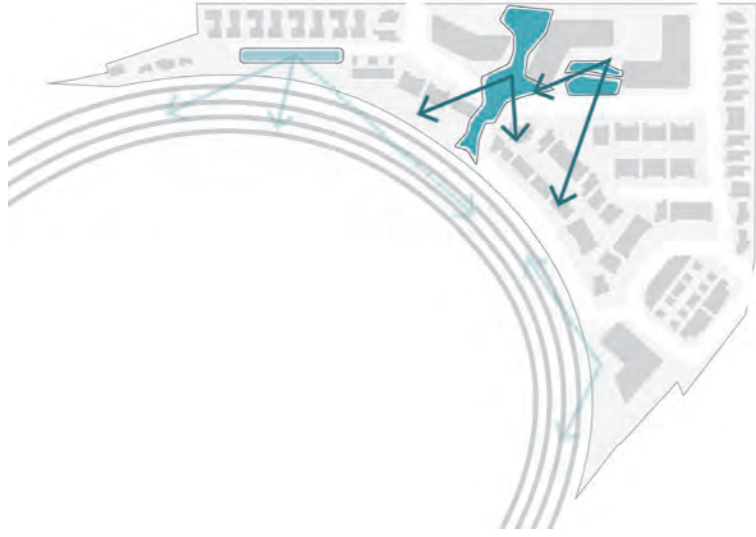
Use of a considered terracing/retaining wall treatment design language to respond to level change requirements across the site.

Landscape integration of landform and built form to provide legibility and consistency of treatment across the site, making a positive contribution to the identity of 'The Hill'.



LANDSCAPE STRATEGY - KEY MOVE 04

CREATE OPPORTUNITIES TO ENJOY THE UNIQUE OUTLOOK AND RACECOURSE 'EXPERIENCE'



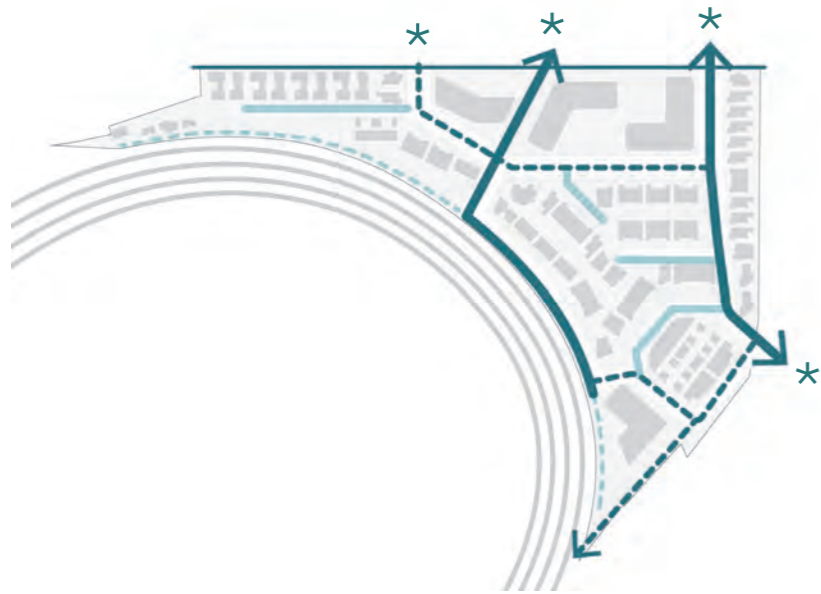
Maximise the opportunities offered by the drama of the landform and spectacular outlook to create west-facing open spaces/ viewing belvederes for residents to use and enjoy.

Provide seating opportunities within the streetscape environment, integrated into, and working with the landform. Align to take full advantage of views and vistas on offer.



LANDSCAPE STRATEGY - KEY MOVE 05

LEGIBLE PEDESTRIAN CONNECTIONS AND A CIRCULATION HIERARCHY FOR USE BY RESIDENTS AND THE PUBLIC



Use design response, materiality and wayfinding to provide:

Pedestrian access points into and out of the site from Ladies Mile, Derby Downs Place and Peach Parade (via the Trackside Walk).

A circulation hierarchy for both pedestrians and vehicles to assist with wayfinding, and the definition of public open spaces and walkways into which all users are welcomed, and those spaces primarily intended for use by residents.

Access to some areas of the Apartment Precinct as communal open space.

An enhanced pedestrian and cycling connection to Ellerslie Town Centre and the train station utilising the existing connection through Derby Downs Domain into Lonsdale Street.

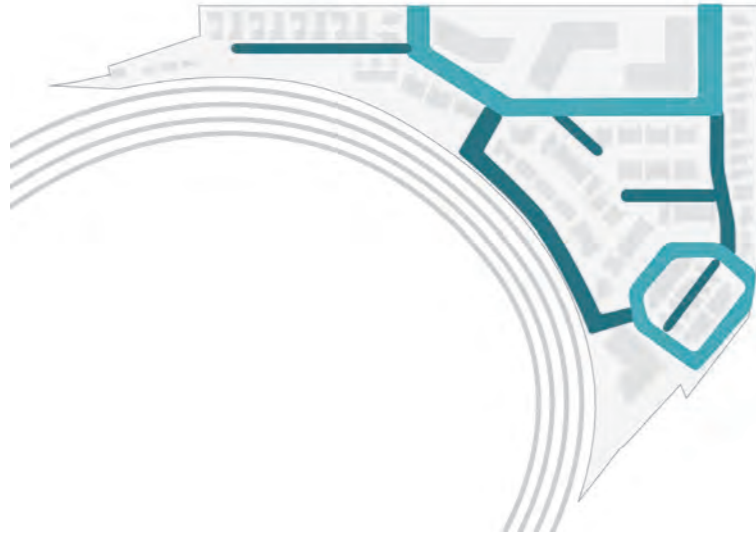
Seating areas to enable people to pause their walking journey to rest, socialise and enjoy the view.

Appropriate design responses to respond to CPTED requirements.



LANDSCAPE STRATEGY - KEY MOVE 06

STREETSCAPE AS VIBRANT PUBLIC REALM THAT HELPS TO DEFINE THE CHARACTER OF 'THE HILL'



Deliver a high quality public realm that provides cohesion and consistency to the varied architectural form across the development.

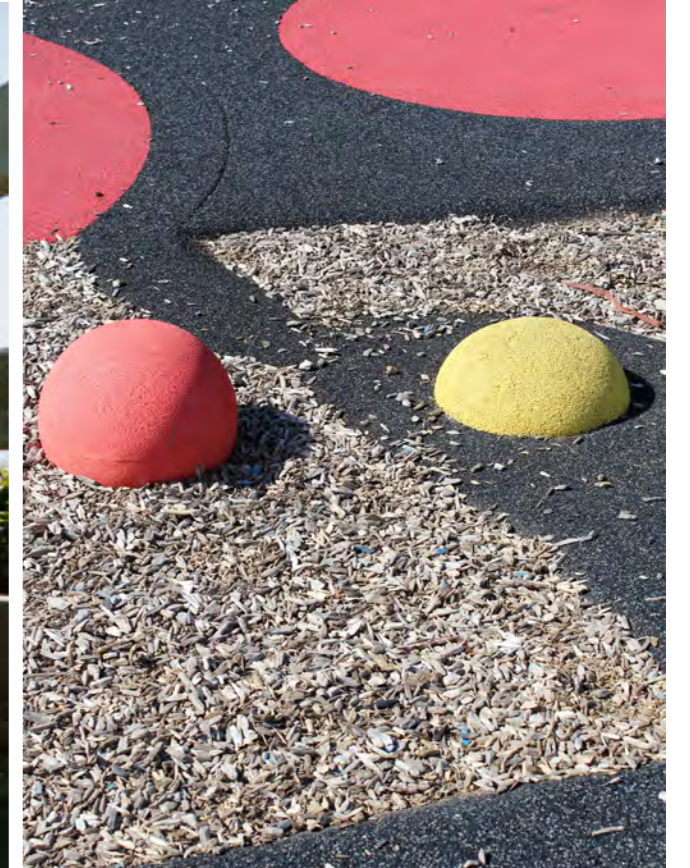
Define a vehicle movement hierarchy based on through movement (Loop Roads) and residential access (JOALs) to provide visual legibility around public and private access and deter 'rat-running'.

Meet all functional requirements - spatial allocation for pedestrian, active transport and vehicular movement, on-street parking, servicing, emergency vehicle access and rubbish collection

Use of vegetation to provide visual amenity and contribute to sustainable stormwater management.

Provide 'pause points' to provide opportunities for community social interaction and the enjoyment of the spectacular views on offer.

Provide opportunities for public realm use by a wide demographic.



LANDSCAPE STRATEGY - KEY MOVE 07

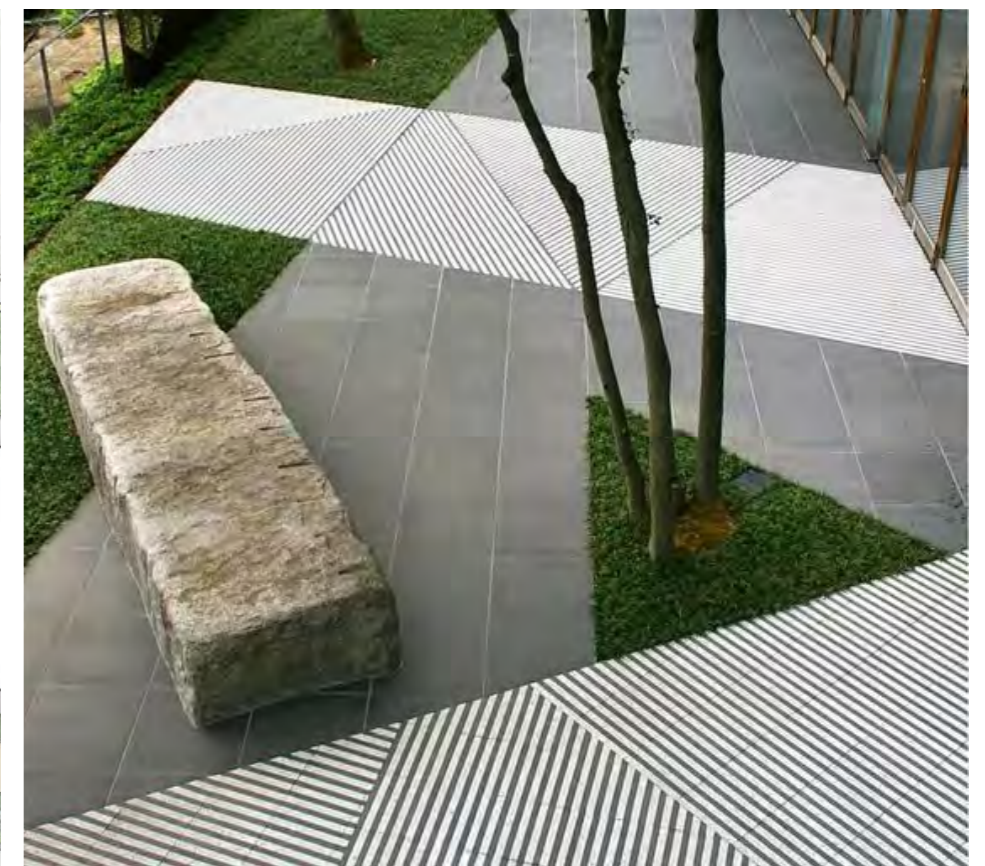
POSITIVE CONTRIBUTION TO LADIES MILE STREETScape



Retain the existing Pohutukawa trees and augment with understory planting and additional tree planting where appropriate. The integration of these existing trees into the Apartment Precinct in combination with the proposed planting will form a character-defining garden edge along the length of the Ladies Mile frontage.

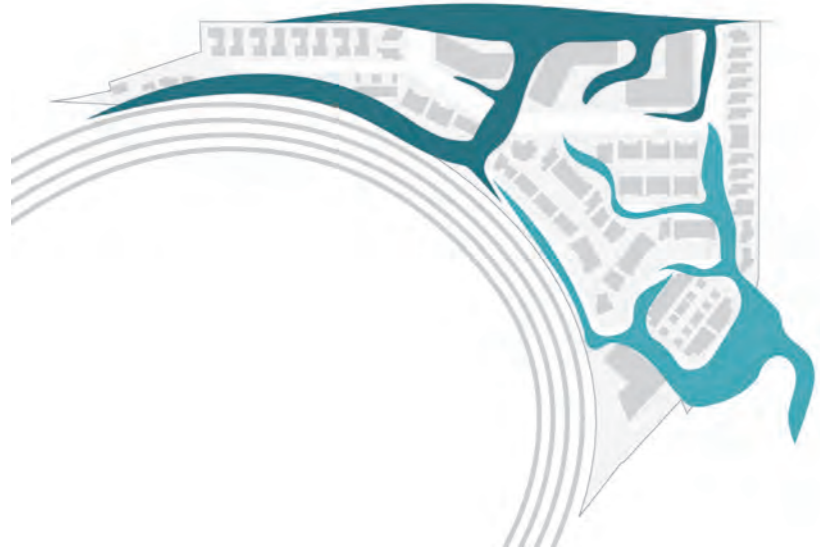
Provide a new public pedestrian footpath within the road reserve along the length of the Ladies Mile frontage. Introduce a signalised pedestrian crossing at the Ladies Mile – Abbotts Way intersection.

Create specific pedestrian and vehicular entrance statements into the development which provide a contemporary interpretation of the established heritage qualities of the Auckland Racing Club. To feature the use of basalt (potentially sourced from the adjacent racecourse site) and layered planting.



LANDSCAPE STRATEGY - KEY MOVE 08

DEVELOP AN INTEGRATED VEGETATION STRATEGY



Define the character of 'The Hill' by referencing the established heritage qualities of Ellerslie Racecourse and the landscape character of Remuera.

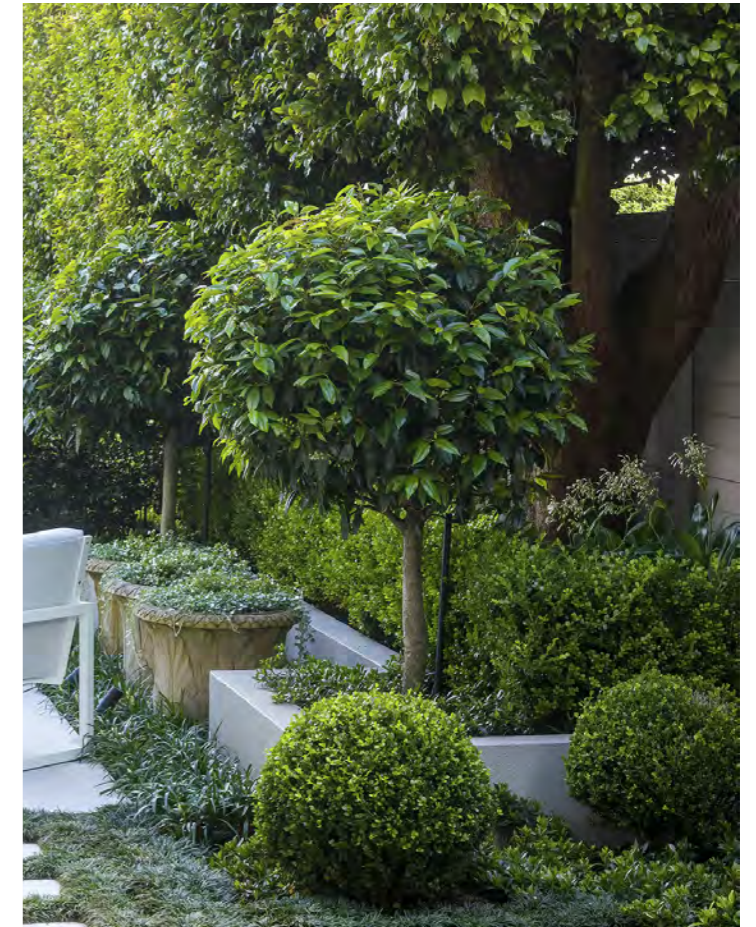
Create a gardenesque setting that offers a contemporary interpretation of the formal traditional style of the racecourse and surrounding areas, whilst also providing native biodiversity and opportunities for habitat creation.

A balanced use of native and exotic vegetation, with final species selection aligned with required planting purpose and design outcome

Provide consistency and legibility to the varied topography and architectural form.

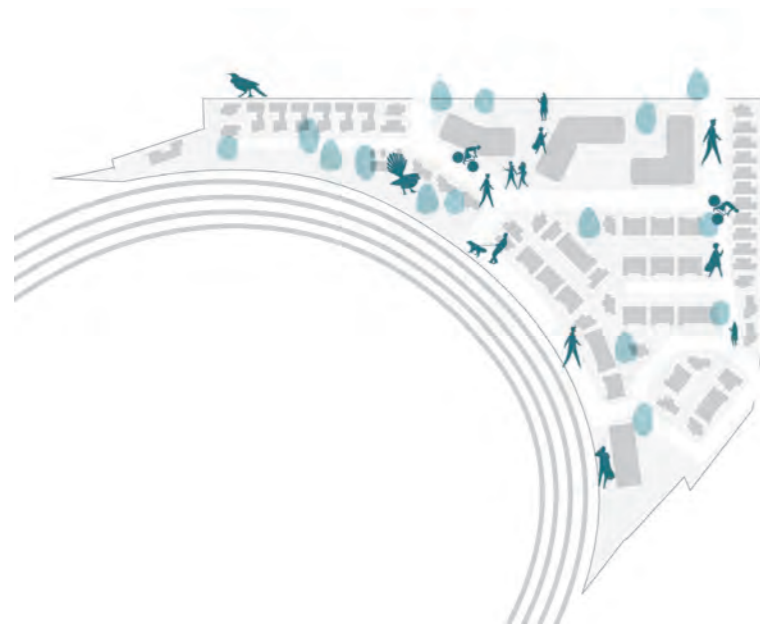
Provide recreational and visual amenity for residents and visitors – Remuera inspired planting using planting layering in combination with hedges and low walls to celebrate level change, textured foliage to provide variation, and structured planting offset with accents of seasonal colour and feature trees.

Assist in defining resident and public access through landscape character differentiation throughout the development.



LANDSCAPE STRATEGY - KEY MOVE 09

A SUSTAINABLE LANDSCAPE



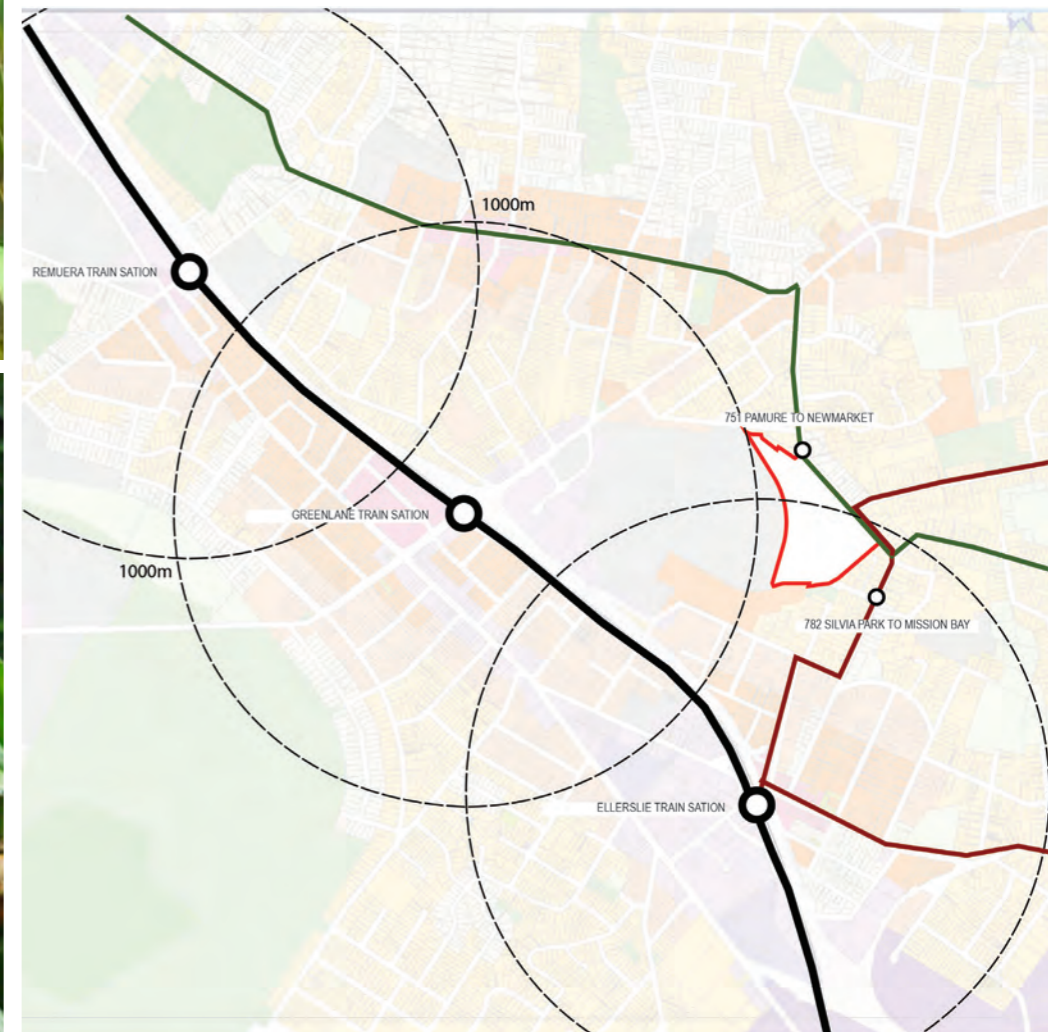
Promote walking and cycling as a transport choice through the provision of legible and convenient connections to Ellerslie town centre, train station and other local centres.

Promote walking as a health and recreational activity through the provision of a pedestrian-focused streetscape network, seating areas and the trackside walkway.

Provide ecological biodiversity and habitat creation for birds and insects through the use of both native and appropriate exotic vegetation.

Utilise streetscape tree and groundcover planting for sustainable stormwater management through the use of raingardens, as required.

Potential Re-purposing of existing basalt boulders along Ladies Mile boundary as features within the wider landscape, and potential use of basalt sourced from the adjacent racecourse site (excavated during recent drainage works).



LANDSCAPE STRATEGY DIAGRAM

LEGEND:

- BELVEDERE**
 An integrated and cohesive formal garden experience that is the defining landscape feature of 'The Hill'. Incorporates viewing belvederes to take full advantage of the outlook on offer, and features the use of feature walls and feature paving in combination with planting using hedging and textured foliage planting. Basalt will be a featured material.

 The Belvedere Gardens incorporates an informal and welcoming flexible use level open space adjacent to the proposed cafe, and also directly accessible from the Upper Loop Road. This is a space in which locals can meet and socialise, enjoy outdoor dining, or simply pause to watch the world go by.
- TERRACE GARDENS**
 A contemporary reinterpretation of a 'Remuera gardenesque' style to provide relaxing and tranquil spaces for the enjoyment of residents and visitors. Incorporate viewing belvederes to take full advantage of the outlook on offer and 'natural' play opportunities
- GARDEN STREETS**
 Outdoor courtyard thoroughfares in which vehicles are calmed and the pedestrian experience is prioritised. Where the residents and the public can come together, and planting, paving and hard landscaping define spaces for for residents and visitors to come together, play or simply sit and enjoy the views
- Residents only
 Residents and public
- TRACKSIDE WALK**
 The trackside walk provides both residents and visitors with the opportunity to enjoy the unique experience of trackside proximity and expansive views across the racecourse, whilst also enjoying the adjacent continuous and varied garden edge and convenient access to surrounding areas.
- RESIDENTS COURTYARDS**
 The Apartment Precinct and Vivid Living Apartment each feature two courtyard spaces for exclusive use by residents and their visitors. These courtyards provide flexible spaces to encourage a variety of intergenerational outdoor use and relaxation, and include the provision of shade through pergola structures, and seating positioned to maximise both shelter and the opportunity to experience the panoramic outlook on offer. The use of raised planters provides the opportunity for residents in both apartments to engage in the propagation of vegetables, salads and herbs in productive gardens.



PART TWO : PUBLIC REALM AND RESIDENTIAL LANDSCAPE

INTRODUCTION



This section describes the following proposed open spaces which collectively form the public realm and private open spaces of the development, and in doing so play a key role in defining the overall character of 'The Hill':

1. Upper Loop Road (Public Realm)
2. Lower Loop Road (Public Realm)
3. Garden Streets (Public Realm)
4. Trackside Walk (Public Realm)
5. Belvedere Gardens (Public Realm)
6. Terrace Gardens (Public Realm)
7. Apartment Precinct (Residents Courtyards – private open space)
8. Vivid Living Apartments (Residents Courtyards – private open space)
9. Terraced/Duplex/Detached Housing (Residents Courtyards – private open space)

LANDSCAPE STATEMENT - UPPER AND LOWER LOOP ROAD



OVERVIEW

The intention is to provide a vehicle movement hierarchy within 'The Hill' based on the 'movement' and 'place' concept. This results in the creation of 1) Upper and Lower Loop Roads, which focus on the movement of vehicles and pedestrians into and out of 'The Hill' from the adjacent road network, and access to the residential properties serviced by the Loop Roads, and 2) Six JOALs, which present these streetscape spaces as high quality place-based 'Garden Streets'.

Recognising that the two legal roads that provide access to 'The Hill' will need to be roads vested to Auckland Transport, a strategic call was made to follow a conventional but nonetheless high-quality streetscape design approach in the design of the Upper and Lower Loop Roads.

Both feature a 6m carriageway with wide front berms accommodating street trees, lawns, limited areas of groundcover planting, raingardens, streetlights, and parking bays (including some to be identified as P5 loading/drop off zones adjacent to the apartment entrances).

The Upper Loop Road includes a raised table zebra crossing connecting the eastern and Western sections of the Belvedere Gardens, with parking provided adjacent to both the Belvedere and Terrace Gardens. Compliant in-and-out vehicle crossings provide porte-cochere access to Apartments B1 and C2.

Refer Boffa Miskell Dwg. No. RC 40.02 Upper Loop Road Plan

The Lower Loop Road includes parking bays both inside of the loop and on the outside, adjacent to the Vivid Living building (including two to be identified as P5 loading/drop off zones adjacent to the apartment entrance). The Lower Loop Road footpaths provide for pedestrian access from within the wider development across the end of Derby Downs Place and into Derby Downs Domain, from which point a footpath leads to Lonsdale Street and to Ellerslie town centre and the train station beyond.

Refer Boffa Miskell Dwg. No. RC 40.03 Lower Loop Road Plan

INFIELD ACCESS ROAD ENTRANCE GATES

It is intended to relocate the Auckland Racing Club Gates (currently situated at the Mitchelson Street entrance to the Raceday car park) to form a gated entrance to the Infield Access Road, which is accessible from the Lower Loop Road. Whilst the construction of the Infield Access Road and gate relocation will be undertaken by Auckland Thoroughbred Racing (ATR) and falls outside the extent of this project, it is notable context that the gates will form a distinctive feature within the wider landscape of the Lower Loop Road.

UPPER LOOP ROAD/ LADIES MILE SITE ENTRANCES

It is intended to reflect the established heritage qualities of the racecourse through the use of appropriate site entry threshold design proposals. These heritage qualities are defined by the use of basalt walls, black vertical rail fencing, low planting and entrance piers around gates. Site boundary treatment is discussed in further detail on page 99, and it is

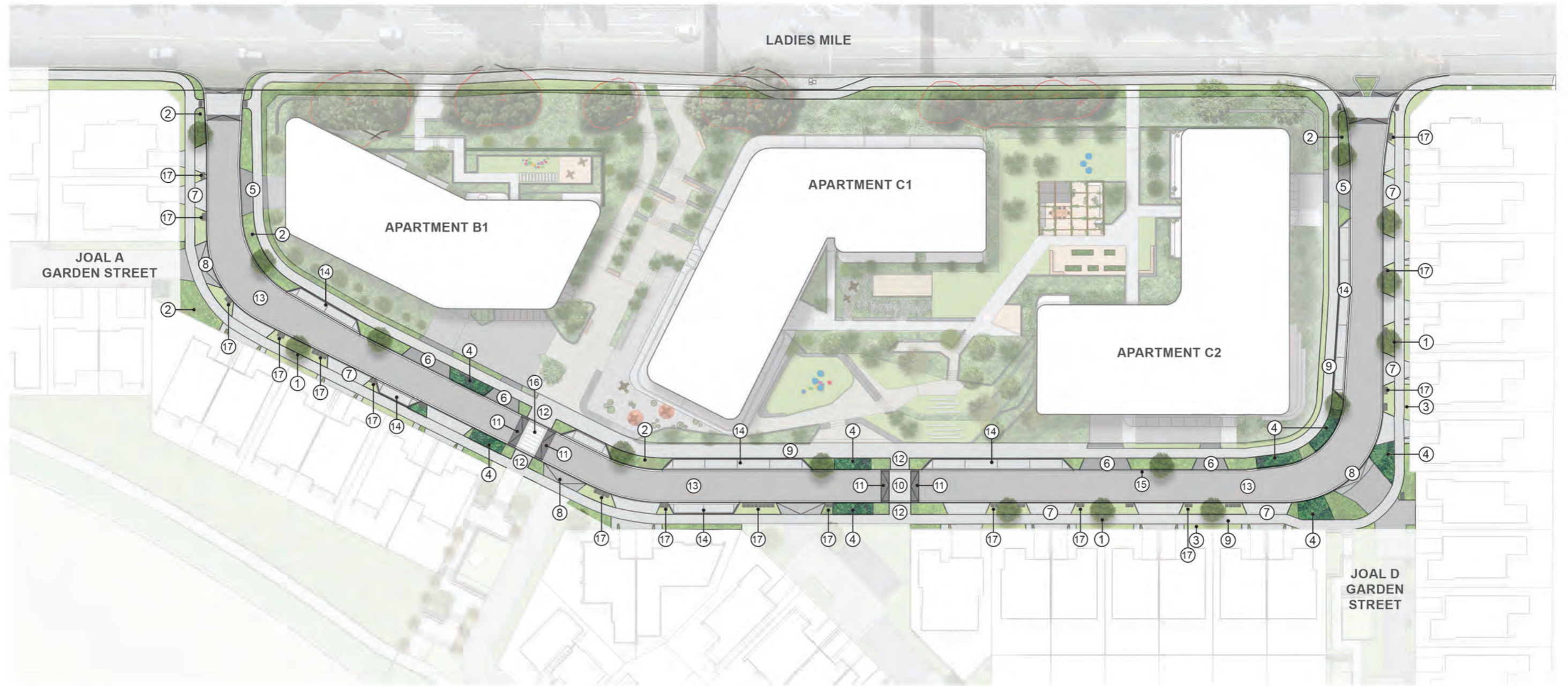
proposed to use basalt walls formed in a contemporary curved plan form in combination with 'The Hill' entrance signage and low planting to celebrate the Upper Loop Road entrances off Ladies Mile. This proposal builds on the existing use of basalt walls of various heights along residential frontages with Ladies Mile, and the proposed use of basalt walls and black vertical rail fencing in areas of the Apartment precinct frontage with Ladies Mile – refer page 61 apartment Ladies mile frontage

LOWER LOOP ROAD/DERBY DOWNS PLACE SITE ENTRANCE

The use of a basalt feature retaining wall positioned at the start of the Lower Loop Road in combination with 'The Hill' entrance signage and low planting provides a consistent and legible entry statement to those proposed at the Ladies Mile site entrances. The low retaining wall is required to the house units to the west of JOAL F and continues along the reserve frontage. The wall will be visually complemented by a curved wall around the base of the JOAL Dend house unit.

UPPER LOOP ROAD - PLAN

Excerpt from Dwg.No. RC 40.02



LEGEND:

- | | | |
|--|---|--|
| <ul style="list-style-type: none"> ① Street tree planting
80-160L size ② Low/groundcover amenity planting
Max. height 600mm ③ Grass berm ④ Raingarden
Low/groundcover amenity native species amenity planting ⑤ Vehicle crossing - apartment car park
small unit feature paving ⑥ Vehicle crossing - apartment porte cochere
small unit feature paving ⑦ Vehicle crossing - residential lot
Exposed aggregate concrete dark chip/charcoal oxide to AT Standard Detail | <ul style="list-style-type: none"> ⑧ Vehicle crossing - JOAL garden street entry ramp and threshold paving using setts
Basalt or similar ⑨ Footpath
Exposed aggregate concrete dark chip/charcoal oxide to AT Standard Detail ⑩ Pedestrian courtesy crossing - raised table
concrete with charcoal oxide ⑪ Pedestrian courtesy crossing - raised table ramps using setts
Basalt or similar ⑫ Pedestrian crossing - flush pram crossing as footpath with use of TGSI to AT Standard Detail ⑬ Carriageway
Asphalt to AT Standard Detail | <ul style="list-style-type: none"> ⑭ Car parking bays
Concrete with charcoal oxide to AT Standard Detail ⑮ Kerb and channel
In-situ concrete to AT Standard Detail ⑯ Pedestrian zebra crossing - raised table
Concrete with charcoal oxide ⑰ Bin storage area - indicative location
Grass berm |
|--|---|--|



UPPER LOOP ROAD - VIEW



0 10m
1:300 @ A3



LOWER LOOP ROAD - PLAN

Excerpt from Dwg.No. RC 40.03



LEGEND:

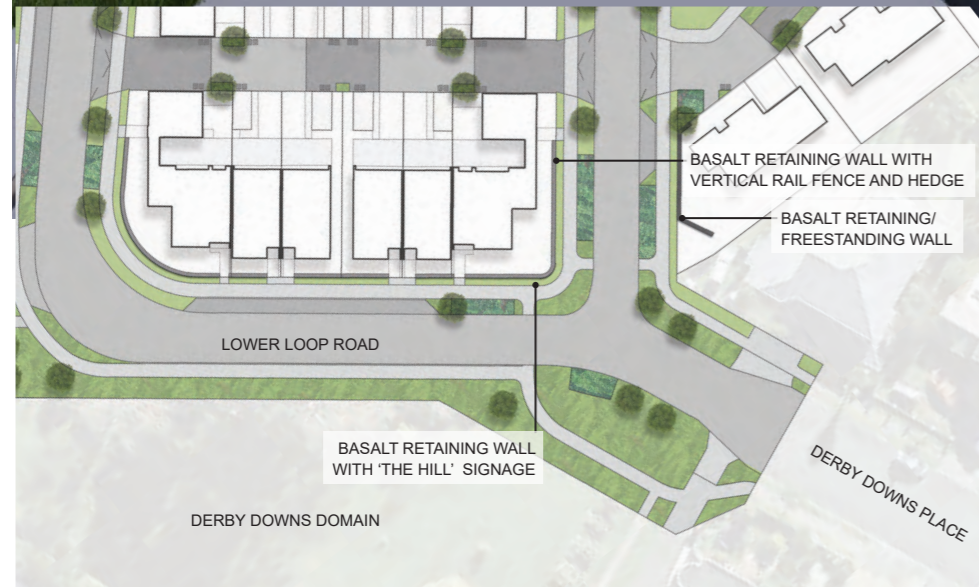
- ① Street tree planting
80-160L size
- ② Low/groundcover amenity planting
Max. height 600mm
- ③ Grass berm
- ④ Raingarden
Low/Groundcover Amenity Native Species
Amenity Planting
- ⑤ Vehicle crossing - residential lot
Exposed aggregate concrete dark chip/charcoal
oxide to AT Standard Detail
- ⑥ Vehicle crossing - JOAL Garden Street entry ramp
and threshold paving using setts
Basalt or similar
- ⑦ Footpath
Exposed aggregate concrete dark chip/charcoal
oxide to AT Standard Detail
- ⑧ Pedestrian crossing - flush pram crossing
As footpath with use of TGSI to AT Standard
Detail
- ⑨ Carriageway
Asphalt to AT Standard Detail
- ⑩ Car parking bays
Concrete with charcoal oxide
- ⑪ Flush entrance threshold
Basalt setts
- ⑫ Infield access road
Concrete carriageway flush with Lower Loop Road
- not part of this application
- ⑬ Kerb and Channel
In-situ Concrete to AT Standard Detail
- ⑭ Basalt Retaining Wall With 'The Hill' Entrance
Signage
- ⑮ Bin storage area - indicative location
Grass berm



LOWER LOOP ROAD - VIEW



LOWER LOOP ROAD/DERBY DOWNS PLACE SITE ENTRANCE



LANDSCAPE STATEMENT - GARDEN STREETS



OVERVIEW

The six JOALs envisaged as Garden Streets play a central role in the provision of high-quality public realm within “The Hill”. Each is designed using paving and planting to slow vehicle speeds. In the larger JOALs there are also a series of open spaces for residents to come together, play, or simply sit and enjoy the views where seating areas are provided.

Whilst having a pedestrian focus, each JOAL will meet all functional requirements in relation to spatial allocation for residents’ vehicle movement and manoeuvring, servicing, emergency vehicle access and rubbish collection.

JOALs D and B provide a vehicular and pedestrian connection between the two loop roads. We have determined that best the mechanism for ensuring these are “residents only” in respect of vehicle traffic and minimising the potential for ‘rat-running’ is to keep them (along with the other JOALs) as privately owned and managed by a management entity responsible for all of ‘The Hills’ started areas. This enables the use of a streetscape design language beyond that typically specified by Auckland Transport and ensures that there is clear visual differentiation between the Upper and Lower Loop Roads (as public roads) and the JOALs (in which vehicular access is intended to be limited to residents of houses serviced by the JOAL, or to residents of ‘The Hill’ in the case of JOALs B and D).

JOAL B AND D GARDEN STREETS

JOAL B and D Garden Streets differ from the other JOALs in that they provide a higher quality separated pedestrian connection between the Upper and Lower Loop Roads. Consequently, their design

accommodates the movement of people through the space, as well as providing opportunity for people to pause and spend time within the space.

JOAL B Garden Street descends from the Upper Loop Road adjacent to the western continuation of the Belvedere Gardens, then runs parallel to the track edge ‘Trackside Walk’ (refer page xx) to emerge onto the Lower Loop Road. Traffic is calmed through horizontal deflection and narrowing between plantings, emphasised through changes in pavement materiality. Pedestrian access is encouraged along the adjacent Trackside Walk, and regular breaks in the garden area separating the Trackside Walk from JOAL B Garden Street enable pedestrian movement between both spaces. A four-bay visitor car park is accommodated at the southern end.

JOAL D Garden Street descends from the Upper Loop Road to the Lower Loop Road and provides access to JOAL E Garden Street. A separate walkway connects a series of garden spaces which offer seating areas from which to enjoy the views to the west, and tree, hedge, groundcover planting and areas of open lawn – all intended for use by local residents.

The combination of psychological traffic calming offered by extensive landscape treatment and the encouragement of use of the street by residents, and physical traffic calming offered by horizontal and vertical deflection design measures and pavement materiality changes are collectively intended to achieve the right balance between enabling resident permeability through the site and discouraging vehicular “rat running” between The Upper and Lower Loop Roads. Refer to the Integrated Transport Assessment (ITA) for more detail.

Refer Boffa Miskell Dwg. No. RC 40.04 JOAL B Garden Street Plan

Refer Boffa Miskell Dwg. No. RC 40.05 JOAL D Garden Street Plan

JOAL A, C E AND F GARDEN STREETS

In contrast to JOAL B and D, these four JOAL Garden Streets do not sit on pedestrian routes through the development, indeed JOALs A, C and E are cul-de-sacs. As such, these Garden Streets are intended for use exclusively by those residents serviced by each Garden Street. As for JOALs B and D, these are private JOALs providing both front access and rear lane functions for the dwellings they serve. The design philosophy for these spaces follows that used for JOALs B and D, with pavement materiality changes, low planting and the use of street trees all contributing to provide a sense of higher quality pedestrian-focused space for the use of adjacent residents.

Refer Boffa Miskell Dwg. No. RC 40.06 JOAL A Garden Street Plan

Refer Boffa Miskell Dwg. No. RC 40.07 JOAL C Garden Street Plan

Refer Boffa Miskell Dwg. No. RC 40.08 JOAL E Garden Street Plan

Refer Boffa Miskell Dwg. No. RC 40.09 JOAL F Garden Street Plan

JOAL B GARDEN STREET - PLAN

Excerpt from Dwg.No. RC 40.04



LEGEND:

- | | | |
|--|--|---|
| <ul style="list-style-type: none"> ① Belvedere Gardens West
Refer DWG. No. RC 40.18 ② Trackside Walk
Refer DWG. No. RC 40.10 ③ Street tree planting
80-160L size ④ Low ground cover amenity planting
Max. height 600mm | <ul style="list-style-type: none"> ⑤ Vehicle crossing - apartment car park
Small unit feature paving ⑥ Vehicle crossing - JOAL Garden Street entry
ramp and threshold paving, using setts
Basalt or similar ⑦ JOAL footpath
Exposed aggregate concrete dark chip/charcoal
oxide to AT Standard Detail | <ul style="list-style-type: none"> ⑧ Footpath connection to Trackside Walk
Concrete with charcoal oxide ⑨ JOAL surface - type 1
Exposed aggregate concrete dark chip/charcoal oxide ⑩ JOAL surface - type 2
Concrete with charcoal oxide ⑪ Flush edging to planted areas ⑫ Bin storage area - indicative location
Concrete with charcoal oxide |
|--|--|---|

0 15m
1:500 @ A3



JOAL B GARDEN STREET - VIEW



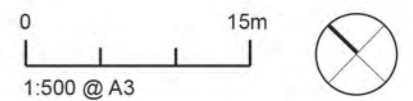
JOAL D GARDEN STREET - PLAN

Excerpt from Dwg.No. RC 40.05



LEGEND:

- ① Street tree planting
80-160L size
- ② Low/groundcover amenity planting
Max. height 600mm
- ③ Vehicle crossing - JOAL Garden Street entry ramp and threshold paving using setts
Basalt or similar
- ④ Footpath exposed aggregate concrete
Dark chip/charcoal oxide to AT Standard Detail
- ⑤ JOAL surface - type 1
Exposed aggregate concrete dark chip/charcoal oxide
- ⑥ JOAL surface - type 2
Concrete with charcoal oxide
- ⑦ Bin storage area - indicative location
Grass berm
- ⑧ Bin storage area (servicing JOAL E)
Reinforced turf (geogrid)
- ⑨ Raingarden
Low/groundcover amenity native species amenity planting
- ⑩ JOAL footpath
Concrete with charcoal oxide
- ⑪ Steps and handrail
Concrete with charcoal oxide
- ⑫ Seating area
Concrete
- ⑬ Low retaining wall
Dark concrete or basalt
- ⑭ Low feature wall
Dark concrete or basalt
- ⑮ Feature retaining wall
Materiality to be confirmed (eg. keystone or basalt)
- ⑯ Seating bench
- ⑰ Flush edging to planted areas and footpath



JOAL D GARDEN STREET - VIEW



JOAL A GARDEN STREET - PLAN

Excerpt from Dwg.No. RC 40.06



LEGEND:

- ① Street tree planting
80-160L size
- ② Low ground cover amenity planting
Max. height 600mm
- ③ Vehicle crossing - JOAL Garden Street entry ramp and threshold paving using setts
Basalt or similar
- ④ Footpath exposed aggregate concrete
Dark chip/charcoal oxide to AT Standard Detail
- ⑤ JOAL surface - type 1
Exposed aggregate concrete dark chip/charcoal oxide
- ⑥ JOAL surface - type 2
Concrete with charcoal oxide
- ⑦ Bin storage area - indicative location
Grass berm
- ⑧ Raingarden
Low/groundcover amenity native species amenity planting
- ⑨ Lookout area
Concrete with charcoal oxide
- ⑩ Flush edging to planted areas and JOAL surface

0 15m
1:500 @ A3



JOAL A GARDEN STREET - VIEW



JOAL A

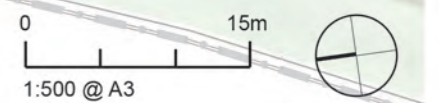
JOAL C GARDEN STREET - PLAN

Excerpt from Dwg.No. RC 40.07



LEGEND:

- | | | |
|---|--|--|
| ① Street tree planting
80-160L size | ⑤ JOAL surface - type 1
Exposed aggregate concrete dark chip/charcoal oxide | ⑧ Flush edging to planted areas and footpath |
| ② Low ground cover amenity planting
Max. height 600mm | ⑥ JOAL surface - type 2
Concrete with charcoal oxide | ⑨ Car parking bays
As JOAL surface type 1 |
| ③ Vehicle crossing - JOAL Garden Street entry
ramp and threshold paving using setts
Basalt or similar | ⑦ Raingarden
Low/groundcover amenity native species amenity
planting | ⑩ Bin storage area - indicative location
Grass berm |
| ④ Footpath Exposed Aggregate Concrete
Dark chip/charcoal oxide to AT Standard Detail | | |



JOAL C GARDEN STREET - VIEW



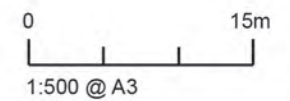
JOAL E GARDEN STREET - PLAN

Excerpt from Dwg.No. RC 40.08



LEGEND:

- ① Street Tree Planting
80-160L size. Includes use of deciduous trees along western edge of JOAL
- ② Low/groundcover amenity planting
Max. height 600mm
- ③ JOAL surface - type 1
Exposed aggregate concrete dark chip/charcoal oxide
- ④ JOAL surface - type 2
Concrete with charcoal oxide
- ⑤ Raingarden
Low/groundcover amenity native species amenity planting
- ⑥ Retaining wall below JOAL E with vertical rail (safety from falling) balustrade
- ⑦ Flush edging to planted areas and footpath
- ⑧ Bin storage area
Reinforced turf (geogrid)



JOAL E GARDEN STREET - VIEW



JOAL F GARDEN STREET - PLAN

Excerpt from Dwg.No. RC 40.09



LEGEND:

- ① Low/groundcover amenity planting
Max. height 600mm
- ② Vehicle crossing - JOAL Garden Street entry
ramp and threshold paving using setts
Basalt or similar
- ③ Footpath Exposed Aggregate Concrete
Dark chip/charcoal oxide to AT Standard Detail
- ④ JOAL surface - type 1
Exposed aggregate concrete dark chip/charcoal
oxide
- ⑤ JOAL surface - type 2
Concrete with charcoal oxide
- ⑥ Flush edging to planted areas and footpath
- ⑦ Street tree planting
80-160L size
- ⑧ Bin storage area - indicative location



JOAL F GARDEN STREET - VIEW



LANDSCAPE STATEMENT - TRACKSIDE WALK



The Trackside Walk provides both residents and visitors with the opportunity to enjoy the unique experience of trackside proximity and expansive views across the racecourse, whilst also enjoying the journey through a linear garden. The 2.5m wide pathway will be set back from the trackside edge, typically separated by a swale planted with groundcover and mostly native grass species, with a low hedge adjacent to the pathway edge.

The planting to the rear of the walkway will be simple and low maintenance while providing continual visual interest, as the walkway passes in front of the Vivid Living Apartment Building, JOAL B, and the Embankment. At the northern end, as it passes the Embankment and the north end houses, the Trackside Walk corridor narrows slightly, and the pedestrian pathway passes into the middle of the swale. The Embankment offers significant opportunity for both visual amenity and mostly native species ecological enhancement and habitat creation planting. The retention of a trackside planted embankment in the development provides an ongoing acknowledgement of the distinctive and iconic Ellerslie racecourse landform that provides the development with its name of 'The Hill'.

The Trackside Walk will be extended beyond the northern end of the development by ATR, to provide a connection through to Peach Parade. It is envisaged that on race days the section of the walkway between Peach Parade and JOAL B will be closed by the use of lockable gates to limit pedestrian access adjacent to the racetrack (and thus avoid potential spooking of horses e.g. by dogs).

Those sections of the Trackside Walk adjacent to the Vivid Living Apartment Building and JOAL B will benefit from high levels of passive surveillance. In those locations of the Trackside Walk not immediately adjacent to residential development (to the north of JOAL B), the use of low planting adjacent to the walkway will maintain clear sightlines and open vistas to offer a high level of comfort to all users.

ATR (as the developer of the adjacent PC168 land) is required to provide pedestrian connection to the adjacent Plan Change 168 land to the south of the Vivid Living Apartment. This will take the form of a continuation of the Trackside Walk pathway across the top of the new tunnel entrance. However, given that the connection will not be made until the PC168 land is developed, it is proposed to form the Trackside Walk adjacent to the Vivid Living Apartment but keep it gated and locked at the southern end of JOAL B until such time as the PC168 land is developed. The Vivid Living

Apartment podium and outdoor areas do not access directly onto the Walkway.

Refer Boffa Miskell Dwg. No. RC 40.10 Trackside Walk - Overall Plan

Refer Boffa Miskell Dwg. No. RC 40.11 Trackside Walk – The Embankment Plan

Refer Boffa Miskell Dwg. No. RC 40.12 Trackside Walk – JOAL B Plan

Refer Boffa Miskell Dwg. No. RC 40.13 Trackside Walk – Vivid Living Apartment Plan

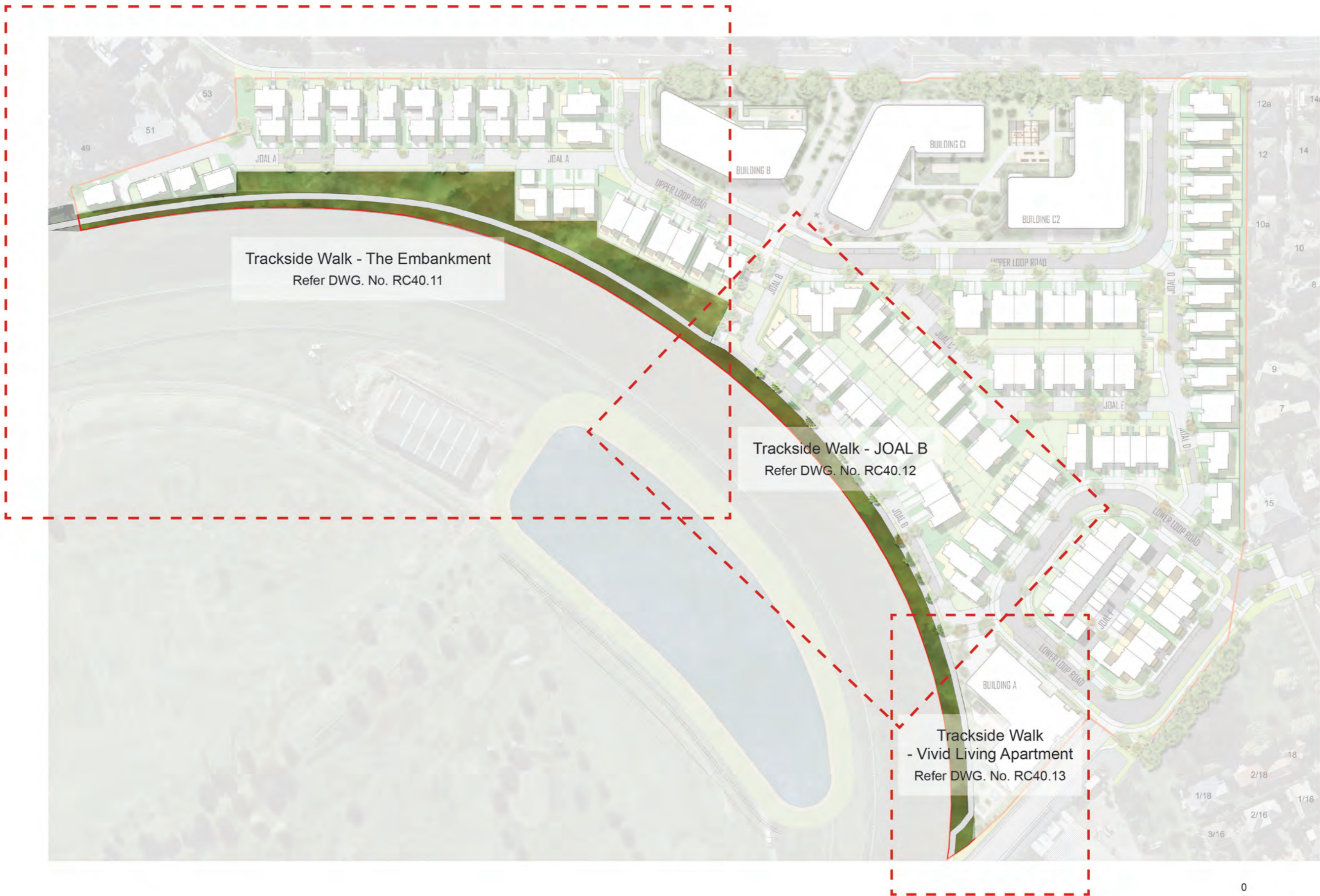
Refer Boffa Miskell Dwg. No. RC 40.14 Trackside Walk Sections Sheet 1

Refer Boffa Miskell Dwg. No. RC 40.15 Trackside Walk Sections Sheet 2

Refer Boffa Miskell Dwg. No. RC 40.16 Trackside Walk Sections Sheet 3

TRACKSIDE WALK - OVERALL PLAN

Excerpt from Dwg.No. RC 40.10



TRACKSIDE WALK - THE EMBANKMENT PLAN

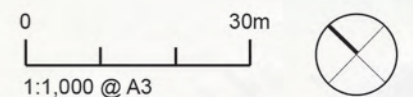
Excerpt from Dwg.No. RC 40.11



Refer DWG RC.40.12 →

LEGEND:

- | | | | |
|--|---|---|--|
| <ul style="list-style-type: none"> ① ATR to deliver trackside walk from this point north to new Peach Parade entrance gate ② Vertical rail boundary fence and pedestrian gate to Peach Parade
Gate to be locked on race days ③ Vertical rail fence and pedestrian gate
Gate to be locked on race days ④ Trackside fence
To be installed by ATR | <ul style="list-style-type: none"> ⑤ Swale (1:4 gradient sides to 500mm depth) with native species groundcover/low planting ⑥ Swale terminates at this location ⑦ Retaining wall (1m height)
Keystone block or similar ⑧ Low retaining wall with vertical rail (safety from falling) balustrade
Keystone block or similar ⑨ Retaining wall
Keystone block or similar | <ul style="list-style-type: none"> ⑩ Vertical rail balustrade ⑪ Embankment slope max. 1:2 gradient slope stabilisation to be used where gradient exceeds 1:2.5 ⑫ Walkway 2.5m wide
Concrete ⑬ Walkway 2.5m wide
From this point north to termination of swale (6) walkway moves from rear of swale to centre of swale | <ul style="list-style-type: none"> ⑭ Amenity planting mix to provide a balance of seasonal visual variety and native species ecological enhancement. Predominantly low/groundcover amenity planting with shrubs. Groundcover planting used where adjacent to walkway ⑮ Racecourse <p>NOTE:
Refer DEG No. RC 40.14 for Sections</p> |
|--|---|---|--|



TRACKSIDE WALK - THE EMBANKMENT VIEW



TRACKSIDE WALK - JOAL B PLAN

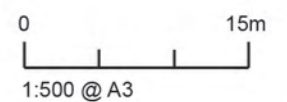
Excerpt from Dwg.No. RC 40.12



LEGEND:

- | | |
|---|---|
| <ul style="list-style-type: none"> ① Vertical rail fence and pedestrian gate
Gate to be locked on race days. Fence terminates at trackside fence ② Trackside fence
To be installed by ATR ③ Swale (1:4 gradient sides to 500mm depth) with native species groundcover/low planting ④ Retaining wall with vertical rail (safety from falling) balustrade
Keystone block or similar | <ul style="list-style-type: none"> ⑤ Walkway 2.5m wide
Concrete ⑥ Low Hedge
Evergreen species or low open fence ⑦ Racecourse ⑧ Low groundcover amenity planting and trees adjacent to walkway within JOAL B Garden Street
Refer DWG RC40.04 |
|---|---|

NOTE:
Refer DWG No RC 40.15 for Sections



TRACKSIDE WALK - VIVID LIVING APARMENT PLAN

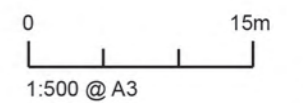
Excerpt from Dwg.No. RC 40.13



LEGEND:

- | | |
|---|---|
| <ul style="list-style-type: none"> ① Vertical rail fence and pedestrian gate
Gate to be typically locked except for maintenance access until such point that the path is connected to the south ② Trackside fence
To be installed by ATR ③ Swale (1:4 gradient sides to 500mm depth) with native species groundcover/low planting ④ Swale terminates at this location | <ul style="list-style-type: none"> ⑤ Walkway 2.5m wide
Concrete ⑥ Amenity planting (low groundcover planting adjacent to walkway) and tree planting within Vivid Living Apartment site
Refer DWG RC40.25 ⑦ Low hedge
Evergreen species ⑧ Racecourse |
|---|---|

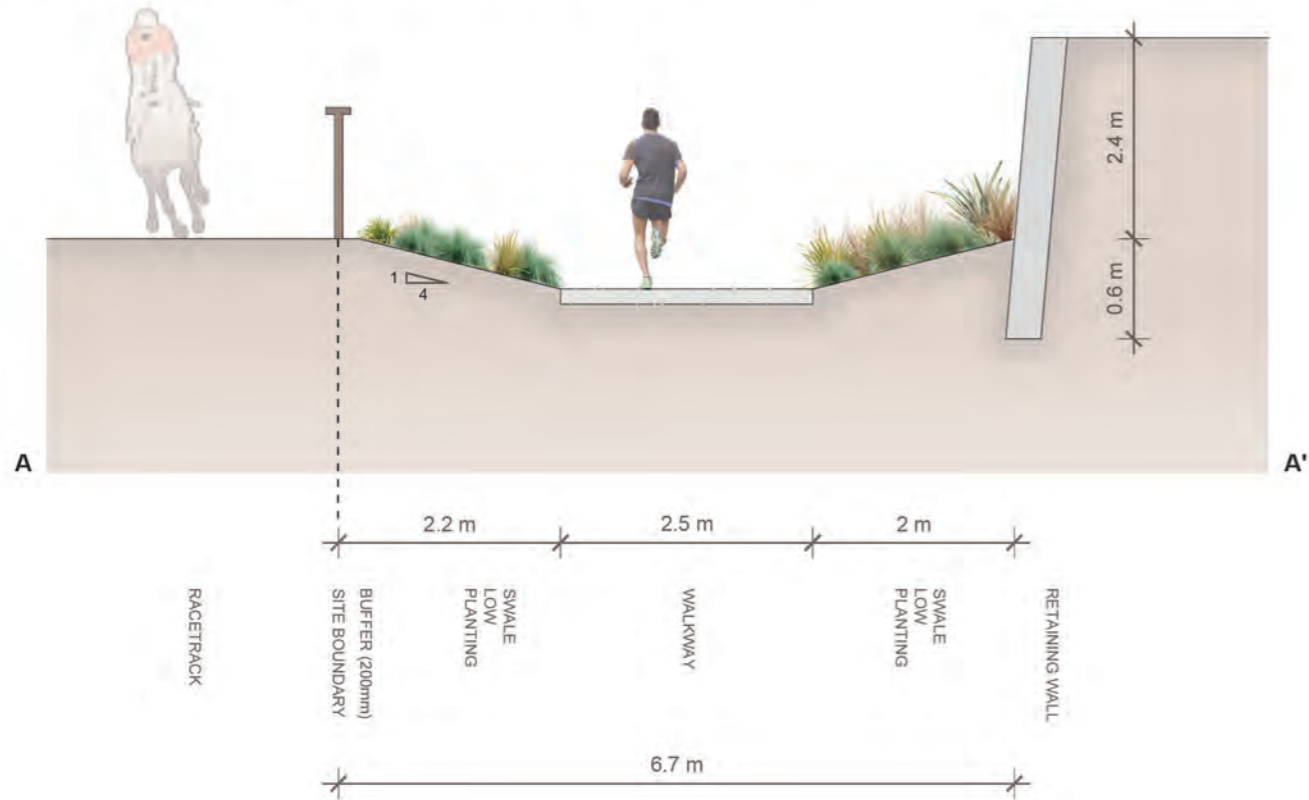
NOTE: Refer DWG No. RC 40.16 for Sections



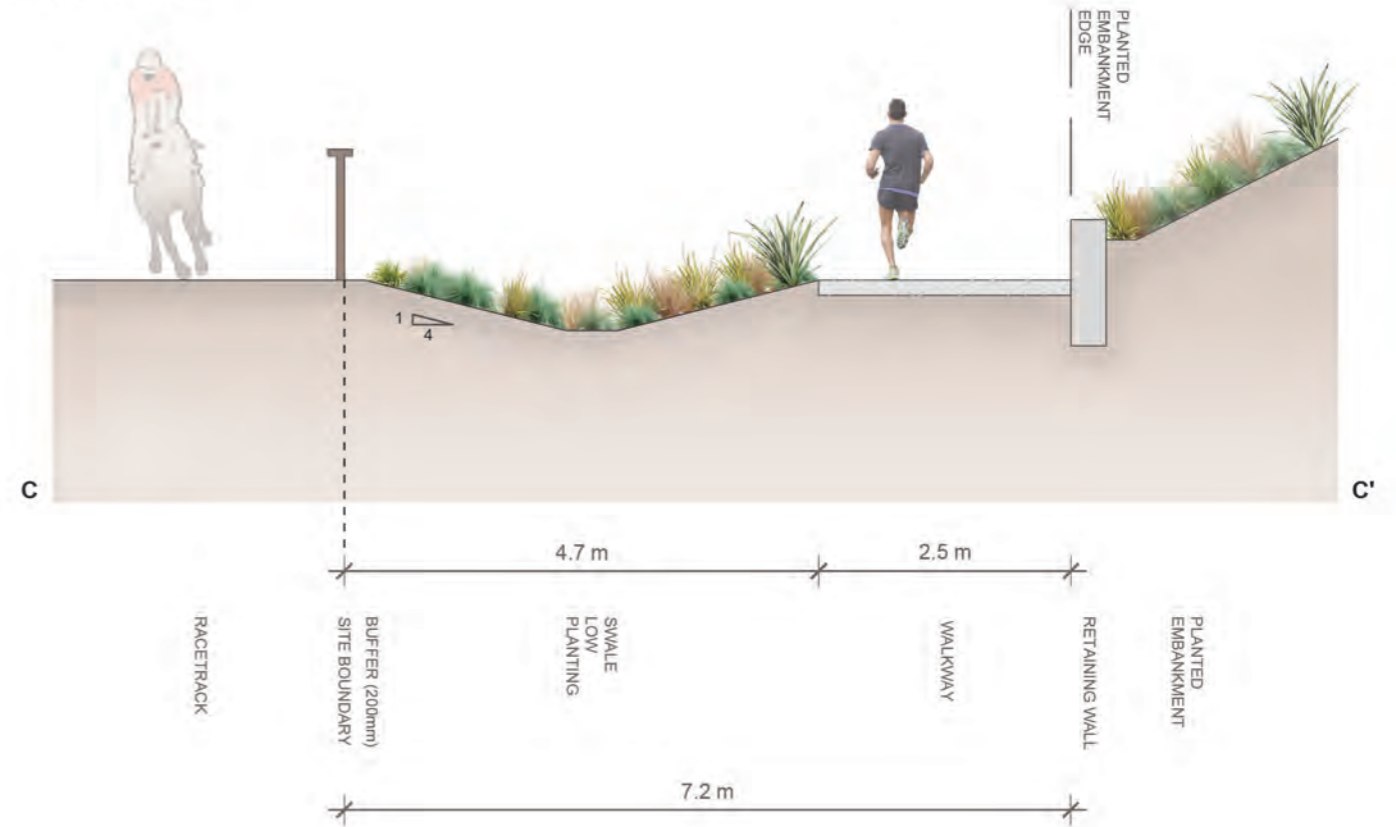
TRACKSIDE WALK - SECTIONS SHEET 1

Excerpt from Dwg.No. RC 40.14

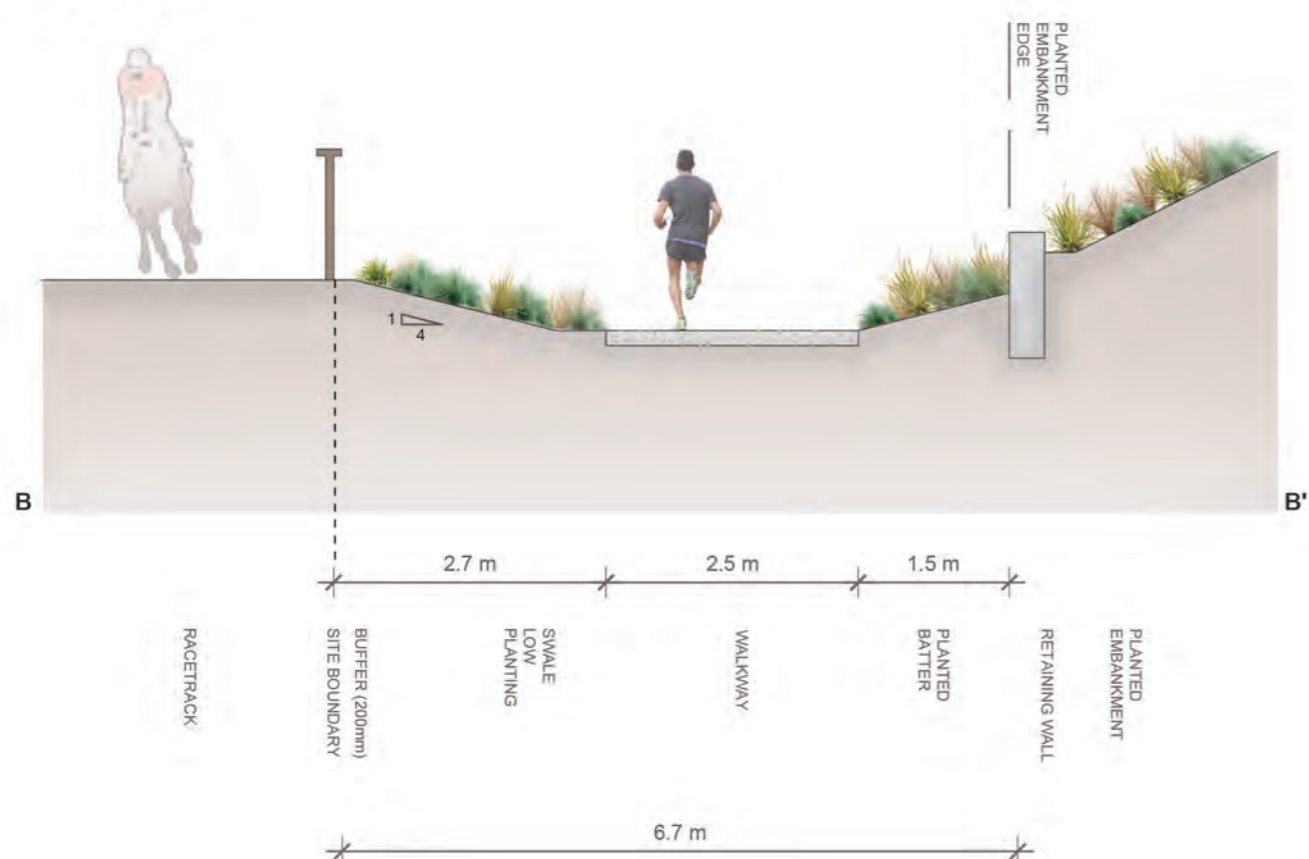
SECTION AA' Note: Refer DWG No. RC.40.11 For Section Locations



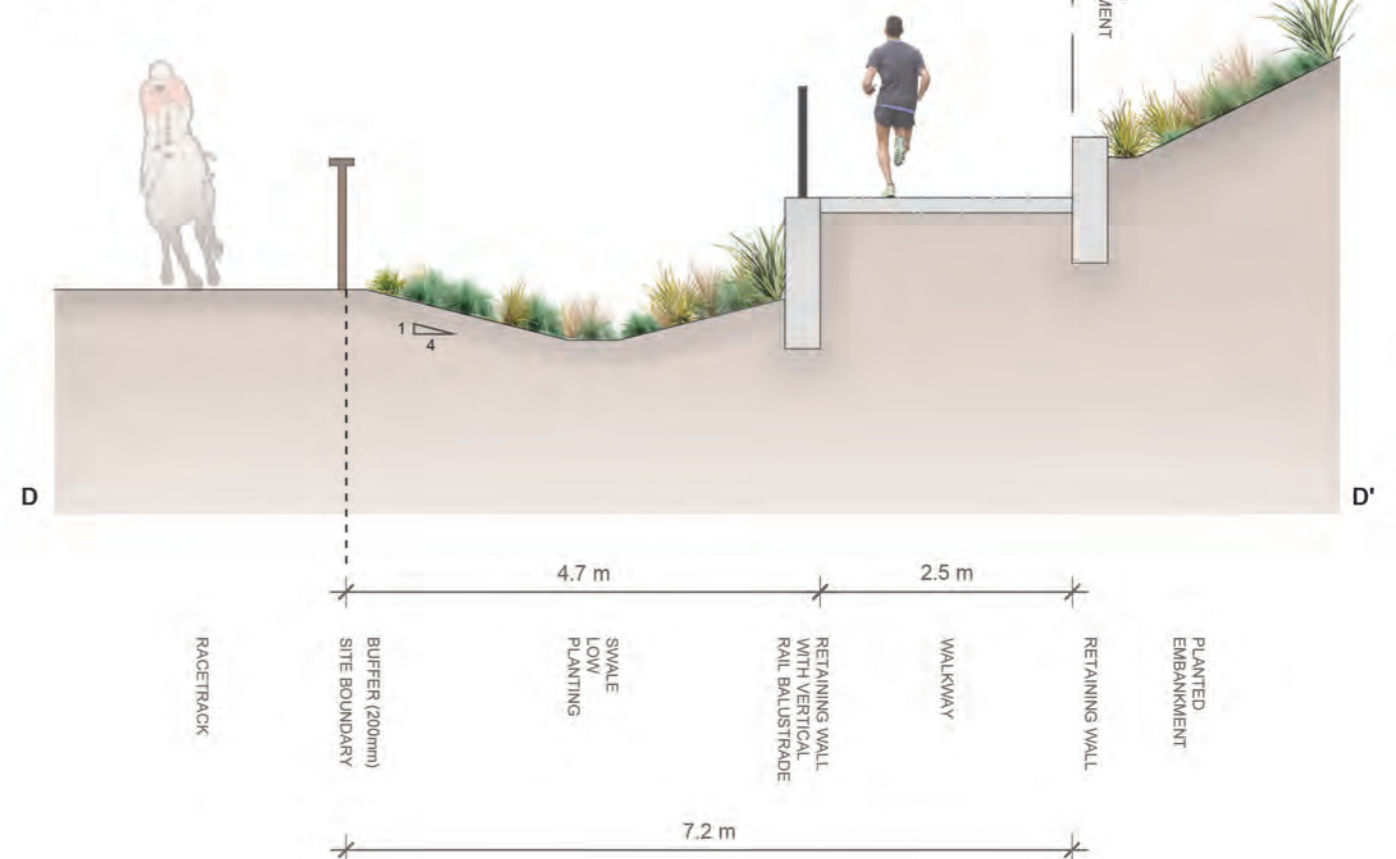
SECTION CC'



SECTION BB'



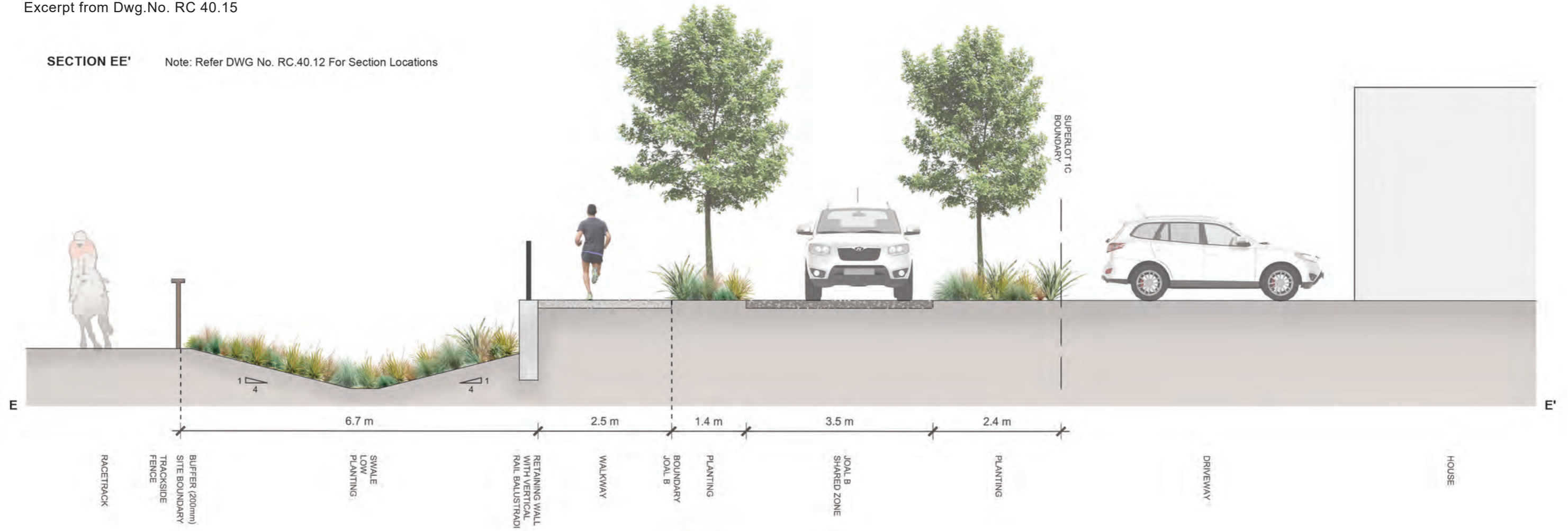
SECTION DD'



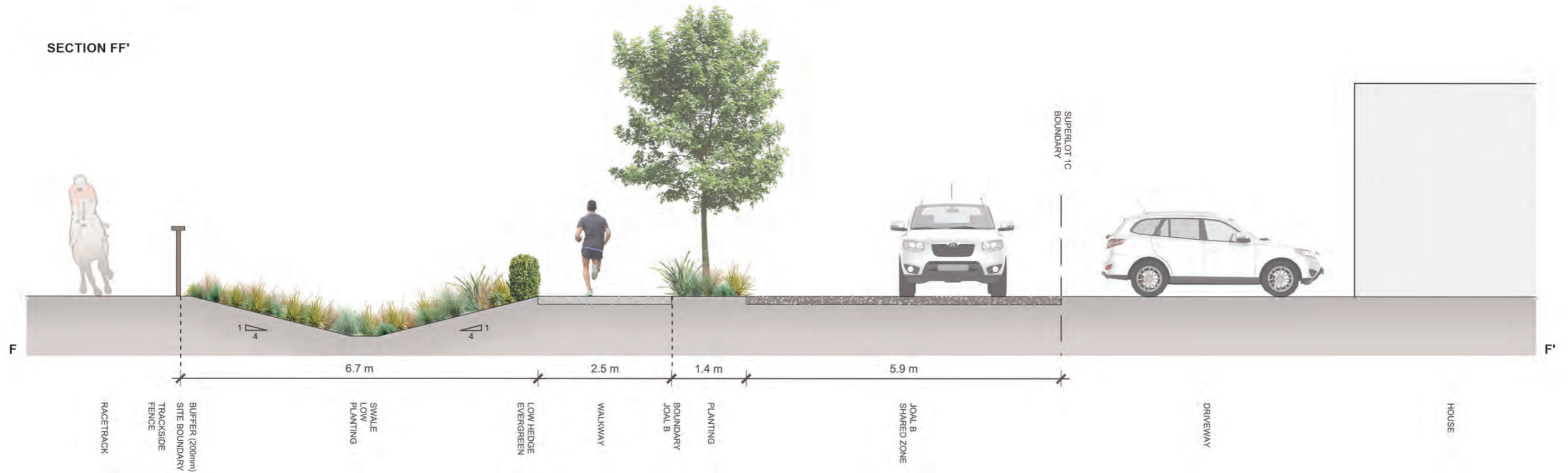
TRACKSIDE WALK - SECTIONS SHEET 2

Excerpt from Dwg.No. RC 40.15

SECTION EE' Note: Refer DWG No. RC.40.12 For Section Locations



SECTION FF'

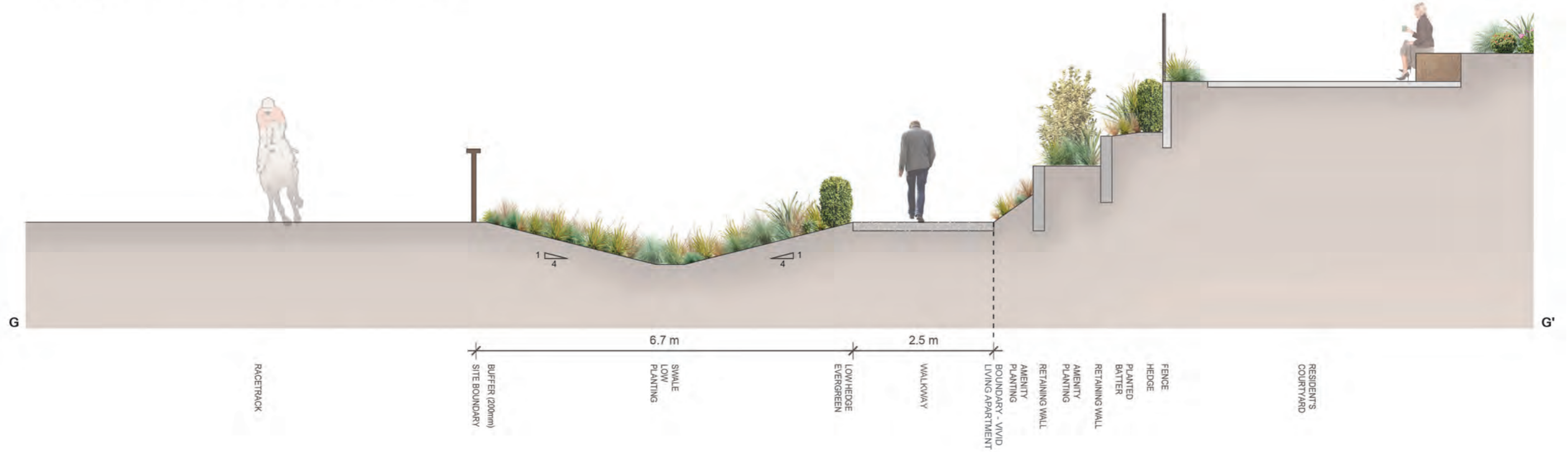


TRACKSIDE WALK - SECTIONS SHEET 3

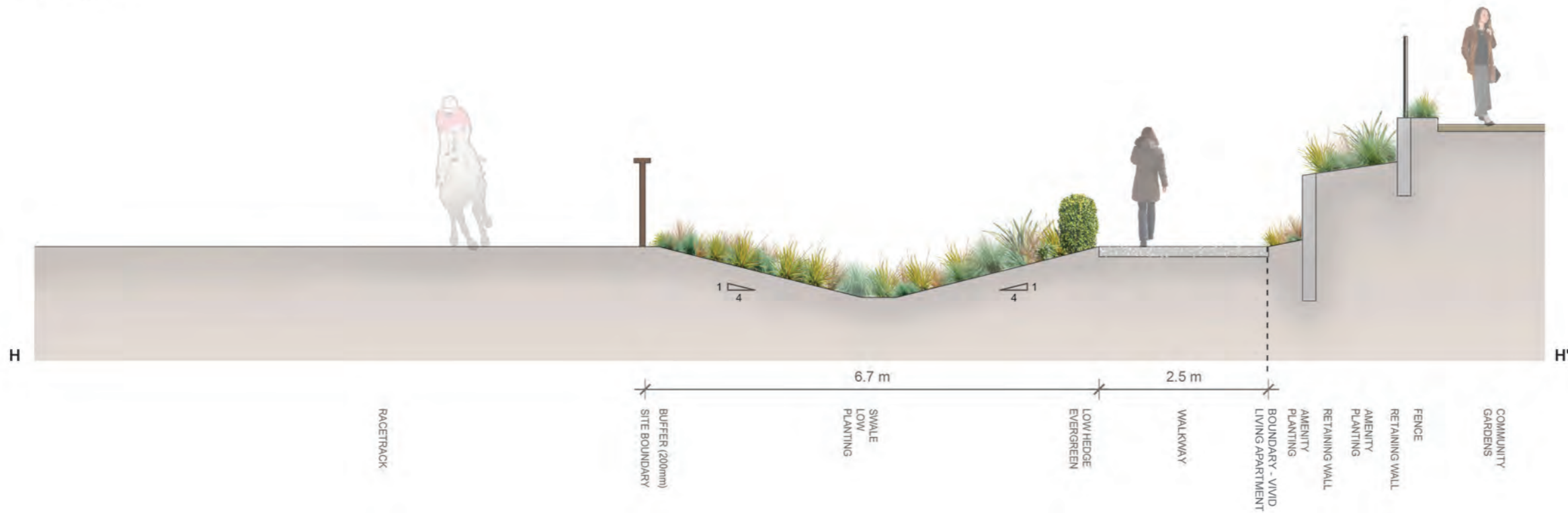
Excerpt from Dwg.No. RC 40.16

SECTION GG'

Note: Refer DWG No. RC.40.13 For Section Locations



SECTION HH'



LANDSCAPE STATEMENT - BELVEDERE GARDENS



The importance of establishing a visual and physical connection from Ladies Mile down to the racecourse edge was established at an early point in the site masterplanning process. This space has now been conceptualised as the “Belvedere Gardens”, an integrated and cohesive formal garden experience – and the defining landscape feature of The Hill.

The Belvedere Gardens consist of two separate areas:

- Belvedere Gardens East: Connecting Ladies Mile to the Upper Loop Road, and providing ‘Accessible Route’ pedestrian access to Apartments B1 and C1 through a combination of ramps, pathways, seating areas and stairs across a ground level change of 3.9m
- Belvedere Gardens West : Connecting the Upper Loop Road to the Trackside Walk (racetrack edge) through a combination of pathways seating areas and stairs across a ground level change of 4.1m

A raised table pedestrian zebra crossing of the Upper Loop Road connects the above areas, providing a pedestrian-focused route along the full length of the Belvedere Gardens.

BELVEDERE GARDENS EAST

The Belvedere Gardens commence at the Ladies Mile boundary with the Apartment Precinct, where a generously proportioned pedestrian walkway

located between the existing large pohutukwa trees retained along the Ladies Mile boundary provides a welcoming pedestrian entrance into the site. The walkway leads to a series of stairs and integrated seating plinths, which provide both residents and visitors with the opportunity to pause their journey and rest enjoying the dramatic views on offer.

A series of terraced garden spaces provide foreground interest and seasonal variety through careful selection of plant species, form and texture. The terraced gardens are also intended to provide a transition to the building facades that are elevated above the belvedere Gardens.

A secondary pedestrian route is also offered from Ladies Mile – this consists of an Accessible Ramp at 1:12 gradient with landings at intervals, all in accordance with the requirements of the Building Code D1 Access Routes. The ramp re-joins the pedestrian walkway below the stairs.

To the immediate south of the Belvedere Gardens East and adjacent to Apartment C1 is a plaza area, intended as an informal and welcoming flexible use open space in which residents and visitors can meet and socialise, enjoy outdoor dining at the proposed adjacent café, or simply pause to watch the world go by. This predominantly paved open space is directly accessible from both the walkway of Belvedere Gardens East and the Upper Loop Road, which incorporates 7No. car parking spaces in vicinity of the plaza. The plaza incorporates areas of permanent seating

incorporated within low retaining walls, and paved open space with provision for flexible seating spaces and outdoor café activities.

Refer Boffa Miskell Dwg. No. RC 40.17 Belvedere Gardens East Plan

BELVEDERE GARDENS WEST

The Belvedere Gardens continue from the west of the Upper Loop Road, and run adjacent to JOAL B Garden Street as both follow the landform as it descends towards the racetrack and the Trackside Walk. A walkway (separated from JOAL B Garden Street by planted beds and small lawn areas) which includes the use of stairs, low walls and integrated seating plinths continues the design language of Belvedere Gardens East, and again provides pause points, at which users can sit and enjoy the foreground views of the Trackside Walk and racecourse beyond.

One of the proposed lawn areas is located to enable occasional maintenance access by Watercare via JOAL B to the chamber manhole providing maintenance access to the 1950mm dia. stormwater pipe.

Refer Boffa Miskell Dwg. No. RC 40.18 Belvedere Gardens West Plan

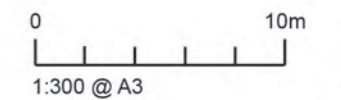
BELVEDERE GARDENS EAST - PLAN

Excerpt from Dwg.No. RC 40.17



LEGEND:

- ① Belvedere Gardens entrance feature: Basalt wall with 'The Hill - Belvedere Gardens' entrance signage
Wall height nom. 1.4m
- ② Walkway
Concrete
- ③ Stairs
Concrete
- ④ Seating plinths integrated into stair/low retaining wall structures
Basalt, concrete or keystone with timber seating
- ⑤ Plaza stairs
Concrete
- ⑥ Plaza feature paving using large unit pavers
Basalt or similar
- ⑦ Low wall with integrated seating
Concrete with timber seating
- ⑧ Accessible ramp – 1:12 gradient with handrail and landings at intervals
Concrete
- ⑨ Porte cochere vehicle entrance to car park using setts
Basalt or similar
- ⑩ Porte cochere shared space using large module setts
Basalt or similar
- ⑪ Footpath
Exposed aggregate concrete dark chip/charcoal oxide to AT Standard Detail
- ⑫ Pedestrian zebra crossing - raised table
Concrete with charcoal oxide
- ⑬ Pedestrian zebra crossing - raised table ramps using setts
Basalt or similar
- ⑭ Pedestrian crossing - flush pram crossing
As footpath with use of TGSI to AT Standard Detail
- ⑮ Amenity planting mix to provide visual interest and seasonal variety. Low/groundcover amenity planting used adjacent to walkway (max. height 600mm)
- ⑯ Mature Pohutukawa trees retained along Ladies Mile boundary
- ⑰ Tree planting
- ⑱ Low/groundcover amenity planting within road reserve
- ⑲ Low retaining wall
Concrete



BELVEDERE GARDENS EAST - VIEW



BELVEDERE GARDENS WEST - PLAN

Excerpt from Dwg.No. RC 40.18



LEGEND:

- ① JOAL B Garden Street
Refer Dwg. No. RC 40.04
- ② Trackside Walk
Refer Dwg. No. RC 40.12
- ③ Walkway
Concrete
- ④ Stairs
Concrete
- ⑤ Low Retaining Wall
Basalt, dark concrete or keystone
- ⑥ Seating bench integrated into low retaining wall
Basalt dark concrete or keystone with timber seating
- ⑦ Lawn
- ⑧ Existing watercare chamber integrated into proposed lawn
Services access from JOAL B
- ⑨ Feature retaining wall
Material to be confirmed, eg. basalt or keystone
- ⑩ Footpath
Exposed aggregate concrete dark chip/charcoal oxide to AT Standard Detail
- ⑪ Pedestrian zebra crossing - raised table
Concrete with charcoal oxide
- ⑫ Pedestrian zebra crossing - raised table ramps using setts
Basalt or similar
- ⑬ Pedestrian crossing - flush pram crossing
As footpath with use of TGSI to AT Standard Detail
- ⑭ Amenity planting mix to provide visual interest and seasonal variety. Low/groundcover amenity planting used adjacent to walkway (max. height 600mm)
- ⑮ Tree planting

0 7.5m
1:250 @ A3



BELVEDERE GARDENS WEST - VIEW



BELVEDERE GARDENS - VIEW



LANDSCAPE STATEMENT - TERRACE GARDENS



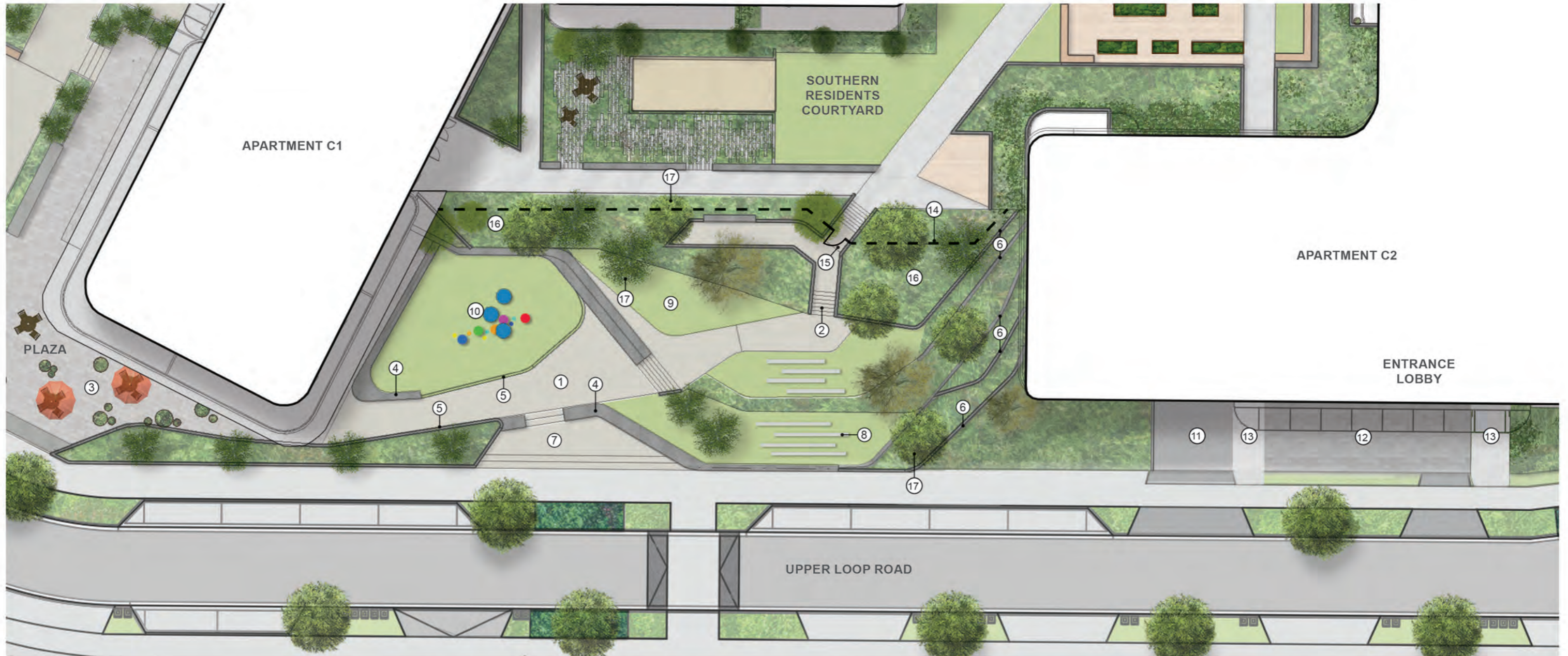
The Terrace Gardens are an integral part of the Apartment Precinct, and are intended as a relaxing 'Remuera gardenesque' series of terraced landscaped spaces catering for the enjoyment of both Apartment residents and 'The Hill' community members. The level changes along this western edge of the Apartment Precinct 'plateau' are used to take full advantage of the spectacular outlook on offer through the creation of viewing terraces, with landform and informal play elements used in combination to create a welcoming space that offers a range of activities from rest and repose to informal play.

The Terrace Gardens rise from the edge of the Upper Loop Road and form a series of level terraces through the use of stairs, low retaining walls, planted slopes, garden and lawn areas. The integration of fencing and gate, retaining walls and hedging into the terraced landscape provides a subtle and yet legible demarcation between the public realm of the Terrace Garden and the private open space between Apartment C1 and C2 (Southern Residents Courtyard) beyond.

Refer Boffa Miskell Dwg. No. RC 40.19 Terrace Gardens Plan

TERRACE GARDENS - PLAN

Excerpt from Dwg.No. RC 40.19



LEGEND:

- | | | | |
|---|--|---|--|
| <ul style="list-style-type: none"> ① Walkway
Concrete ② Stairs
Concrete ③ Plaza feature paving using large unit pavers
Basalt or similar ④ Low retaining wall with integrated seating
Concrete with timber seating ⑤ Low feature retaining wall
Concrete and textured finish | <ul style="list-style-type: none"> ⑥ Low retaining wall
Concrete and textured finish ⑦ Entrance stairs and paving
Concrete ⑧ Feature 'steppers' in lawn
Concrete ⑨ Lawn ⑩ Mounded lawn with informal play elements ⑪ Porte cochere vehicle entrance to car park using sets
Basalt or similar | <ul style="list-style-type: none"> ⑫ Porte cochere shared surface using large module sets
Basalt or similar ⑬ Porte cochere pedestrian entrance using contrasting large module sets
Concrete ⑭ Vertical black rail fence (demarcates extent of private Southern Residents Courtyard) ⑮ Vertical black rail pedestrian gate to above | <ul style="list-style-type: none"> ⑯ Amenity planting mix to provide a balance of seasonal visual variety and native species ecological enhancement. Low/groundcover amenity planting used adjacent to walkway (max. height 600mm) ⑰ Tree planting |
|---|--|---|--|

0 10m
1:300 @ A3



TERRACE GARDENS - VIEW



LANDSCAPE STATEMENT - APARTMENT PRECINCT



It is proposed to retain all the existing Pohutukawa trees along the Ladies Mile site boundary, and augment these with understory planting and additional tree planting where appropriate. The integration of these existing trees into the Apartment Precinct in combination with the proposed planting will form a character-defining garden edge along the length of the Ladies Mile frontage.

The pedestrian entrance to the Belvedere Gardens forms the centrepiece of the Ladies Mile frontage and invites both residents and members of the wider community to enter and move through the Apartment Precinct via the Belvedere Gardens and on into the wider development.

The configuration of the apartment buildings has created two courtyard spaces in the Precinct. Both courtyards are envisaged for exclusive use by residents and their visitors, with gated access provided from Ladies Mile. The Southern Residents' Courtyard is located between and enclosed on three sides by Apartments C1 and C2. The Northern Residents' Courtyard is located on the Ladies Mile side of Apartment B1.

Both Residents Courtyards are intended to:

- Provide a welcoming garden environment with a variety of spaces and environments that give residents choice.
- Enhance the residents experience with on-site amenities that foster a community feel.
- Establish a familiar relationship with the surrounding communities - Remuera style garden planting and structured landscape plantings and lawn spaces.
- Provide a combination of active social spaces, open lawn areas and intimate garden seating spaces where residents can feel a sense of enclosure.

- Utilise space in the podium build up for planting media, minimising the requirement for raised planters.
- Use mounding in lawn and garden areas to create variation, privacy and interest.

The Southern Residents' Courtyard includes a 'garden pavilion space' offering a multifunctional space for outdoor gathering, dining, and food preparation with a combination of open pergola structure and the ability to enclose some of the space as required. It is in proximity to a series of raised planters intended for the propagation of vegetables, salads, and herbs. The adjacent lawn space provides for intergenerational activities ranging from natural play using landform and possible play features such as ground level trampolines. Further towards Building C2 the courtyard takes full advantage of the elevated view to the south with seating and an elevated deck providing residents with the opportunity to experience the spectacular outlook. An informal petanque area and flat lawn is provided for informal games.

The Northern Residents' Courtyard occupies an elevated position adjacent to the retained Pohutukawa trees along the Ladies Mile frontage. The gardenesque theme of understory planting along this frontage will be extended into the B1 courtyard to provide a Remuera-inspired garden planting, using plant layering in combination with hedges and low walls to celebrate level change, textured foliage to provide variation, and structured planting offset with accents of seasonal colour and feature trees of an appropriate scale and form. Informal play, flat lawn areas and decking seating areas provide opportunities for intergenerational interactions, flexible seating opportunities and social spaces for residents.

The communal resident courtyards are sleeved with private patio spaces for ground floor units. The private patios are paved and allow enough space for an outdoor table and/or furniture. Low walls and planting provide separation between the private patio and communal residents courtyard spaces giving adequate separation between uses.

Refer Boffa Miskell Dwg. No. RC 40.20 Apartment Precinct Plan

Refer Boffa Miskell Dwg. No. RC 40.21 Apartment Precinct – Northern Residents Courtyard Plan

Refer Boffa Miskell Dwg. No. RC 40.22 Apartment Precinct – Southern Residents Courtyard Plan

LADIES MILE FRONTAGE

The Upper Loop Road vehicle entrances to the development 'bookend' the Apartment Precinct frontage to Ladies Mile. These entrances will be celebrated using basalt walls formed in a contemporary curved plan form to both sides of each entrance, in combination with 'The Hill' entrance signage and low planting. An additional basalt wall plinth and 'The Hill' signage will be positioned at the entrance to the Belvedere Walkway.

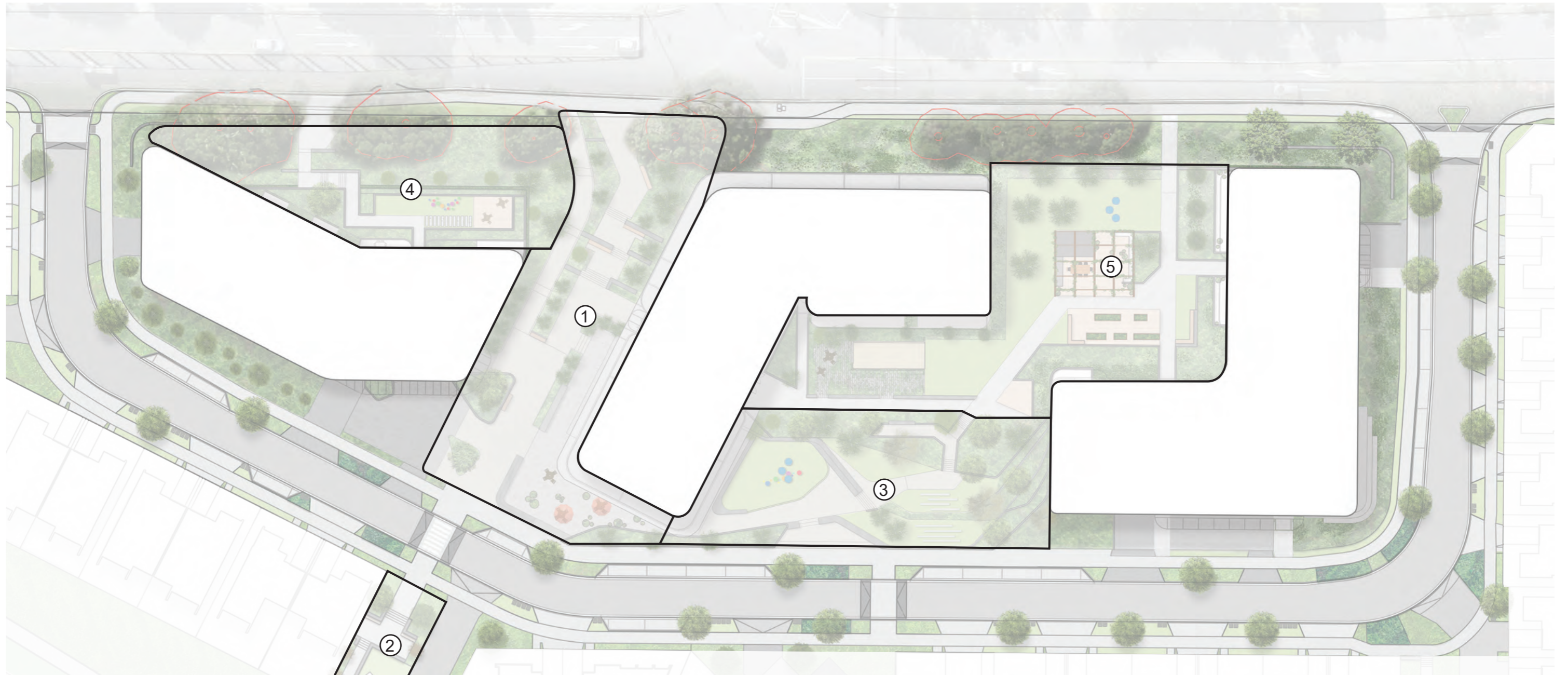
As discussed on page xx, the use of basalt walls and black vertical rail fencing defines the heritage boundary treatment of ATR land, and basalt walls of various heights and styles are currently used to define a number of residential frontages with Ladies Mile. It is therefore proposed to build on, and indeed strengthen this existing streetscape character by continuing the use of basalt walls, black vertical rail fencing and hedging in various combinations along the Apartment Precinct and adjacent housing boundary of 'The Hill' with Ladies Mile

Refer Boffa Miskell Dwg. No. RC 40.23 Ladies Mile Frontage Plan Sheet 1

Refer Boffa Miskell Dwg. No. RC 40.24 Ladies Mile Frontage Plan Sheet 2

Refer Boffa Miskell Dwg. No. RC 40.25 Ladies Mile Frontage – Apartment Precinct Sections

APARTMENT PRECINCT OPEN SPACES



LEGEND:

- ① Belvedere Gardens East
Refer DWG. No. RC 40.17
- ② Belvedere Gardens West
Refer DWG. No. RC 40.18
- ③ Terrace Gardens
Refer DWG. No. RC 40.20
- ④ Northern Residents Courtyard
Refer DWG. No. RC 40.21
- ⑤ Southern Residents Courtyard
Refer DWG. No. RC 40.22

0 20m
1:600 @ A3



APARTMENT PRECINCT - PLAN

Excerpt from Dwg.No. RC 40.20



LEGEND:

- | | | | |
|--|---|--|---|
| <ul style="list-style-type: none"> ① Mature Pohutukawa trees retained along Ladies Mile boundary ② Entrance paving
Concrete ③ Walkway
Concrete ④ Plaza stairs
Concrete ⑤ Plaza feature paving
Large unit pavers (basalt or similar) ⑥ Accessible ramp – 1:12 gradient with handrail and landings at intervals
Concrete | <ul style="list-style-type: none"> ⑦ Porte cochere vehicle entrance to car park using setts
Basalt or similar ⑧ Porte cochere shared space using large module setts
Basalt or similar ⑨ Paving
Concrete and concrete pavers in combination ⑩ Site boundary ⑪ Footpath
Exposed aggregate concrete basalt chip/charcoal oxide to AT Standard Detail ⑫ Pedestrian zebra crossing - raised table
Concrete with charcoal oxide | <ul style="list-style-type: none"> ⑬ Pedestrian zebra crossing - raised table ramps using setts
Basalt or similar ⑭ Pedestrian crossing - flush pram crossing
As footpath with use of TGSI to AT Standard Detail ⑮ Amenity planting ⑯ Low/groundcover amenity planting within road reserve ⑰ Tree planting ⑱ Stairs
Concrete ⑲ Mounded lawn with informal play elements ⑳ Lawn | <ul style="list-style-type: none"> ㉑ Porte cochere pedestrian entrance using contrasting large module setts
Basalt or similar ㉒ Timber decking ㉓ Outdoor dining area ㉔ Pavilion ㉕ Timber pergola structure ㉖ Raised planters for propagation of vegetables, salads and herbs ㉗ Petanque court ㉘ Informal seating area
Concrete pavers set in groundcover planting ㉙ Raised timber viewing deck |
|--|---|--|---|

0 20m
1:600 @ A3



APARTMENT PRECINCT - NORTHERN RESIDENTS COURTYARD PLAN

Excerpt from Dwg.No. RC 40.21



LEGEND:

- | | | |
|--|--|--|
| ① Mature Pohutukawa trees retained along Ladies Mile boundary | ⑥ Vertical rail pedestrian gate to above | ⑬ Amenity planting to provide visual interest, seasonal variety and privacy where adjacent to ground floor apartment balconies |
| ② Entrance paving
Concrete | ⑦ Low upstand to planted areas
Concrete | ⑭ Amenity planting mix on battered slopes to provide visual interest and seasonal variety |
| ③ Low basalt entrance wall
Informal seating Height | ⑧ Vertical black rail fence defines extent of private Northern Residents Courtyard | ⑮ Tree planting |
| ④ Wall to either side of gate
Basalt, concrete or similar | ⑨ Paving
Concrete and concrete pavers in combination | ⑯ Low/groundcover amenity planting within road reserve |
| ⑤ Retaining/freestanding wall to entrance path, steps and courtyard landscape
Basalt, concrete or similar | ⑩ Timber decking | ⑰ Basalt entry feature wall |
| | ⑪ Lawn with informal play elements | |
| | ⑫ Hedging to front of '8' | |

0 10m
1:300 @ A3

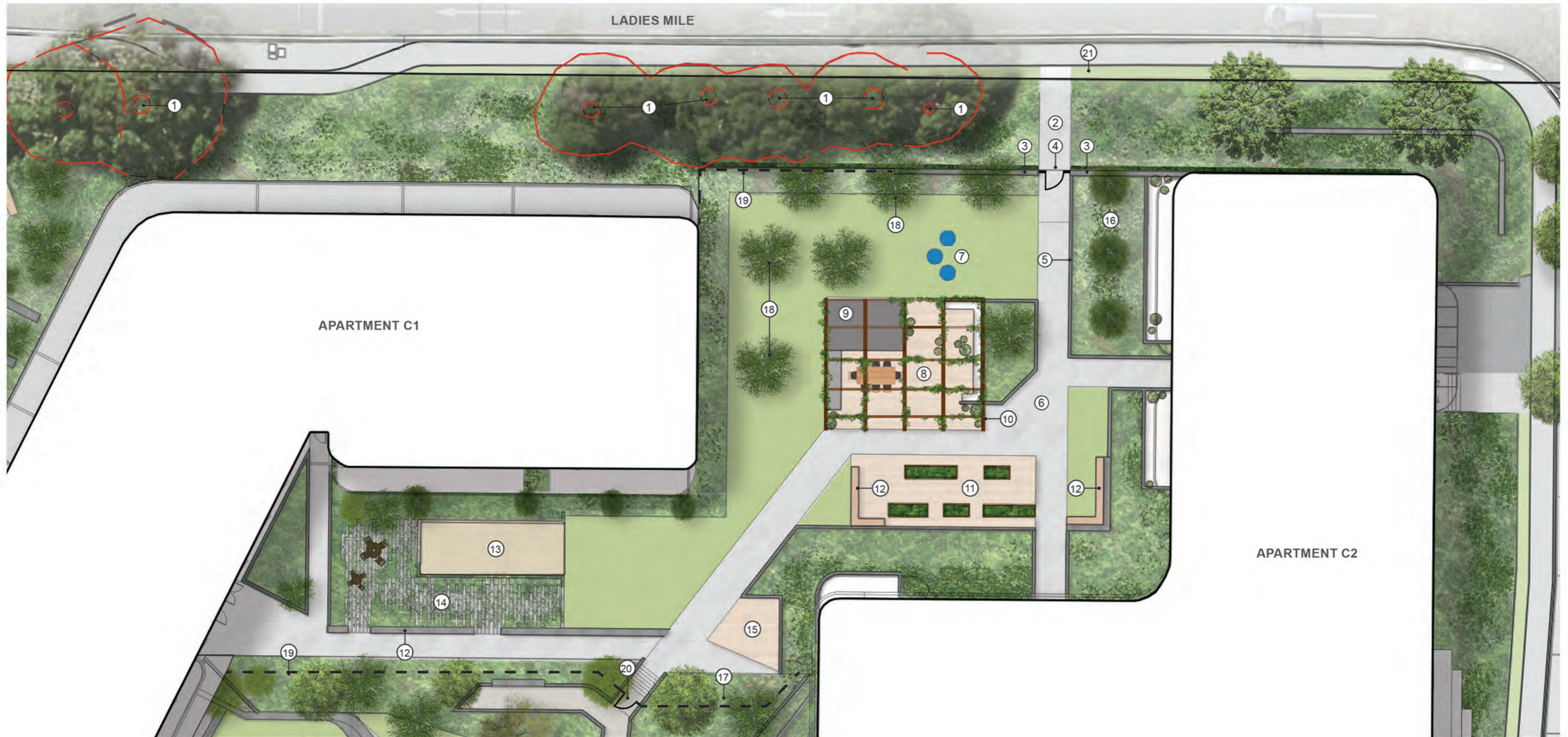


APARTMENT PRECINCT - NORTHERN RESIDENTS COURTYARD VIEW



APARTMENT PRECINCT - SOUTHERN RESIDENTS COURTYARD PLAN

Excerpt from Dwg.No. RC 40.22



LEGEND:

- | | | | |
|--|---|--|--|
| ① Mature Pohutukawa trees retained along Ladies Mile boundary | ⑥ Paving
Concrete and concrete pavers in combination | ⑫ Low wall with integrated seating
Concrete with timber seating | ⑰ Amenity planting mix on battered slopes to provide visual interest and seasonal variety |
| ② Entrance paving
Concrete | ⑦ Lawn with informal play elements | ⑬ Petanque court | ⑱ Tree planting |
| ③ Wall to either side of gate 1.6m high
Basalt, concrete or similar | ⑧ Outdoor dining area | ⑭ Informal seating area
Concrete pavers set in groundcover planting | ⑲ Vertical black rail fence defines extent of private Southern Residents Courtyard with hedge in front |
| ④ Vertical black rail pedestrian gate to above | ⑨ Pavilion | ⑮ Raised timber viewing deck | ⑳ Vertical black rail pedestrian gate to above |
| ⑤ Low upstand to planted areas
Concrete | ⑩ Timber pergola structure | ⑯ Amenity planting to provide visual interest, seasonal variety and privacy where adjacent to ground floor apartment balconies | ㉑ Low/groundcover amenity planting within road reserve |

0 10m
1:300 @ A3



APARTMENT PRECINCT - LADIES MILE FRONTAGE PLAN SHEET 01

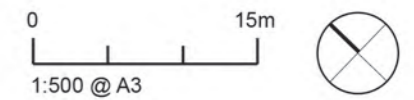
Excerpt from Dwg.No. RC 40.23



Continued on
DWG RC.40.23 →

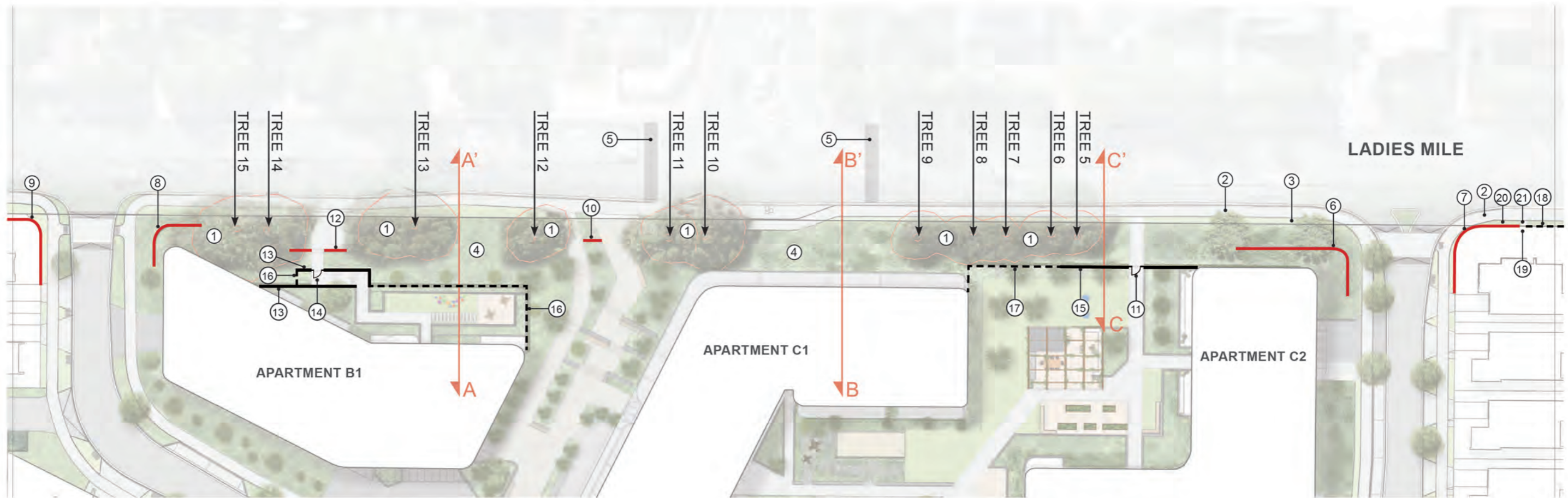
LEGEND:

- ① Site boundary
- ② Proposed footpath adjacent to existing kerbline
Exposed aggregate concrete basalt chip/
charcoal oxide to AT Standard Detail
- ③ Upper Loop Road Northern Entrance Feature:
Basalt wall formed in a contemporary curved plan
form along the boundary with adjacent corner
residential lot
Wall height max. 1.6m at Road Reserve level. Top
of wall horizontal with step down
- ④ Vertical black rail fence
- ⑤ Vertical rail pedestrian gate to above
- ⑥ Grass rear berm within road reserve
- ⑦ Entrance footpath within road reserve
exposed aggregate concrete basalt chip/charcoal
oxide to AT Standard Detail



APARTMENT PRECINCT - LADIES MILE FRONTAGE PLAN SHEET 02

Excerpt from Dwg.No. RC 40.24



← Continued on
DWG RC.40.22

LEGEND:

- ① Mature Pohutukawa trees retained along Ladies Mile boundary (Trees 5-15 numbers refer to Arborists report)
- ② Proposed footpath adjacent to existing kerbline
Exposed aggregate concrete dark chip/charcoal oxide to AT Standard Detail
- ③ Low/groundcover amenity planting within road reserve
- ④ Low/groundcover planting reinforces the established landscape character of the Ladies Mile Frontage
- ⑤ Proposed signalised pedestrian crossing at Abbots Way/Ladies Mile intersection
- ⑥ Upper Loop Road Southern Entrance Feature:
Basalt wall formed in a contemporary curved plan form in combination with 'The Hill' entrance signage and low planting
Wall height varies from nom. 0.3m to 2.0m. top of wall horizontal

- ⑦ Upper Loop Road Southern Entrance Feature:
Basalt wall formed in a contemporary curved plan form along the boundary with adjacent corner residential lot
Wall height max. 1.6m at Road Reserve level. Top of wall horizontal with step down
- ⑧ Upper Loop Road Northern Entrance Feature:
Basalt wall formed in a contemporary curved plan form in combination with 'The Hill' entrance signage and low planting
Wall height varies from nom. 1.5m to 1.6m. top of wall horizontal
- ⑨ Upper Loop Road Northern Entrance Feature:
Basalt wall formed in a contemporary curved plan form along the boundary with adjacent corner residential lot
Wall height max. 1.6m at Road Reserve level. Top of wall horizontal with step down
- ⑩ Belvedere Gardens Entrance Feature: Basalt wall with 'The Hill - Belvedere Gardens' entrance signage and low planting
Wall height nom. 1.4m

- ⑪ Vertical black rail pedestrian gate
- ⑫ Low basalt entrance wall
Informal seating height
- ⑬ Freestanding/retaining wall to entrance path, steps and courtyard landscape
Basalt, concrete or similar
- ⑭ Vertical black rail pedestrian gate to above
- ⑮ Wall defines entrance to Southern Residents Courtyard, with appropriate entrance signage adjacent to pedestrian gate. Wall height nom. 1.6m
Basalt, concrete or similar
- ⑯ Vertical black rail fence defines extent of private Northern Residents Courtyard
- ⑰ Vertical black rail fence defines extent of private Southern Residents Courtyard with hedge in front
- ⑱ Vertical black rail fence

- ⑲ Vertical rail pedestrian gate to above
- ⑳ Grass rear berm within road reserve
- ㉑ Entrance footpath within road reserve
Exposed aggregate concrete basalt chip/charcoal oxide to AT Standard Detail
- Basalt wall

NOTE:
Refer to DWG RC 40.24 for sections

0 25m
1:750 @ A3



APARTMENT PRECINCT - LADIES MILE FRONTAGE VIEWS

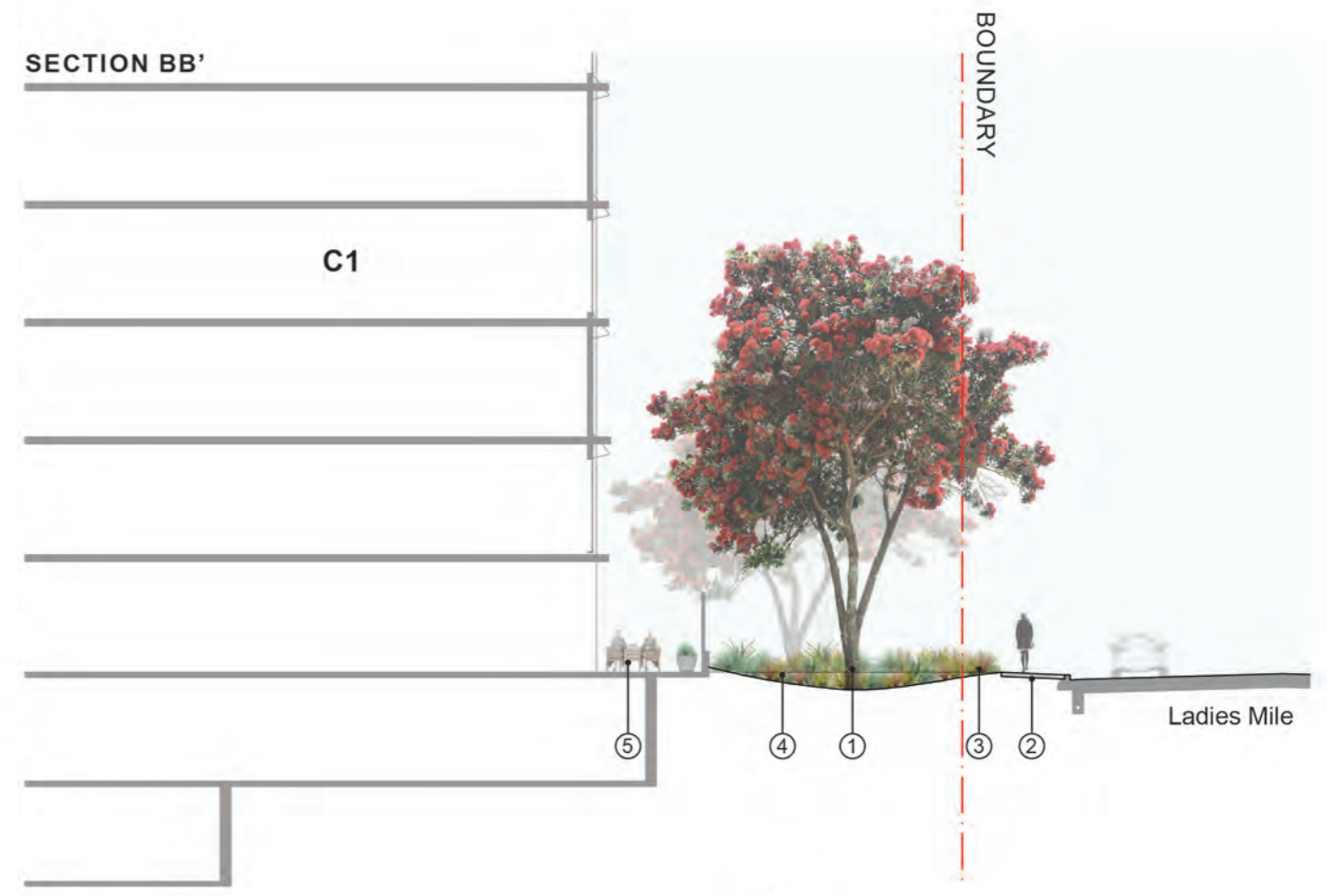
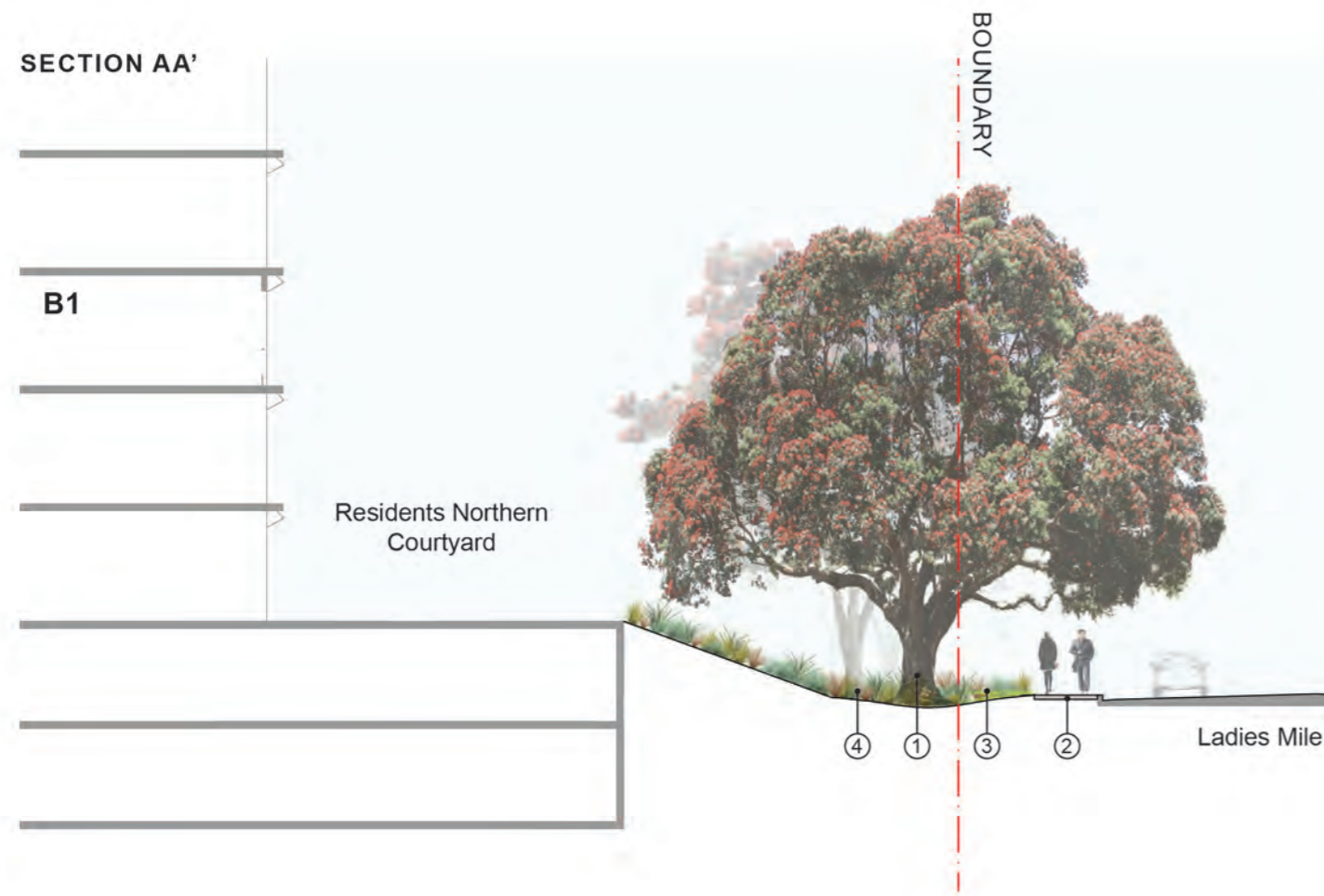


APARTMENT PRECINCT - LADIES MILE FRONTAGE VIEWS



APARTMENT PRECINCT - LADIES MILE FRONTAGE SECTIONS

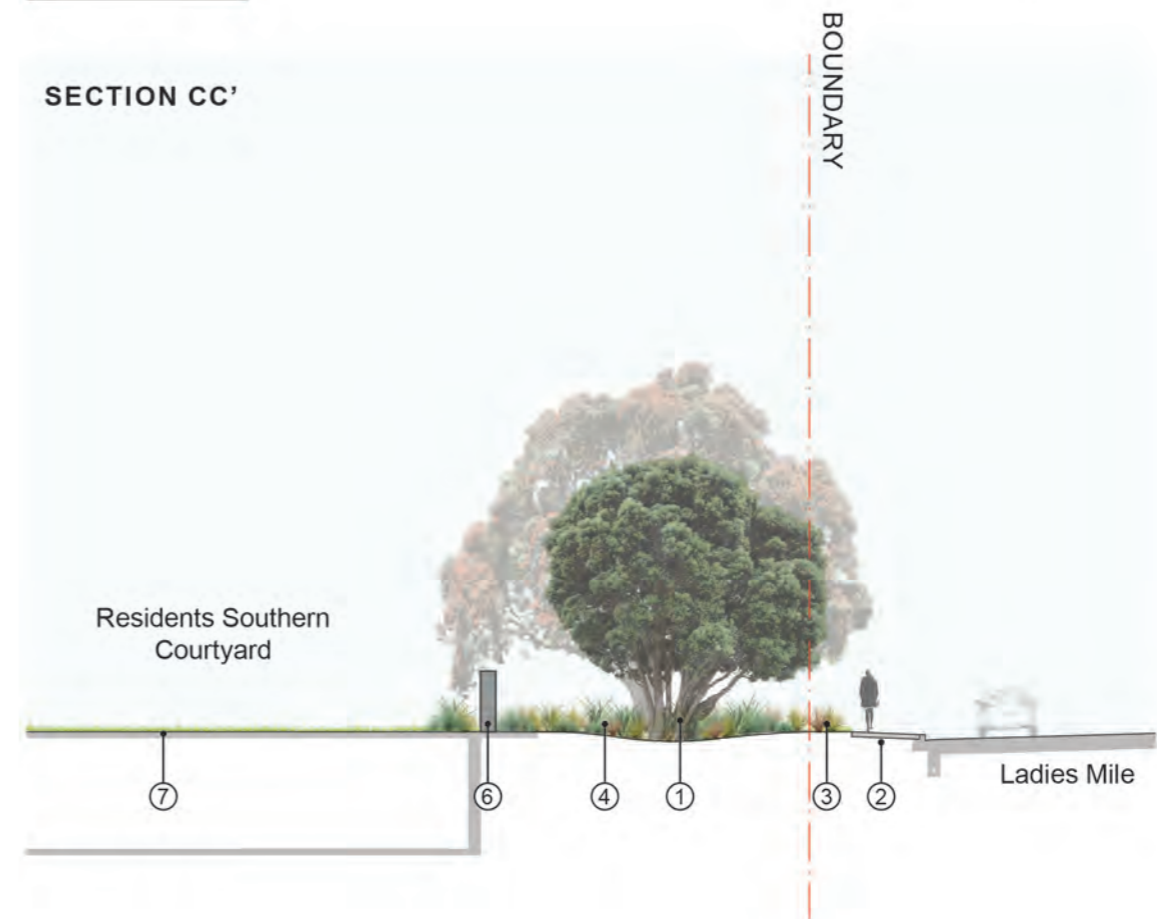
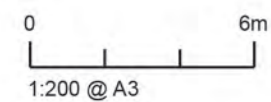
Excerpt from Dwg.No. RC 40.25



LEGEND:

- ① Mature Pohutukawa trees retained along Ladies Mile boundary
- ② Proposed footpath adjacent to existing kerbline
Exposed aggregate concrete dark chip/charcoal oxide to AT Standard Detail
- ③ Low/groundcover amenity planting within Road Reserve
- ④ Low/groundcover planting reinforces the established landscape character of the Ladies Mile frontage
- ⑤ Ground floor apartment balcony
- ⑥ Wall defines extent of Southern Residents Courtyard and provides privacy (basalt, concrete or similar)
1.6m high located along edge of podium
- ⑦ Lawn with informal play elements

Note: Refer DWG No. RC.40.23 For Section Locations



LANDSCAPE STATEMENT - VIVID LIVING APARTMENT BUILDING



VIVID LIVING APARTMENT BUILDING

The Vivid Living Apartment Building is located adjacent to the racecourse, and is orientated to take full advantage of the spectacular outlook across the racecourse and beyond, whilst also making a positive contribution to the Lower Loop Road streetscape environment.

The apartment podium sits above the track edge level and creates the opportunity to provide two external spaces for the use of, and enjoyment by residents.

The Vivid Living Residents' Courtyard provides a flexible space for outdoor use and relaxation, and includes two pergola structures for shade and enclosure, hedging and layered planting to provide screening from adjacent units and foreground interest and seasonal variety. Its elevated location and proximity to the site boundary provide the courtyard with spectacular outlook over the Trackside Walk to the racecourse and beyond.

The Vivid Living Community Gardens makes full use of the space available between the outdoor paved terrace of the Community Centre and the site boundary with the Trackside Walk to provide the opportunity for residents to engage in the propagation of vegetables, salads and herbs in the productive gardens. Several raised planters will be provided, together with glasshouse, storage for garden tools and seating areas.

The level difference between the Courtyard and Community Centre terrace and the adjacent Trackside Walk is reconciled by the integration of several low retaining walls, black vertical rail fencing and screening hedge planting into the perimeter landscape of the Apartment. This landscaped area will also contribute to the character of the Trackside Walk, and the contemporary use of Remuera-inspired planting in combination with appropriate native species also serves to further reinforce the site-wide integrated vegetation strategy as described later in this report.

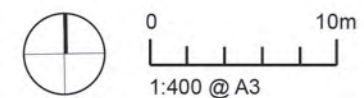
Refer Boffa Miskell Dwg. No. RC 40.26 Vivid Living Apartment Landscape Plan

VIVID LIVING APARTMENT - PLAN

Excerpt from Dwg.No. RC 40.26

LEGEND:

- ① Trackside Walk
Refer Dwg. No. RC 40.13
- ② Open boundary with adjacent Trackside Walk
- ③ Low retaining wall (varies from 0 to 1m height)
Keystone block
- ④ Amenity planting mix to provide a balance of seasonal visual variety and native species ecological enhancement. Low/groundcover amenity planting used adjacent to walkway. Includes tree planting
- ⑤ Vertical rail fence (continuation of trackside walk fence and pedestrian gate) terminates at building facade
- ⑥ Vertical rail (safety from falling) balustrade
- ⑦ Residents courtyard
- ⑧ Residents courtyard paving
Concrete and concrete pavers in combination
- ⑨ Small water feature
- ⑩ Low wall with integrated seating
Concrete with timber seating
- ⑪ Steel frame pergola
- ⑫ Amenity planting to provide visual interest, seasonal variety and privacy where adjacent to ground floor apartment balconies
- ⑬ Community gardens
- ⑭ Community gardens access path
Concrete
- ⑮ Raised planters for edible plants
- ⑯ Community gardens paving
Bound aggregate
- ⑰ Glasshouse
Aluminium frame and glass, 2 x 2.6m
- ⑱ Garden seats
- ⑲ Hedge planting provides screening to low retaining walls
- ⑳ Low retaining wall
Dark coloured brick
- ㉑ Entrance paving and stairs
Concrete
- ㉒ Seating to entrance drop-off/pick up area
- ㉓ Vertical rail pedestrian gate
- ㉔ Site boundary with ATR Infield Access Road land
- ㉕ Vertical rail fence (along boundary) ties into ATR concrete retaining wall
- ㉖ Proposed basalt wall, piers and relocated entrance gates to Infield Access Road entrance to be delivered by ATR (not part of this RC application)



VIVID LIVING APARTMENT - VIEW





The provision of 34 two storey detached houses and 59 two to three storey duplex or terrace houses sits alongside the proposed Apartment Precinct and Vivid Living retirement apartment to provide a total of 358 dwellings at 'The Hill'.

The Landscape Design of the house Lots is intended to work in combination with, and to compliment the adjacent streetscape environment and overall built form of 'The Hill' to build on the Landscape Strategy Key Moves described from page 4.

HOUSE LOT DESIGN:

The creation of functional and enjoyable outdoor living spaces is the focus of the Landscape Design proposals for the individual house lots, with a focus on delivering on the following outcomes:

- **Make a positive contribution to the public realm:** House frontage landscape to contribute to the character of the adjacent streetscape landscape, in particular to the JOAL Garden Streets where it is intended that the JOAL landscape is a seamless extension of house

frontages to provide an integrated 'outdoor courtyard' for use primarily by those residents who front onto the Garden Street

- **Integrate topography and landform:** The character-defining landform of 'The Hill' requires the careful integration of building platforms and streetscape levels into the existing contours. The visual impacts of retaining walls have been minimised through various mitigation measures (including platform level finessing, the use of areas of batter slope where appropriate within Lots, appropriate materiality and the use of planting etc), and refinement of wall and batter solutions along the external site boundaries has also been undertaken to minimise any walls on or near the adjacent neighbouring properties
- **Celebrate the spectacular views on offer whilst balancing the desire for privacy:** A number of house Lots offer views and vistas across the racecourse and beyond. A variety of Lot boundary fencing types in combination with planting are proposed to ensure that the right balance of privacy and outlook is achieved. The fencing strategy

ensures that privacy is achieved for the main outdoor living spaces while more permeable and low height fencing types are used to create outlook and a positive relationship with adjacent streetscape front ages

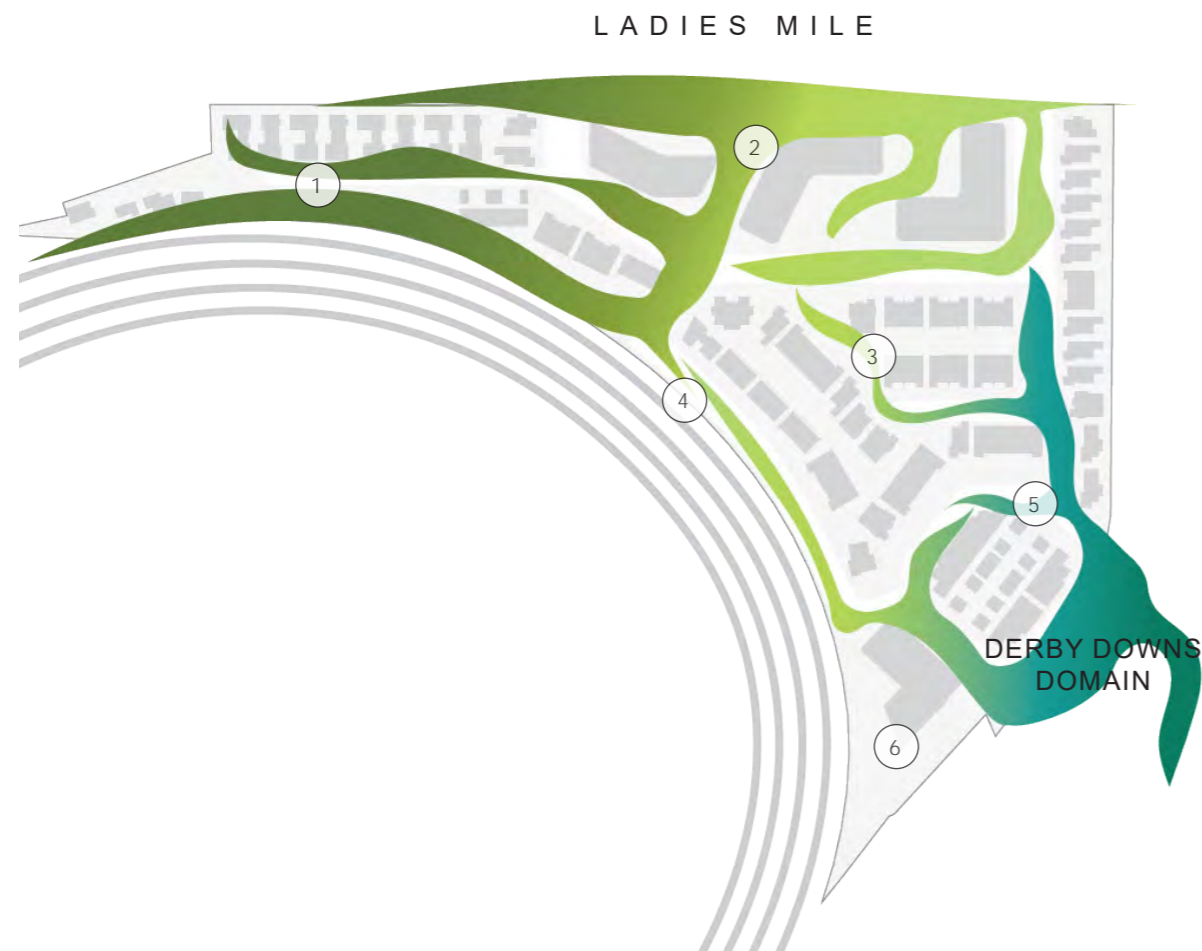
- **Use planting to encourage outdoor living whilst contributing to a site-wide planting strategy:** Outdoor living spaces are provided through a combination of paved and lawn surfaces where practical. Where space is limited groundcover planting is proposed to reduce maintenance requirements and provide visual interest with a degree of seasonal variety.

The proposed site-wide planting and boundary treatment/retaining wall strategies are described in further detail in Part Three of this report. Further information on proposed hard landscape materiality within House Lots is provided in Brewer Davidson Resource Consent documentation.

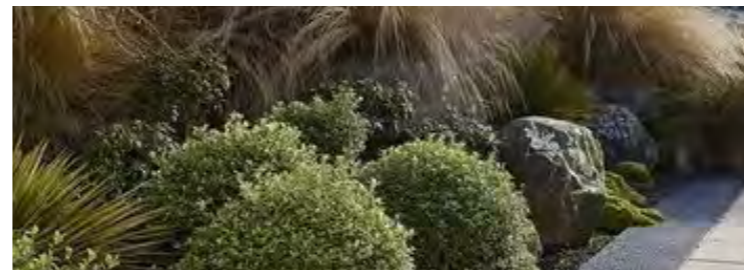
PART THREE: LANDSCAPE ELEMENTS STRATEGY

LANDSCAPE ELEMENTS

SITEWIDE - PLANTING STRATEGY



① NATIVE / FORMAL



④ TRACKSIDE WALK



② APARTMENT PRECINCT



⑤ EXOTIC / FORMAL



③ GARDEN STREETS



⑥ VIVID LIVING



The surrounding vegetated character of the area is woven through the site along the streets and within the private lots. The combination of plant and tree species have been chosen to form links to the existing matrix of flora and landscape features in the area.

Building on the established and retained avenue of Pohutukawa trees present along Ladies Mile, a strong influence of native species has been used in the north-eastern corner of the site. Formality in the landscape has been introduced with the use of clipped hedges, tidy layering, and subtle accents of floral colour.

To the south of the site Derby Downs Domain displays a variety of grand parkland exotic trees. Pulling from this collection of trees the theme of the species selections from this corner of the site reflect a European landscape style, repeating the formal layering seen throughout the development and within the wider Remuera environs.

Centrally located within the site the streets and private lot planting style emerges from a crossover of both native and exotic species to form the vibrant

JOAL garden streets.

A low maintenance planted embankment reflects the current landform of 'The Hill' into the new typology of the development. With a trackside walkway running the length of this edge, the planting provides amenity with seasonal colour, bird attracting qualities and a combination of appropriate native and exotic groundcover and low planting.

The Belvedere Gardens are an opportunity for layering of plant species. Hedges and carefully placed trees will retain views out to the Maunga whist also providing sheltered areas to sit and enjoy the view.

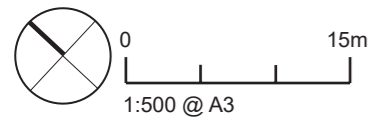
An owners association (via incorporated society, which all residents of The Hill will contribute to) will be established with responsibility for maintenance and management of all planting within the privately owned common areas. This proposal is intended to ensure that the proposed significant investment in the public realm landscape will be maintained and managed to a consistently high standard over the long term future of The Hill.



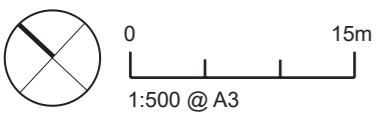
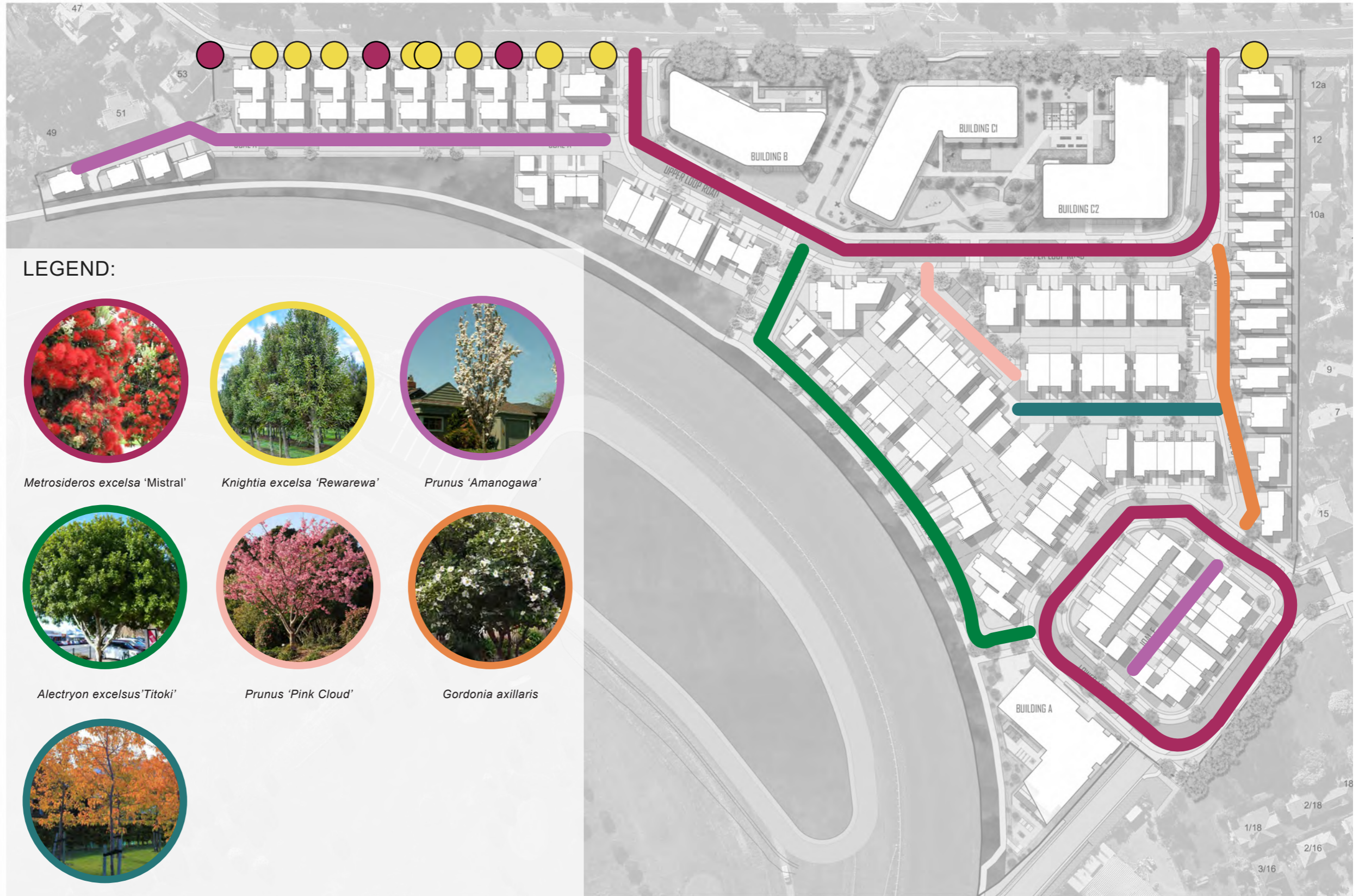
PLANTING LOOK & FEEL



PLANTING STRATEGY SHEET LOCATIONS

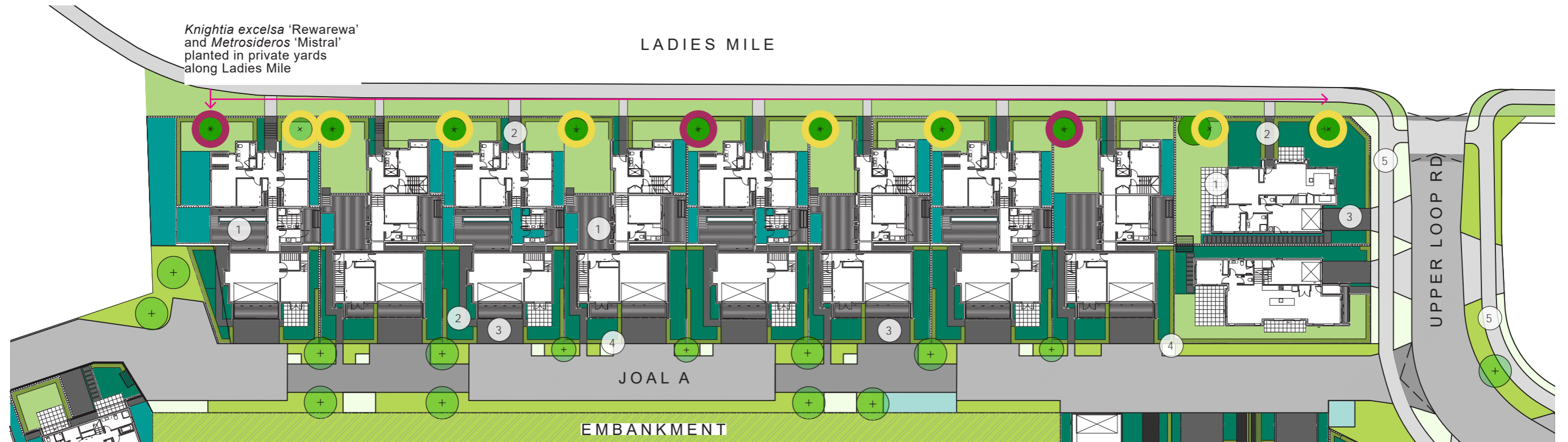


SITE-WIDE STREET TREE STRATEGY

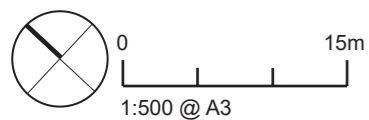


LADIES MILE FRONTAGE

Refer to JOAL A Planting Strategy & Palette for shrub species

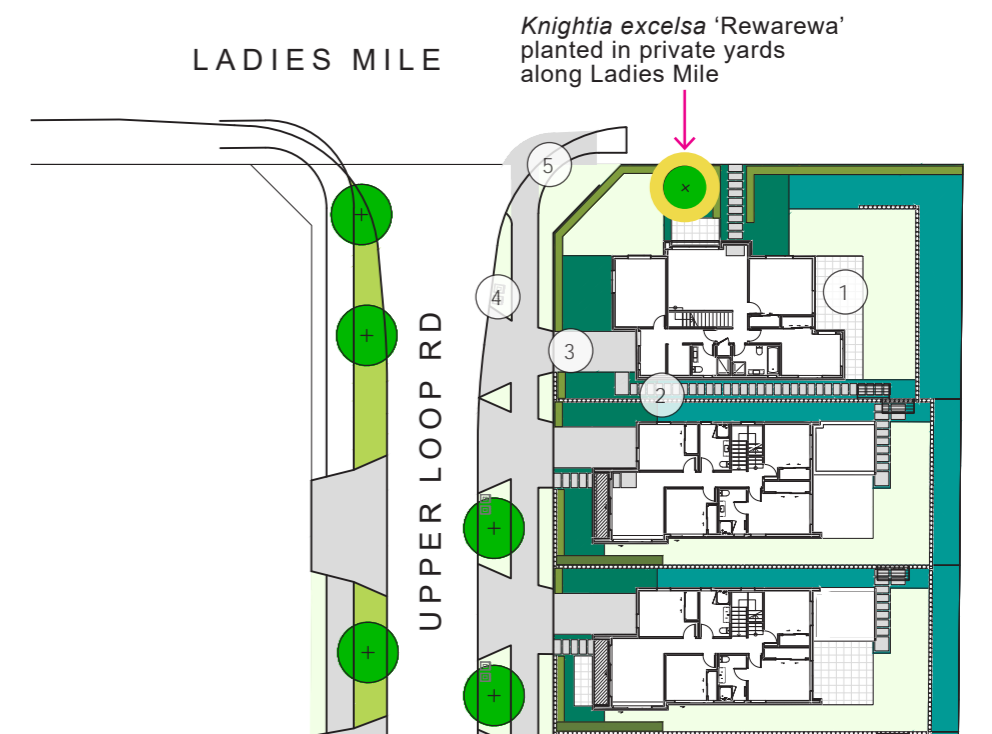


Location plan

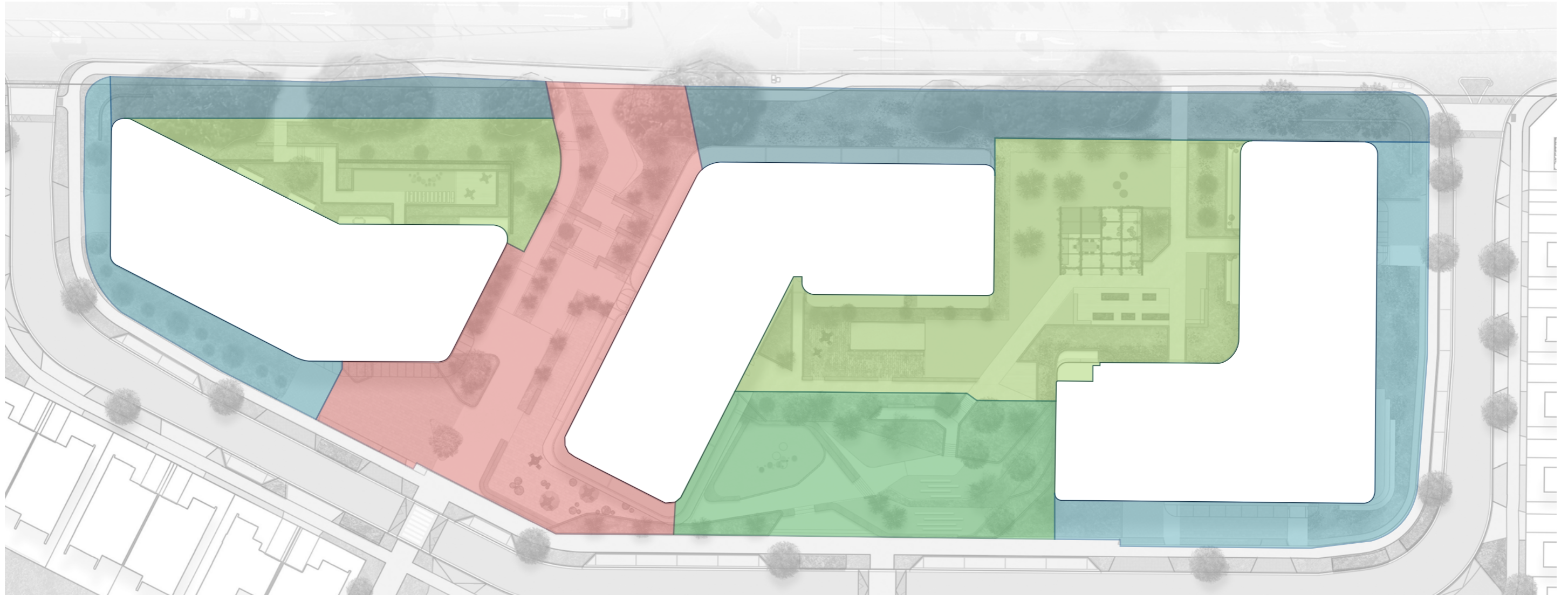


LEGEND:






- Lawn
- Berm planting
- Front garden mix
- Rear garden mix
- Raingardens
- 1 Private patio/ deck
- 2 Private garden path
- 3 Driveway
- 4 Indicative location for bins on collection day
- 5 Public footpath
- Metrosideros 'Mistral'*
- Knightia excelsa 'Rewarewa'*



APARTMENT PRECINCT - PLANTING STRATEGY



LEGEND:

-  Ladies Mile Frontage
-  Community Gardens
-  Residents Courtyards
-  Belvedere Gardens
-  Upper Loop Road Frontage



Location plan



APARTMENT PRECINCT - PRIVATE PLANTING PALETTE

Species selections for both the resident's courtyards and Ladies Mile frontage reflect a complementary combination of reliable NZ native garden species and exotic accent shrubs. A considered colour palette picks up on white and purple hues, set within a backdrop of evergreen foliage.



RESIDENTS COURTYARD GARDENS

Category	Botanical Name	Common Name	Size (L)	Spacing (m)
Trees	<i>Pyrus calleryana</i> 'Aristocrat'	Ornamental pear	160	As shown
	<i>Prunus</i> 'Mimosa'	Ornamental cherry	45	4
	<i>Michelia figo</i>	Port Wine Magnolia	45	3
Hedge	<i>Ficus tuffa</i>	tuffa fig	12	1
Planting	<i>Dianella revoluta</i> 'Little Rev'	Little Rev Flax Lily	3	0.5
	<i>Hebe</i> x 'Wiri Mist'	Hebe	8	0.8
	<i>Lomandra longifolia</i> 'Nyalla'	Lomandra 'Nyalla'	2	0.7
	<i>Loropetalum chinense</i> 'china pink'	Loropetalum	8	1
	<i>Muehlenbeckia axillaris nana</i>	Creeping wire vine	3	0.6
	<i>Euonymus fortunei</i> 'Emerald gem'	Japanese spindle	8	0.5
	<i>Salvia nemorosa</i>	Woodland sage	2	0.4
	<i>Dianella revoluta</i> 'Little Rev'	Little Rev Flax Lily	3	0.5
	<i>Asplenium nidus</i>	Birds nest fern	3	0.8
	<i>Ligularia reniformis</i>	Tractor seat	8	1
	<i>Dichondra repens</i>	Mercury bay weed	2	0.5
	<i>Acorus gramineus</i>	Japanese sweet flag	2	0.4
	<i>Phormium cookianum</i> 'Green Dwarf'	Mountain Flax	3	0.8
	<i>Pittosporum</i> 'Frankies Folley'	Kohuhu	8	0.6
	<i>Brachyglottis greyii</i> 'Sunshine'	resin bush	12	1
	<i>Libertia peregrinans</i>	Mikoikoi	2	0.4
	<i>Clianthus maximus</i>	kakabeak	5	1.5

LADIES MILE FRONTAGE

Category	Botanical Name	Common Name	Size (L)	Spacing (m)
Street Tree	<i>Gordonia axillaris</i>	fried egg tree	160	As shown
Hedge	<i>Teucrium fruticans</i>	Bush Germander	12	0.8
Planting	<i>Dietes grandiflora</i>	African iris	2	0.6
	<i>Hebe</i> 'Emerald Gem'	hebe	5	0.5
	<i>Kunzea</i> 'Little Fox'	little fox kunzea	5	0.5
	<i>Pittosporum tenuifolium</i> 'Golf ball'	Golf ball Pittosporum	8	1
	<i>Phormium cookianum</i> 'Green Dwarf'	Mountain Flax	3	0.8
	<i>Dianella nigra</i>	Rain Lily	3	0.5
	<i>Astelia nervosa</i> 'Silver Spear'	bush flax	2	0.8
	<i>Arthropodium cirratum</i>	Renga Rena	3	0.7
	<i>Carex virgata</i>	Carex	2	0.6
	<i>Apodasmia similis</i>	Oioi	2	0.6

APARTMENT PRECINCT - PUBLIC PLANTING PALETTE

The Belvedere and Community Gardens present a majority of NZ native species selected for the variety of growing habits, textured foliage, and seasonal floral displays. Repetition and layering of the species within the garden beds endeavour to introduce formalised modern elements and tidy structure.



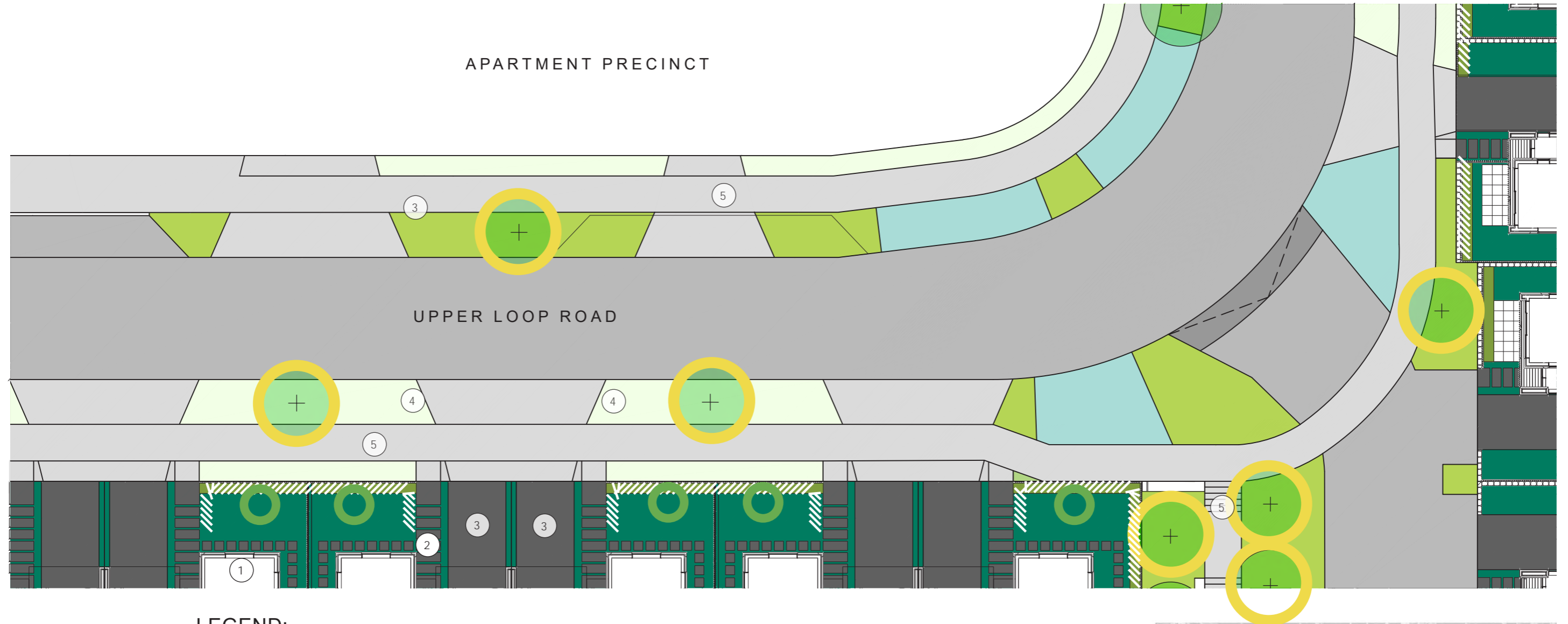
BELVEDERE GARDENS

Category	Botanical Name	Common Name	Size (L)	Spacing (m)
Specimen Tree	<i>Alectryon excelsus</i>	titoki	160	As shown
Hedge	<i>Corokia virgata</i> 'Geentys Green'	Geenty's Green Corokia	12	0.6
Terrace Planting	<i>Coprosma</i> 'Middlemore'		12	0.6
	<i>Hebe</i> 'Emerald Gem'	hebe	5	0.5
	<i>Dianella nigra</i>	Flax Lily	2	0.6
	<i>Hebe</i> 'Wiri Mist'	Hebe	8	0.8
	<i>Kunzea</i> 'Little Fox'	little fox kunzea	5	0.5
	<i>Libertia grandiflora</i>	New Zealand iris	2	0.5
	<i>Astelia chathamica</i> 'Silver Spear'	Silver Spear	3	0.8
	<i>Dianella caerulea</i> 'Little Jess'	Little Jess Flax Lily	2	0.4
	<i>Arthropodium cirratum</i>	renga renga	3	0.7
	<i>Pimelea prostrata</i>	New Zealand daphne	2	0.4
<i>Pittosporum tenuifolium</i> 'Golf ball'	Golf ball Pittosporum	8	1	

COMMUNITY GARDENS

Category	Botanical Name	Common Name	Size (L)	Spacing (m)
Tree	<i>Metrosideros excelsa</i>	Pohutukawa	160	As shown
	<i>Sophora tetraptera</i>	kowhai	160	As shown
Terrace Planting	<i>Arthropodium cirratum</i>	renga renga	3	0.7
	<i>Coprosma acerosa</i> 'Red Rocks'	Sand Coprosma	2	0.8
	<i>Dietes grandiflora</i>	African iris	2	0.6
	<i>Hebe</i> 'Emerald Gem'	hebe	5	0.5
	<i>Lobelia angulata</i>	Panakenake	2	0.5
	<i>Lomandra longifolia</i> 'Nyalla'	Lomandra 'Nyalla'	2	0.7
	<i>Lomandra longifolia</i> 'Tanika'	dwarf mat rush	2	0.8
	<i>Pittosporum tenuifolium</i> 'Golf ball'	golf ball pittosporum	8	1
	<i>Pimelea prostrata</i>	New Zealand daphne	2	0.4
	<i>Carex virgata</i>	Small swamp sedge	2	0.6
	<i>Carex comans</i> 'Green'	carex	2	0.5
	<i>Phormium cookianum</i> 'Green Dwarf'	Mountain Flax	3	0.8

UPPER LOOP ROAD - PLANTING STRATEGY



LEGEND:

- Lawn
- Berm planting
- Low hedge - 1.0m high
- Front garden mix
- Rear garden mix
- Climbers
- Raingardens

- Street tree
- Feature tree

- 1 Private patio/ deck
- 2 Private garden path
- 3 Driveway
- 4 Indicative location for bins on collection day
- 5 Public footpath

0 6m
1:200 @ A3



Location plan

UPPER LOOP ROAD - PLANTING PALETTE

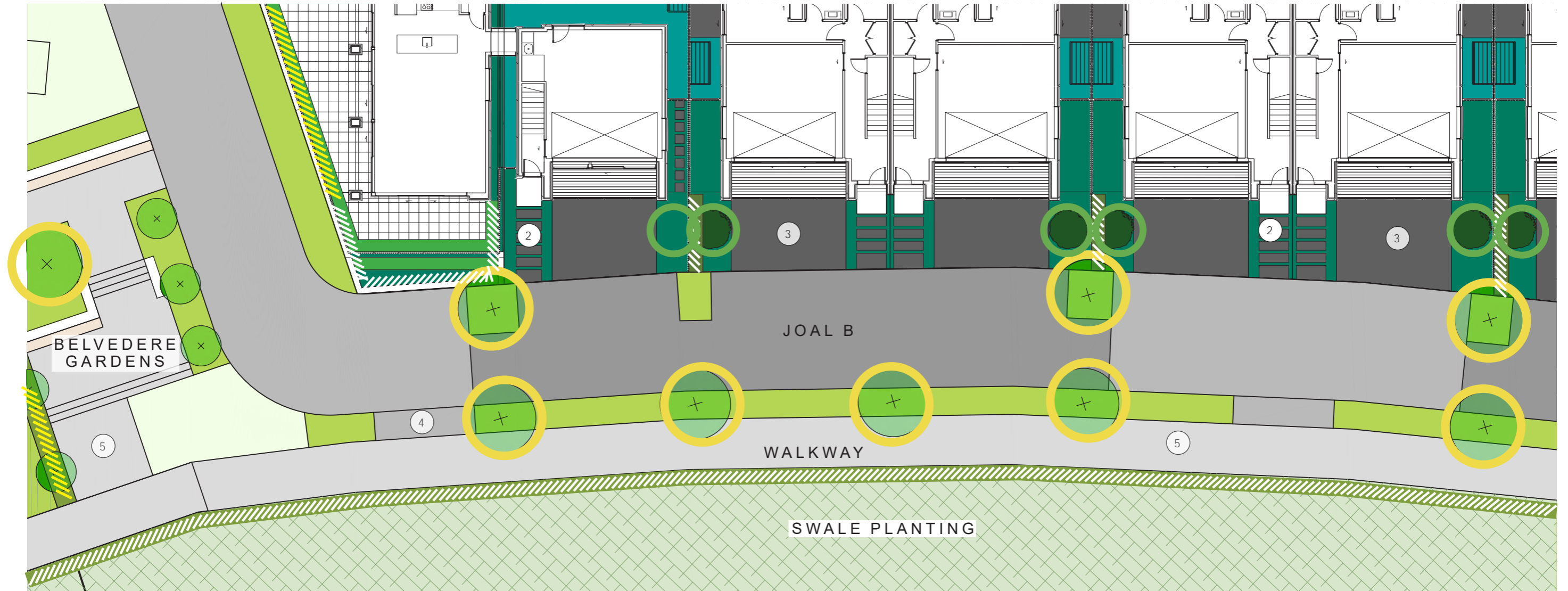
The palette draws on the strong influence of NZ native planting within the apartment landscape and surrounding context of the site. Formal structure is introduced with the natural mounded form of the pittosporum and kunzea and tidy clipped hedges. Bursts of seasonal colour and evergreen shrubs contribute to overall visual interest within the planting.



Street Planting				
Category	Botanical Name	Common Name	Size (L)	Spacing (m)
Street Tree	<i>Metrosideros excelsa</i> 'Mistral'	pohutukawa / rata hybrid	160	As shown
	<i>Callistemon viminalis</i> 'Little John'	dwarf bottlebrush	12	1.5
Berm Planting	<i>Hebe</i> 'Emerald Gem'	hebe	5	0.5
	<i>Kunzea</i> 'Little Fox'	little fox kunzea	5	0.5
	<i>Libertia peregrinans</i>	Mikoikoi	2	0.4
	<i>Lomandra</i> 'Limetuff'	Lomandra	2	0.6
	<i>Phormium cookianum</i> 'Green Dwarf'	Mountain Flax	3	0.8
	<i>Pittosporum</i> 'Frankies Folley'	Kohuhu	8	0.6

Private Lot Planting				
Category	Botanical Name	Common Name	Size (L)	Spacing (m)
Privacy hedge	<i>Podocarpus macrophyllus</i> var. <i>maki</i>	shrubby yew pine	12	2
Low hedge	<i>Corokia virgata</i> 'Geentys Green'	Geenty's Green Corokia	12	0.6
	<i>Coprosma propinqua</i> 'Taiko'	Taiko	3	0.8
Garden mix 1	<i>Carex comans</i> 'Bronze'	Carex	2	0.5
	<i>Astelia nervosa</i> 'Westland'	bronze bush flax	2	0.8
	<i>Brachyglottis greyii</i> 'Sunshine'	resin bush	12	1
Garden mix 2	<i>Libertia peregrinans</i>	Mikoikoi	2	0.4
	<i>Lomandra longifolia</i> 'Tanika'	Dwarf Mat Rush	2	0.8
	<i>Arthropodium cirratum</i>	Renga Rena	3	0.7
	<i>Clianthus maximus</i>	kakabeak	5	1.5
Small feature tree	<i>Sophora molloyi</i>	Cook Strait Kowhai	45	3

JOAL B GARDEN STREET NORTH - PLANTING STRATEGY



LEGEND:

- Lawn
- Berm planting
- Low hedge - 1.0m high
- Tall hedge - 1.8m high
- Front garden mix
- Rear garden mix
- Climbers
- Raingardens

- Street tree
- Feature tree

- 1 Private patio/ deck
- 2 Private garden path
- 3 Driveway
- 4 Indicative location for bins on collection day
- 5 Public footpath

0 6m
1:200 @ A3



Location plan

JOAL B GARDEN STREET NORTH - PLANTING PALETTE

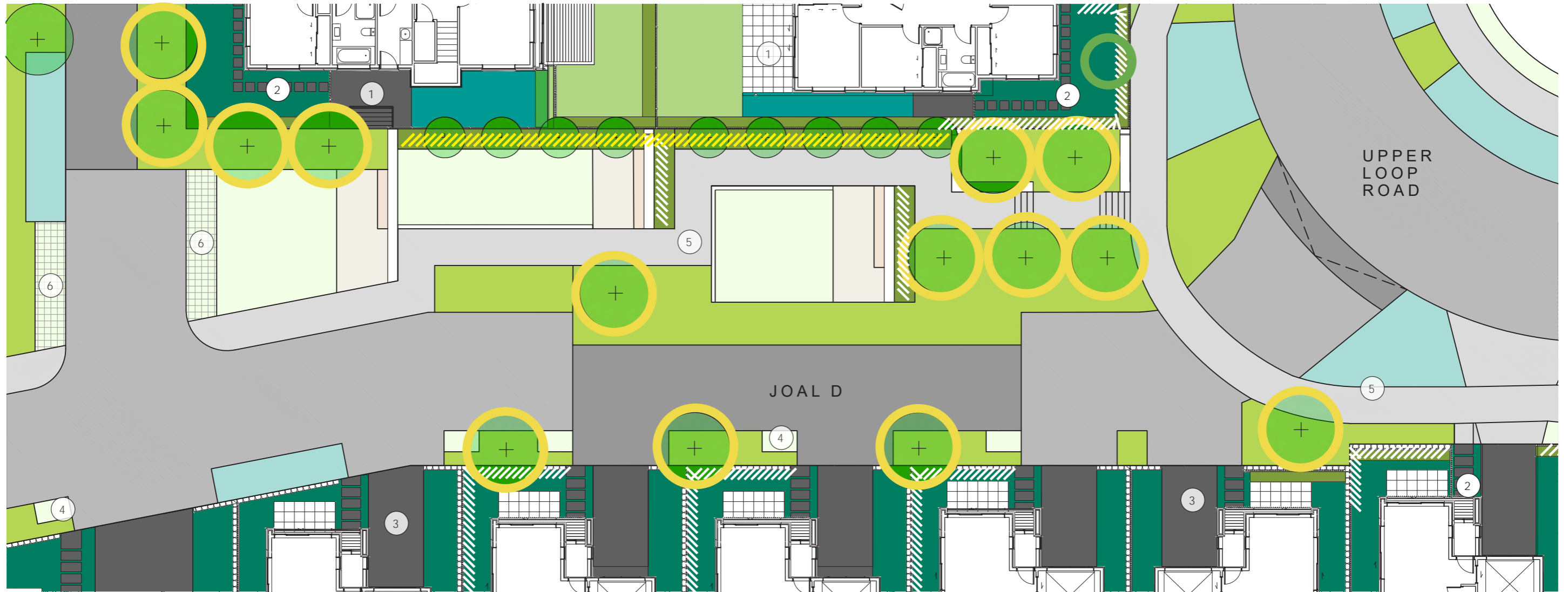
A combination of reliable native and exotic species provides a multi-sensory experience. Green, purple, and white have been used as a smart colour palette with nods to European garden aesthetic picked up with the use of English lavender and gardenia.



Street Planting				
Category	Botanical Name	Common Name	Size (L)	Spacing (m)
Street Tree	<i>Alectryon excelsus</i>	titoki	160	As shown
Berm Planting	<i>Chionochloa flavicans</i>	Dwarf toe toe	3	0.8
	<i>Coprosma repens 'Prostrata'</i>	Taupata	5	1
	<i>Dianella nigra</i>	Flax Lily	2	0.6
	<i>Hebe 'Wiri Mist'</i>	Hebe	8	0.8
	<i>Libertia grandiflora</i>	New Zealand iris	2	0.5
	<i>Pittosporum tenuifolium 'Golf ball'</i>	Golf ball Pittosporum	8	1

Private Lot Planting				
Category	Botanical Name	Common Name	Size (L)	Spacing (m)
Privacy hedge	<i>Ficus tuffi</i>	tuffi fig	12	0.6
Low hedge	<i>Corokia virgata 'Geentys Green'</i>	Geenty's Green Corokia	12	0.6
Garden mix 1	<i>Acaena purpurea</i>	purple bidibidi	2	0.3
	<i>Gardenia radicans</i>	Cape jasmine	3	0.8
	<i>Kunzea 'Little Fox'</i>	little fox kunzea	5	0.5
	<i>Astelia chathamica 'Silver Spear'</i>	Silver Spear	3	0.8
Garden mix 2	<i>Zephyranthes candida</i>	rain lily	2	0.3
	<i>Dianella caerulea 'Little Jess'</i>	Little Jess Flax Lily	2	0.4
	<i>Lavandula angustifolia 'Major'</i>	English Lavender	3	0.7
	<i>Pittosporum tenuifolium 'Golf ball'</i>	golf ball pittosporum	8	1
Small feature tree	<i>Callistemon viminalis 'Red Clusters'</i>	bottlebrush	45	1.5

JOAL D GARDEN STREET - PLANTING STRATEGY



LEGEND:

- Lawn
- Berm planting
- Low hedge - 1.0m high
- Tall hedge - 1.8m high
- Front garden mix
- Rear garden mix
- Climbers
- Raingardens

- Street tree
- Feature tree

- 1 Private patio/ deck
- 2 Private garden path
- 3 Driveway
- 4 Indicative location for bins on collection day
- 5 Public footpath
- 6 Bin collection point for JOAL E dwellings

0 6m
1:200 @ A3



Location plan

JOAL D GARDEN STREET - PLANTING PALETTE

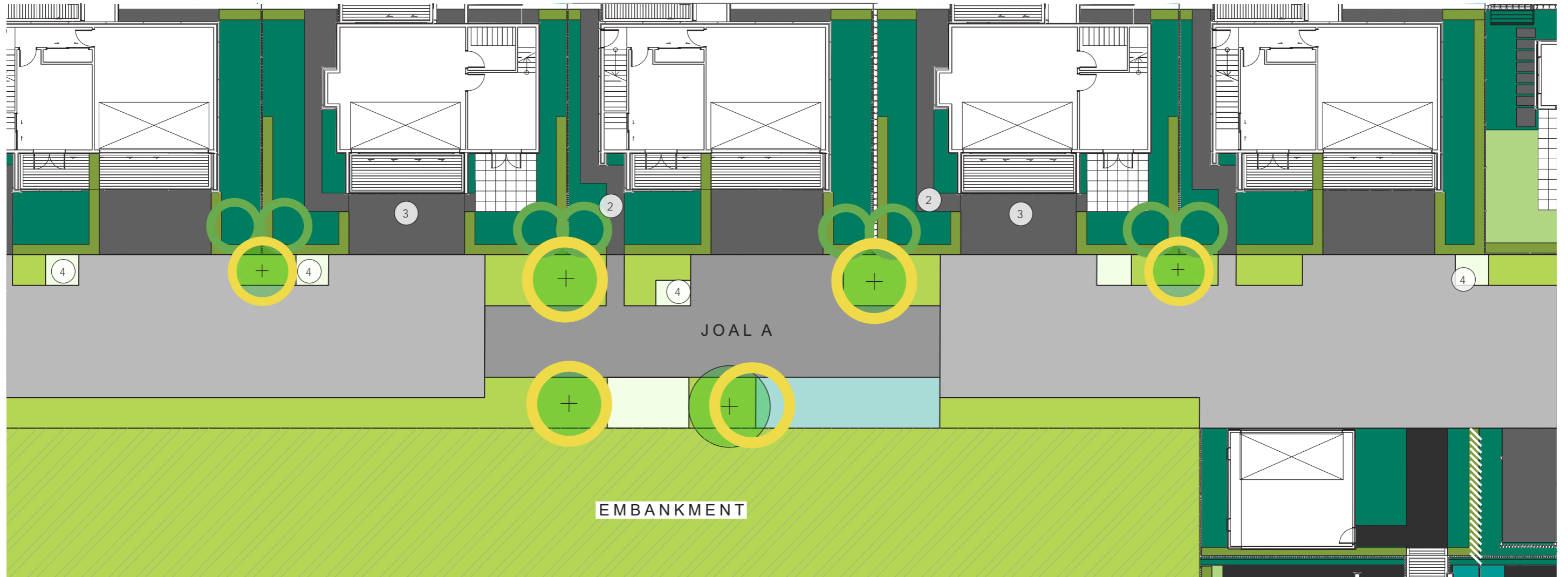
As a 'Garden Street' the palette features a combined of formal and subtropical species. The subtropical plants provide an interesting variety of lush foliage textures with pops of rich floral colour. Key formal elements can be seen with layered hedging and the natural 'topiary' mounds provided by the pittosporum 'golf balls' and hebes.



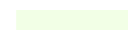






Street Planting				
Category	Botanical Name	Common Name	Size (L)	Spacing (m)
Street Tree	<i>Gordonia axillaris</i>	fried egg tree	160	As shown
Berm Planting	<i>Dietes grandiflora</i>	African iris	2	0.6
	<i>Hebe 'Emerald Gem'</i>	hebe	5	0.5
	<i>Lomandra 'Limetuff'</i>	Lomandra	2	0.6
	<i>Pittosporum tenuifolium 'Golf ball'</i>	Golf ball Pittosporum	8	1
	<i>Strelitzia parvifolia</i>	Spoon Leaf Bird Of Paradise	8	1

Private Lot Planting				
Category	Botanical Name	Common Name	Size (L)	Spacing (m)
Privacy hedge	<i>Ilex largo</i>	largo holly	12	0.8
Low hedge	<i>Murraya paniculata</i>	orange jessamine	2	1.2
Garden mix 1	<i>Ophiopogon japonicus</i>	Mondo grass	2	0.3
	<i>Astilbe 'Diamant'</i>	Astilbe	3	0.4
	<i>Lomandra longifolia 'Tanika'</i>	Dwarf Mat Rush	2	0.8
	<i>Ligularia reniformis</i>	Tractor seat	8	1
Garden mix 2	<i>Dianella revoluta 'Little Rev'</i>	Little Rev Flax Lily	3	0.5
	<i>Bergenia cordifolia</i>	heartleaf bergenia	8	0.7
	<i>Philodendron xanadu</i>	Winterbourn	3	0.8
	<i>Strelitzia parvifolia</i>	Spoon Leaf Bird Of Paradise	8	1
Small feature tree	<i>Cercis canadensis 'Hearts of gold'</i>	eastern redbud	12	2





JOAL A GARDEN STREET - PLANTING STRATEGY



LEGEND:

-  Lawn
-  Berm planting
-  Low hedge - 1.0m high
-  Front garden mix
-  Rear garden mix
-  Climbers
-  Raingardens

-  Street tree
-  Feature tree

-  1 Private patio/ deck
-  2 Private garden path
-  3 Driveway
-  4 Indicative location for bins on collection day

0 6m
1:200 @ A3



Location plan

JOAL A GARDEN STREET - PLANTING PALETTE

As a garden street this palette displays a variety of flowering NZ native species and robust street planting. Formal structure has been reinforced with the use of clipped hedges and the natural globe habit of the pittosporum 'Golf ball'. Rewarewa are selected to be placed within the private gardens addressing ladies mile for their upright, narrow habit and NZ native ties to the existing avenue of Pohutukawa.



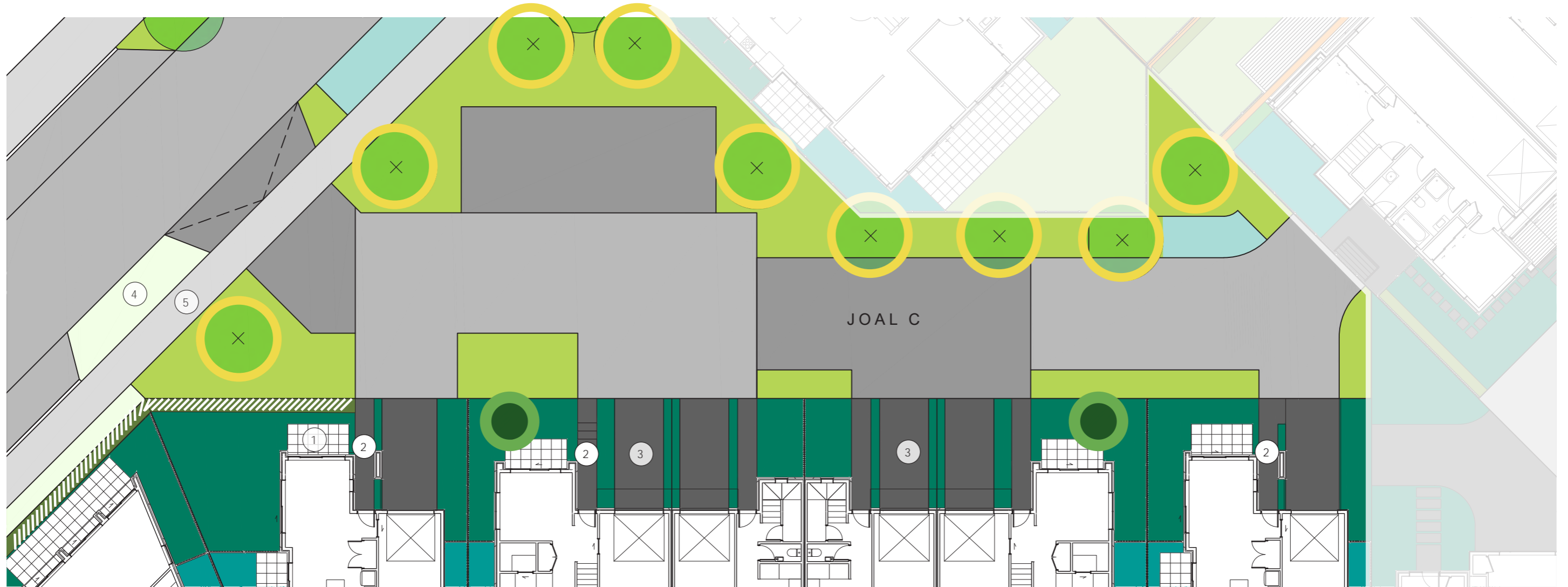
Street Planting

Category	Botanical Name	Common Name	Size (L)	Spacing (m)
Street Tree	<i>Metrosideros 'Lighthouse'</i>	upright pohutukawa		
Berm Planting	<i>Dianella nigra</i>	flax lily	2	0.6
	<i>Callistemon viminalis 'Little John'</i>	dwarf bottlebrush	12	1.5
	<i>Pittosporum tenuifolium 'Golf ball'</i>	golf ball pittosporum	8	1
	<i>Phormium cookianum 'Green Dwarf'</i>	mountain flax	3	0.8
	<i>Libertia spp.</i>	mikoikoi	2	0.3
	<i>Lobelia angulata</i>	panakenake	2	0.5
Swale Planting	<i>Apodasmia similis</i>	oioi	2	0.6
	<i>Carex gaudichaudiana</i>	Gaudichaud's sedge	1	0.4
	<i>Carex solandri</i>	forest sedge	1	0.6
	<i>Dianella nigra</i>	Flax Lily	2	0.6
	<i>Machaerina complanata</i>	shiny sedge	1	0.7
	<i>Astelia grandis</i>	swamp astelia	2	0.6
	<i>Carex virgata</i>	Small swamp sedge	2	0.6
	<i>Ficinia nodosa</i>	knobby clubrush	2	0.8
	<i>Juncus pallidus</i>	wiwi	1	1
	<i>Libertia peregrinans</i>	mikoikoi	2	0.4

Private Lot Planting

Category	Botanical Name	Common Name	Size (L)	Spacing (m)
Privacy hedge	<i>Ficus tuffi</i>	tuffi fig	12	1
Low hedge	<i>Euonymus fortunei 'Emerald gem'</i>	Japanese spindle	8	0.5
Garden mix 1	<i>Lobelia angulata</i>	panakenake	2	0.5
	<i>Libertia grandiflora</i>	New Zealand iris	2	0.5
	<i>Myosotidium hortensia</i>	Chatham Island forget-me-not	2	0.5
	<i>Pittosporum tenuifolium 'Golf ball'</i>	golf ball pittosporum	8	1
	<i>Muehlenbeckia axillaris nana</i>	creeping wire vine	3	0.6
Garden mix 2	<i>Arthropodium cirratum</i>	renga renga	3	0.7
	<i>Carex comans 'Green'</i>	carex	2	0.5
	<i>Hebe 'Headfortii'</i>	hebe	3	0.8
Small feature tree	<i>Callistemon viminalis 'Red Clusters'</i>	bottlebrush	45	1.5
Ladies Mile Frontage Tree	<i>Knightia excelsa</i>	rewarewa	45	4

JOAL C GARDEN STREET - PLANTING STRATEGY



LEGEND:

- Lawn
- Berm planting
- Low hedge - 1.0m high
- Front garden mix
- Rear garden mix
- Climbers
- Raingardens

- Street tree
- Feature tree

- 1 Private patio/ deck
- 2 Private garden path
- 3 Driveway
- 4 Indicative location for bins on collection day
- 5 Public footpath

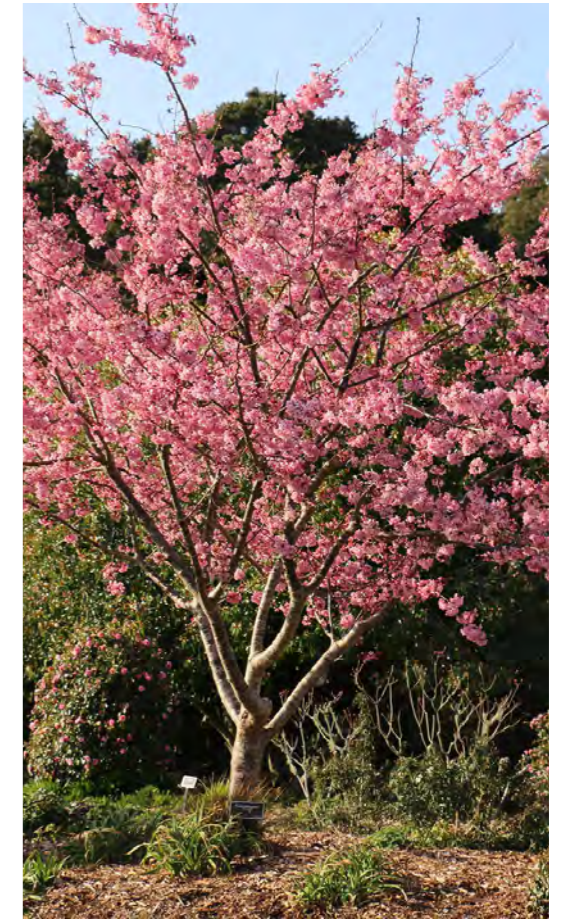
0 6m
1:200 @ A3



Location plan

JOAL C GARDEN STREET - PLANTING PALETTE

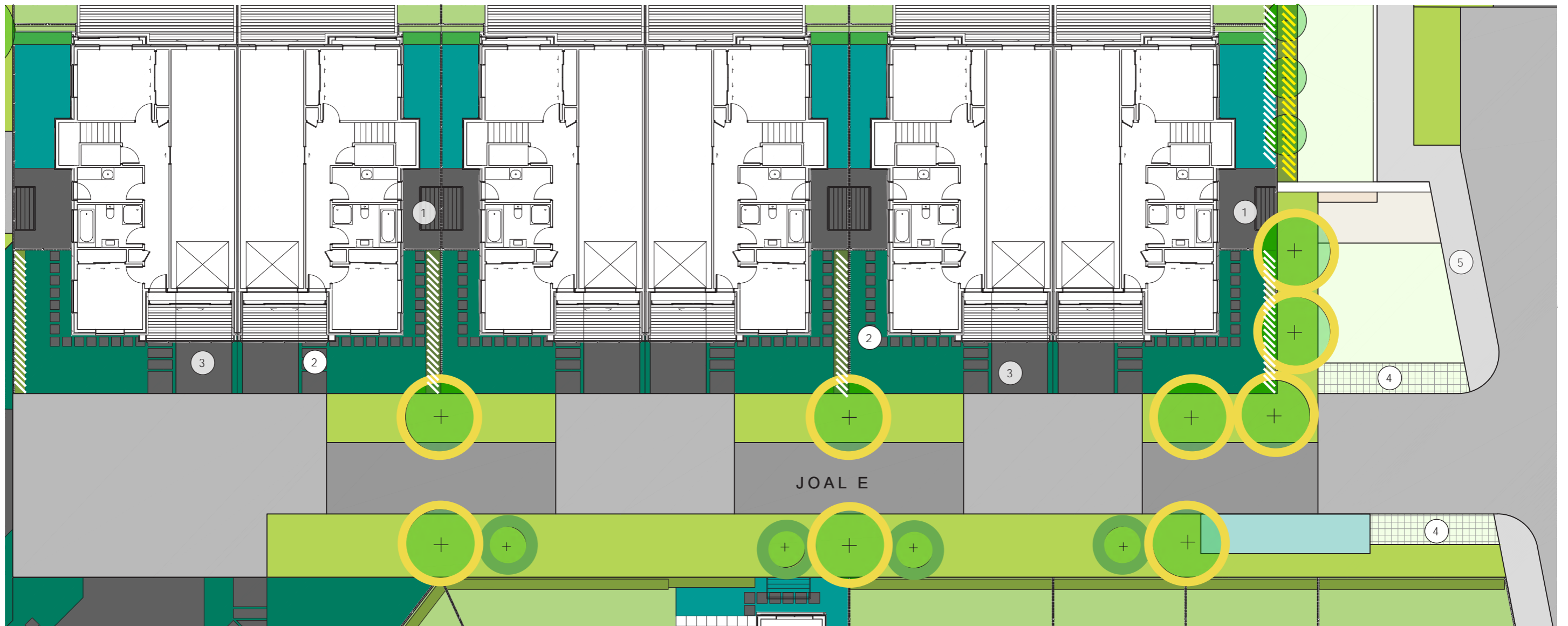
Identified as one of the 'Garden Streets' this palette celebrates a variety of flowering species and bursts of seasonal colour. The ornamental cherry street tree sets the scene with a show of pink blossoms through spring. Interesting colourful foliage and complementary flowering species continue this theme through the year.



Street Planting				
Category	Botanical Name	Common Name	Size (L)	Spacing (m)
Street Tree	<i>Prunus 'Pink Cloud'</i>	ornamental cherry	160	As shown
	<i>Cordyline australis 'Emerald goddess'</i>	green goddess ti kouka	45	As shown
Berm Planting	<i>Arthropodium cirratum</i>	renga renga	3	0.7
	<i>Coprosma acerosa 'Red Rocks'</i>	Sand Coprosma	2	0.8
	<i>Dietes grandiflora</i>	African iris	2	0.6
	<i>Hebe 'Emerald Gem'</i>	hebe	5	0.5
	<i>Lobelia angulata</i>	Panakenake	2	0.5
	<i>Phormium cookianum 'Green Dwarf'</i>	Mountain Flax	3	0.8

Private Lot Planting				
Category	Botanical Name	Common Name	Size (L)	Spacing (m)
Privacy hedge	<i>Ficus tuffy</i>	tuffy fig	12	0.6
Low hedge	<i>Teucrium fruticans</i>	Bush Germander	12	0.8
Garden mix 1	<i>Pimelea prostrata</i>	New Zealand daphne	2	0.4
	<i>Lomandra longifolia 'Tanika'</i>	dwarf mat rush	2	0.8
	<i>Senecio cineraria</i>	dusty miller	2	0.25
	<i>Loropetalum chinense 'china pink'</i>	Loropetalum	8	1
Garden mix 2	<i>Ajuga reptans</i>	Bugleweed	2	0.3
	<i>Lomandra longifolia 'Nyalla'</i>	Lomandra 'Nyalla'	2	0.7
	<i>Pittosporum tenuifolium 'Golf ball'</i>	golf ball pittosporum	8	1
	<i>Lavandula angustifolia 'Major'</i>	English Lavender	3	0.7
Small feature tree	<i>Hydrangea macrophylla</i>	French hydrangea	12	1
	<i>Pyrus salicifolia 'Pendula'</i>	weeping silver pear	45	3

JOAL E GARDEN STREET - PLANTING STRATEGY



LEGEND:

- Lawn
- Berm planting
- Low hedge - 1.0m high
- Tall hedge - 1.8m high
- Front garden mix
- Rear garden mix
- Climbers
- Raingardens

- Street tree
- Feature tree

- 1 Private patio/ deck
- 2 Private garden path
- 3 Driveway
- 4 Indicative location for bins on collection day
- 5 Public footpath

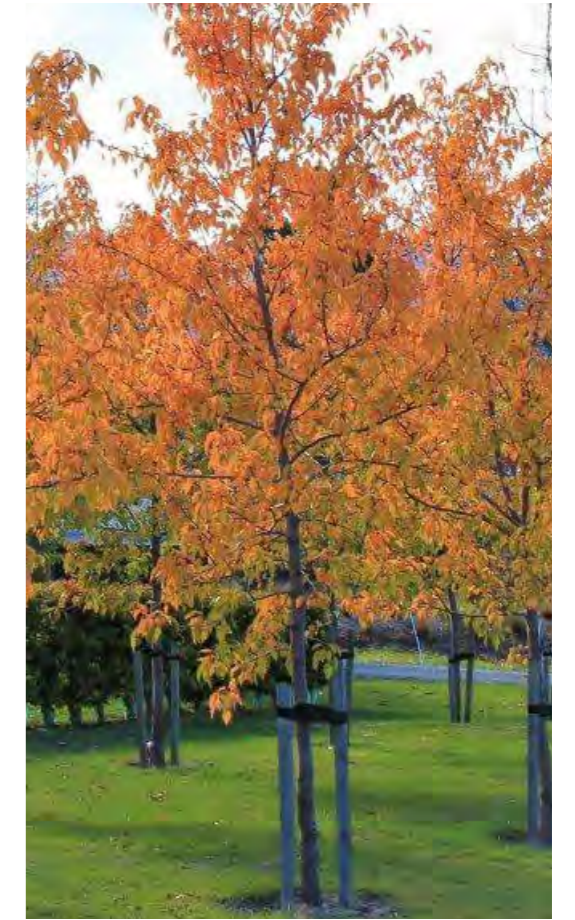
0 6m
1:200 @ A3



Location plan

JOAL E GARDEN STREET - PLANTING PALETTE

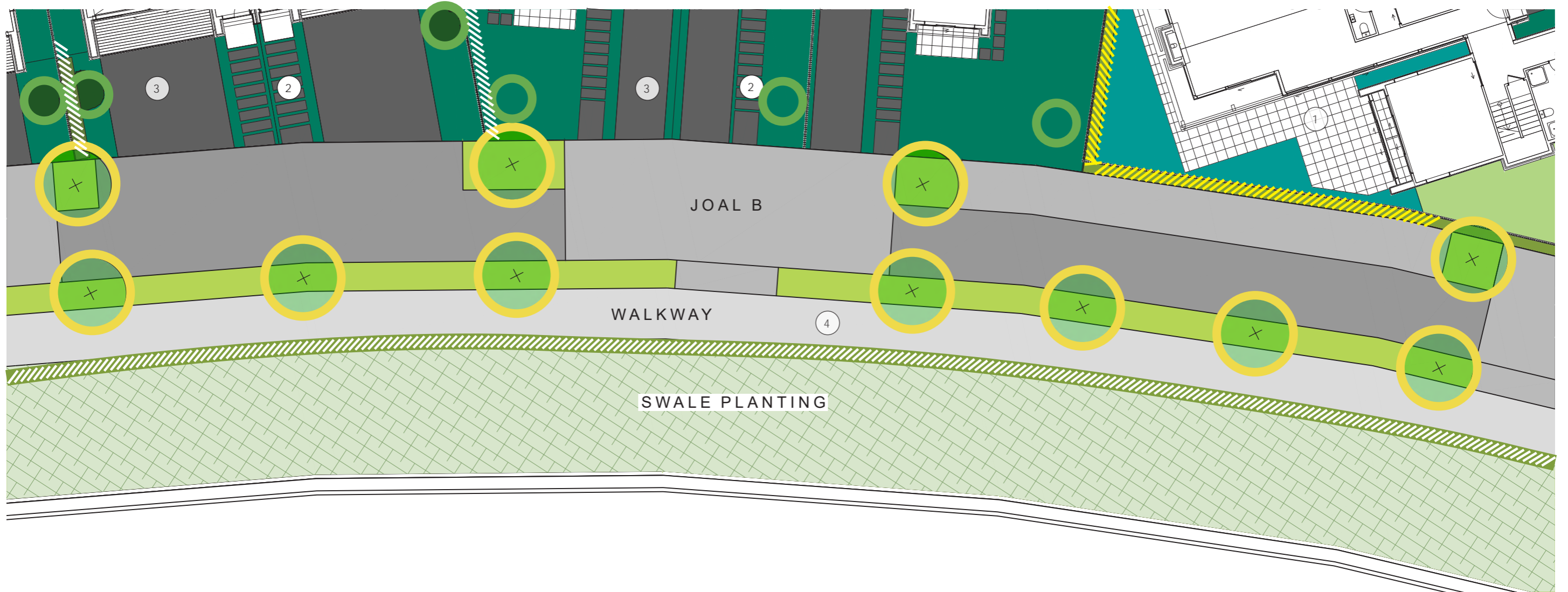
This 'Garden Street' shows a selection of rich greens and bright purples. A combination of ornamental pears selected at the street tree and ornamental cherry as a small feature tree an abundance of seasonal colour will be present.



Street Planting				
Category	Botanical Name	Common Name	Size (L)	Spacing (m)
Street Tree	<i>Pyrus calleryana 'Aristocrat'</i>	ornamental pear	160	As shown
Berm Planting	<i>Dianella revoluta 'Little Rev'</i>	Little Rev Flax Lily	3	0.5
	<i>Hebe x 'Wiri Mist'</i>	Hebe	8	0.8
	<i>Lomandra longifolia 'Nyalla'</i>	Lomandra 'Nyalla'	2	0.7
	<i>Loropetalum chinense 'china pink'</i>	Loropetalum	8	1
	<i>Muehlenbeckia axillaris nana</i>	Creeping wire vine	3	0.6

Private Lot Planting				
Category	Botanical Name	Common Name	Size (L)	Spacing (m)
Privacy hedge	<i>Eugenia ventenatii</i>	lily pily	12	1
Low hedge	<i>Euonymus fortunei 'Emerald gem'</i>	Japanese spindle	8	0.5
Garden mix 1	<i>Salvia nemorosa</i>	Woodland sage	2	0.4
	<i>Dianella revoluta 'Little Rev'</i>	Little Rev Flax Lily	3	0.5
	<i>Asplenium nidus</i>	Birds nest fern	3	0.8
	<i>Ligularia reniformis</i>	Tractor seat	8	1
Garden mix 2	<i>Dichondra repens</i>	Mercury bay weed	2	0.5
	<i>Acorus gramineus</i>	Japanese sweet flag	2	0.4
	<i>Phormium cookianum 'Green Dwarf'</i>	Mountain Flax	3	0.8
	<i>Pittosporum 'Frankies Folley'</i>	Kohuhu	8	0.6
Small feature tree	<i>Prunus 'Mimosa'</i>	Ornamental cherry	45	4

JOAL B SOUTH & TRACKSIDE WALK - PLANTING STRATEGY



LEGEND:

- Lawn
- Berm planting
- Low hedge - 1.0m high
- Tall hedge - 1.8m high
- Front garden mix
- Rear garden mix
- Climbers
- Raingardens

- Street tree
- Feature tree

- 1 Private patio/ deck
- 2 Private garden path
- 3 Driveway
- 4 Public footpath

0 6m
1:200 @ A3



Location plan

JOAL B SOUTH & TRACKSIDE WALK - PLANTING PALETTE



SWALE PLANTING

Category	Botanical Name	Common Name	Size (L)	Spacing (m)
Swale Planting	<i>Apodasmia similis</i>	oioi	1	0.6
	<i>Carex gaudichaudiana</i>	Gaudichaud's sedge	1	0.4
	<i>Carex solandri</i>	forest sedge	1	0.6
	<i>Dianella nigra</i>	Flax Lily	1	0.6
	<i>Machaerina complanata</i>	shiny sedge	1	0.7
	<i>Astelia grandis</i>	swamp astelia	1	0.6
	<i>Carex virgata</i>	Small swamp sedge	1	0.6
	<i>Ficinia nodosa</i>	knobby clubrush	1	0.8
	<i>Juncus pallidus</i>	wiwi	1	1
	<i>Libertia peregrinans</i>	mikoikoi	1	0.4
Hedge	<i>Corokia virgata</i> 'Geentys Green'	Geenty's Green Corokia	12	0.6

Street Planting

Category	Botanical Name	Common Name	Size (L)	Spacing (m)
Street Tree	<i>Alectryon excelsus</i>	titoki	160	As shown
Berm Planting	<i>Chionochloa flavicans</i>	Dwarf toe toe	3	0.8
	<i>Coprosma repens</i> 'Prostrata'	Taupata	5	1
	<i>Dianella nigra</i>	Flax Lily	2	0.6
	<i>Hebe</i> 'Wiri Mist'	Hebe	8	0.8
	<i>Libertia grandiflora</i>	New Zealand iris	2	0.5
	<i>Pittosporum tenuifolium</i> 'Golf ball'	Golf ball Pittosporum	8	1

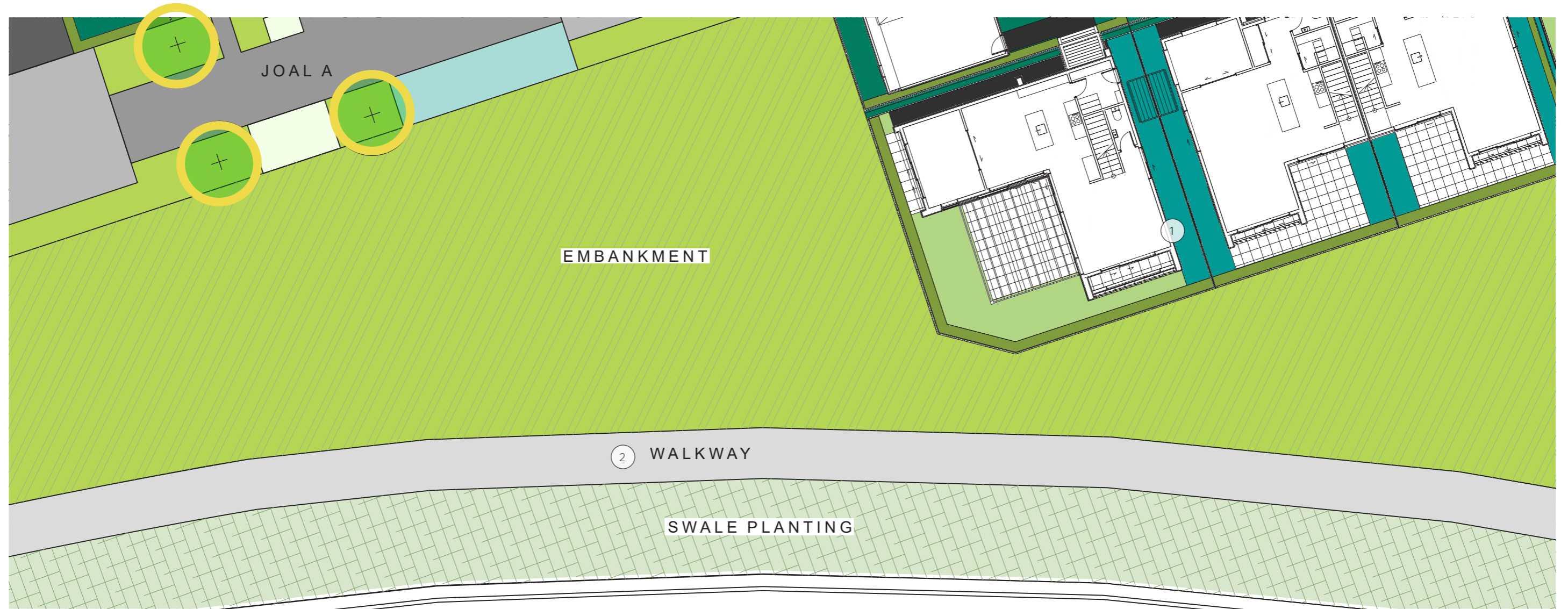
RAINGARDEN PLANTING

Category	Botanical Name	Common Name	Size (L)	Spacing (m)
Rain Gardens	<i>Apodasmia similis</i>	oioi	2	0.6
	<i>Arthropodium cirratum</i>	renga renga lily	3	0.5
	<i>Astelia banksii</i>	Coastal Astelia	1	1.5
	<i>Carex flagellifera</i>	Glen Murray tussock	1	0.5
	<i>Carex testacea</i>	orange sedge	1	1
	<i>Carex virgata</i>	Small swamp sedge	2	0.6
	<i>Dianella nigra</i>	Flax Lily	2	0.6
	<i>Haloragis erecta</i>	toatoa	1	1
	<i>Libertia grandiflora</i>	New Zealand Iris	2	0.5
	<i>Poa cita</i>	silver tussock	1	0.8

Private Lot Planting

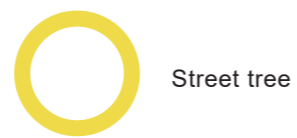
Category	Botanical Name	Common Name	Size (L)	Spacing (m)
Privacy hedge	<i>Ficus tuffi</i>	tuffy fig	12	0.6
Low hedge	<i>Corokia virgata</i> 'Geentys Green'	Geenty's Green Corokia	12	0.6
Garden mix 1	<i>Acaena purpurea</i>	purple bidibidi	2	0.3
	<i>Gardenia radicans</i>	Cape jasmine	3	0.8
	<i>Kunzea</i> 'Little Fox'	little fox kunzea	5	0.5
	<i>Astelia chathamica</i> 'Silver Spear'	Silver Spear	3	0.8
Garden mix 2	<i>Zephyranthes candida</i>	rain lily	2	0.3
	<i>Dianella caerulea</i> 'Little Jess'	Little Jess Flax Lily	2	0.4
	<i>Lavandula angustifolia</i> 'Major'	English Lavender	3	0.7
	<i>Pittosporum tenuifolium</i> 'Golf ball'	golf ball pittosporum	8	1
Small feature tree	<i>Callistemon viminalis</i> 'Red Clusters'	bottlebrush	45	1.5

TRACKSIDE WALK - THE EMBANKMENT - PLANTING STRATEGY



LEGEND:

- Lawn
- Berm planting
- Front garden mix
- Rear garden mix
- Climbers
- Raingardens



- 1 Private patio/ deck
- 2 Public footpath

0 6m
1:200 @ A3



Location plan

TRACKSIDE WALK - THE EMBANKMENT - PLANTING PALETTE

A combination of hardy scrambling ground covers and feature shrubs blanket the embankment in swathes of mass planting. With aspirations of attracting birdlife to the site species have been selected for their enticing botanical attributes.

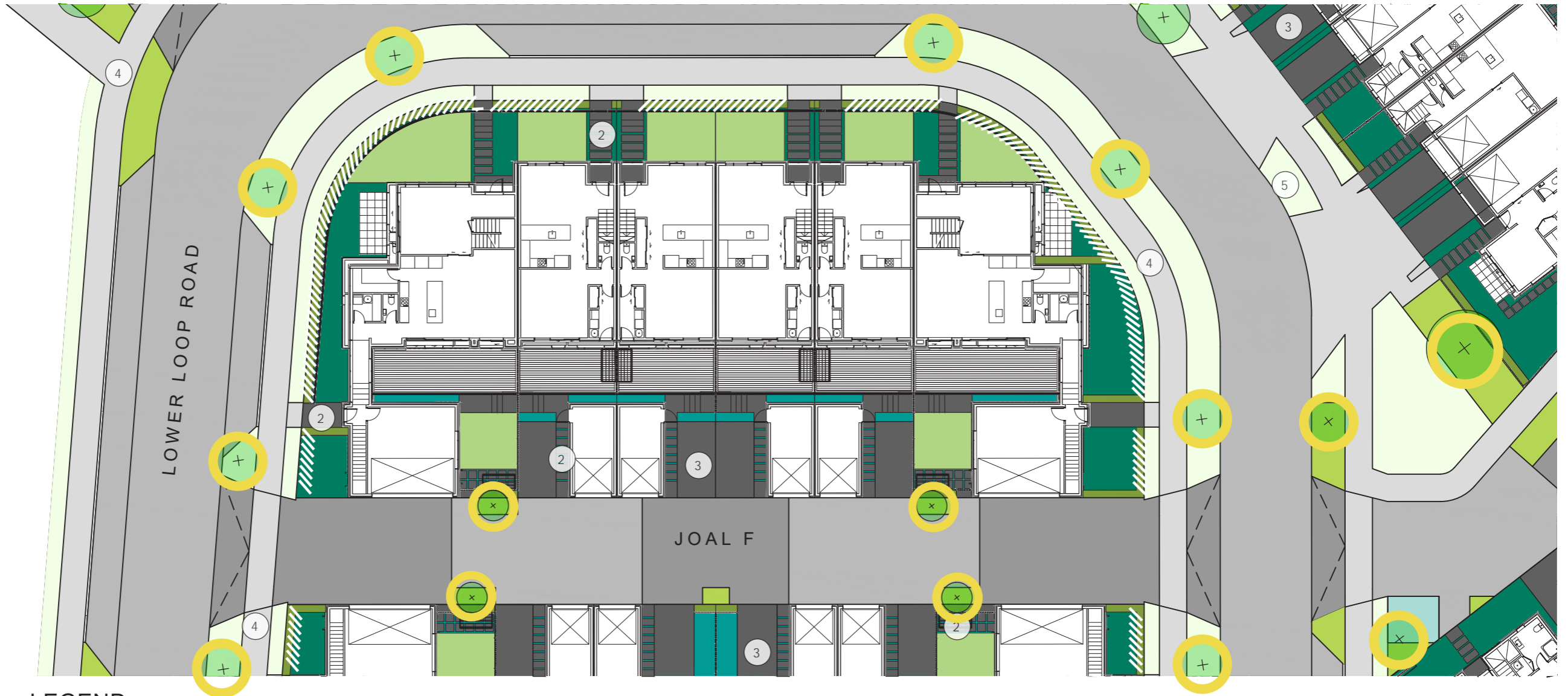
Swales are planted with species which can endure short periods of flooding and moving water while providing attractive vegetation year-round.



Category	Botanical Name	Common Name	Size (L)	Spacing (m)
Shrub Planting	<i>Astelia nervosa</i> 'Westland'	bronze bush flax	2	0.8
	<i>Carex comans</i>	Carex	2	0.6
	<i>Carex testacea</i>	orange sedge	1	1
	<i>Chionochloa flavicans</i>	Dwarf toe toe	3	0.8
	<i>Coprosma acerosa</i> 'Red Rocks'	Sand Coprosma	2	0.8
	<i>Dietes grandiflora</i>	African iris	2	0.6
	<i>Kunzea</i> 'Little Fox'	little fox kunzea	5	0.5
	<i>Libertia grandiflora</i>	New Zealand iris	2	0.5
	<i>Lomandra longifolia</i> 'Tanika'	Dwarf Mat Rush	2	0.8
	<i>Phormium cookianum</i> 'Green Dwarf'	Mountain Flax	3	0.8
	<i>Phormium tenax</i> 'Sweet Mist'	Sweet Mist New Zealand Flax	3	0.4
	<i>Pittosporum tenuifolium</i> 'Golf ball'	Golf ball Pittosporum	8	1
	Climbing species adjacent to retaining wall	<i>Muehlenbeckia axillaris nana</i>	Creeping wire vine	3
<i>Metrosideros carminea</i>		akakura / climbing rata	3	1
<i>Metrosideros perforata</i>		white rata / akatea	3	1

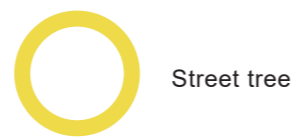
Category	Botanical Name	Common Name	Size (L)	Spacing (m)
Swale Planting	<i>Apodasmia similis</i>	oioi	1	0.6
	<i>Carex gaudichaudiana</i>	Gaudichaud's sedge	1	0.4
	<i>Carex solandri</i>	forest sedge	1	0.6
	<i>Dianella nigra</i>	Flax Lily	1	0.6
	<i>Machaerina complanata</i>	shiny sedge	1	0.7
	<i>Astelia grandis</i>	swamp astelia	1	0.6
	<i>Carex virgata</i>	Small swamp sedge	1	0.6
	<i>Ficinia nodosa</i>	knobby clubrush	1	0.8
	<i>Juncus pallidus</i>	wiwi	1	1
	<i>Libertia peregrinans</i>	mikoikoi	1	0.4
	Hedge	<i>Corokia virgata</i> 'Geentys Green'	Geenty's Green Corokia	12

LOWER LOOP ROAD / JOAL F - PLANTING STRATEGY



LEGEND:

- Lawn
- Berm planting
- Low hedge - 1.0m high
- Front garden mix
- Rear garden mix
- Climbers
- Raingardens



- 1 Private patio/ deck
- 2 Private garden path
- 3 Driveway
- 4 Public footpath
- 5 Indicative location for bins on collection day

0 10m
1:300 @ A3



Location plan

LOWER LOOP ROAD / JOAL F- PLANTING PALETTE

Influenced by the existing landscape character of Derby Downs Domain the palette reflects a European, ornamental selection. Portuguese laurel, English lavender, French Hydrangea, and viburnum form the key structure within the shrubs. The street tree and feature tree selections form links to the rest of the development character.



Street Planting				
Category	Botanical Name	Common Name	Size (L)	Spacing (m)
Street Tree	<i>Metrosideros excelsa</i> 'Mistral'	pohutukawa / rata hybrid	160	As shown
Berm Planting	<i>Carex comans</i>	Carex	2	0.6
	<i>Dietes grandiflora</i>	African iris	2	0.6
	<i>Hebe x 'Wiri Mist'</i>	Hebe	8	0.8
	<i>Kunzea 'Little Fox'</i>	little fox kunzea	5	0.5
	<i>Lobelia angulata</i>	Panakenake	2	0.5
	<i>Lobelia angulata</i>	Panakenake	2	0.5
	<i>Muehlenbeckia axillaris nana</i>	Creeping wire vine	3	0.6
<i>Phormium cookianum 'Green Dwarf'</i>	Mountain Flax	3	0.8	

Private Lot Planting				
Category	Botanical Name	Common Name	Size (L)	Spacing (m)
Privacy hedge	<i>Prunus lusitanica</i>	Portuguese laurel	12	1
Low hedge	<i>Euonymus fortunei 'Emerald gem'</i>	Japanese spindle	8	0.5
Garden mix 1	<i>Zephyranthes candida</i>	rain lily	2	0.3
	<i>Pachysandra terminalis</i>	Japanese Spurge	2	0.4
	<i>Lavandula angustifolia 'Major'</i>	English Lavender	3	0.7
	<i>Viburnum x burkwoodii</i>	Burkwood Viburnum	5	1.6
Garden mix 2	<i>Salvia spp.</i>	Sage	2	0.4
	<i>Hebe x 'Wiri Mist'</i>	Hebe	8	0.8
	<i>Lomandra 'Limetuff'</i>	Lomandra	2	0.6
Small feature tree	<i>Hydrangea macrophylla</i>	French hydrangea	12	1
	<i>Prunus 'Pink Cloud'</i>	ornamental cherry	45	2
	<i>Alectryon excelsus</i>	Titoki	45	6

VIVID LIVING APARTMENTS - PLANTING STRATEGY



LEGEND:

- Trackside Terraces
- Residents Courtyards
- Frontage



Location plan

VIVID LIVING APARTMENTS- PLANTING PALETTE

This palette forms landscape links with the nearby character of Derby Downs Domain and the apartments which front Ladies Mile. A combination of NZ Native and exotic species form a vibrant selection of species which will display seasonal colour, attract birdlife and provide amenity to the residents and wider community.



RESIDENTS COURTYARD

Category	Botanical Name	Common Name	Size (L)	Spacing (m)
Trees	<i>Pyrus calleryana</i> 'Aristocrat'	Ornamental pear	160	As shown
	<i>Prunus</i> 'Mimosa'	Ornamental cherry	45	4
	<i>Michelia figo</i>	Port Wine Magnolia	45	3
Planting	<i>Ficus tuffi</i>		10	1
	<i>Dianella revoluta</i> 'Little Rev'	Little Rev Flax Lily	3	0.5
	<i>Hebe</i> x 'Wiri Mist'	Hebe	8	0.8
	<i>Lomandra longifolia</i> 'Nyalla'	Lomandra 'Nyalla'	2	0.7
	<i>Loropetalum chinense</i> 'china pink'	Loropetalum	8	1
	<i>Muehlenbeckia axillaris nana</i>	Creeping wire vine	3	0.6
	<i>Euonymus fortunei</i> 'Emerald gem'	Japanese spindle	8	0.5
	<i>Salvia nemorosa</i>	Woodland sage	2	0.4
	<i>Dianella revoluta</i> 'Little Rev'	Little Rev Flax Lily	3	0.5
	<i>Asplenium nidus</i>	Birds nest fern	3	0.8
	<i>Ligularia reniformis</i>	Tractor seat	8	1
	<i>Dichondra repens</i>	Mercury bay weed	2	0.5
	<i>Acorus gramineus</i>	Japanese sweet flag	2	0.4
	<i>Phormium cookianum</i> 'Green Dwarf'	Mountain Flax	3	0.8
	<i>Pittosporum</i> 'Frankies Folley'	Kohuhu	8	0.6
	<i>Brachyglottis greyii</i> 'Sunshine'	resin bush	12	1
	<i>Libertia peregrinans</i>	Mikoikoi	2	0.4
<i>Clianthus maximus</i>	kakabeak	5	1.5	

TRACKSIDE TERRACES

Category	Botanical Name	Common Name	Size (L)	Spacing (m)
Feature Trees	<i>Metrosideros excelsa</i> 'Mistral'	pohutukawa / rata hybrid	160	As shown
	<i>Leptospermum</i> 'Crimson Glory'	dwarf manuka	45	3
	<i>Sophora tetraptera</i>	kowhai	45	5
	<i>Callistemon viminalis</i> 'Little John'	dwarf bottlebrush	12	1.5
Planting	<i>Hebe</i> 'Emerald Gem'	hebe	5	0.5
	<i>Kunzea</i> 'Little Fox'	little fox kunzea	5	0.5
	<i>Grevillea</i> 'Bronze Rambler'	grevillea	3	1
	<i>Lomandra</i> 'Limetuff'	Lomandra	2	0.6
	<i>Phormium cookianum</i> 'Green Dwarf'	Mountain Flax	3	0.8
	<i>Corokia</i> 'Geentys Green'	Geenty's Green Corokia	12	0.6
	<i>Carex virgata</i>	Carex	2	0.5
	<i>Phormium tenax</i> 'Sweet Mist'	Sweet Mist New Zealand Flax	3	0.4

FRONTAGE

Category	Botanical Name	Common Name	Size (L)	Spacing (m)
Hedge	<i>Michelia</i> 'Bubbles'	bubbles michelia	12	1
	<i>Corokia virgata</i> 'Geentys Green'	Geenty's Green Corokia	12	0.6
Shrubs / Groundcover	<i>Dianella nigra</i>	Flax Lily	2	0.6
	<i>Libertia grandiflora</i>	New Zealand Iris	2	0.5
	<i>Lomandra longifolia</i> 'Tanika'	Dwarf Mat Rush	2	0.8
	<i>Lobelia angulata</i>	Panakenake	2	0.5

BOUNDARY TREATMENT AND LEVEL CHANGE STRATEGY

BOUNDARY TREATMENT

The appropriate selection of boundary treatments both within and around 'The Hill' will play a key role in helping residents to feel safe and secure in their homes and form connections to their new community (and help foster a sense of community), while providing outdoor living-areas with suitable privacy to relax, socialise and play outdoors. It will also encourage informal interaction between neighbours along street frontages and enable passive surveillance of the public realm.

Selection of the most appropriate boundary treatment is guided by consideration of the following factors:

- Build on the existing landscape character of the Ladies Mile site frontage (the use of basalt walls and hedging features prominently in the existing streetscape)
- Respond to the 'Essential Outcome' as identified by the ATR to develop entries to the property to reflect the established heritage qualities of the Auckland Racing Club. These heritage qualities are defined by the extensive use of use of basalt walls, black vertical rail fencing, low planting and entrance piers and gates
- Build on the 'Remuera gardenesque' theme identified in the Landscape Strategy to include boundary treatments that reflect a Remuera vernacular that speaks to quality, presence and permanence in the relationship between houses and the adjacent streetscape environment, including the use of basalt walls, hedging and fencing, offered in layered combination
- Acknowledge the proximity of the ATR trackside fencing style and colour (black) as an influence on the fencing palette
- Reflect the existing Remuera streetscape which includes the use of – basalt walls, hedging/vegetation layering metal fencing

These Remuera streetscape views provide a snapshot of individual street frontages, which collectively define a Remerua streetscape vernacular style. This speaks to quality, permanence and the use of basalt walls, hedging and fencing, often in layerd combination.

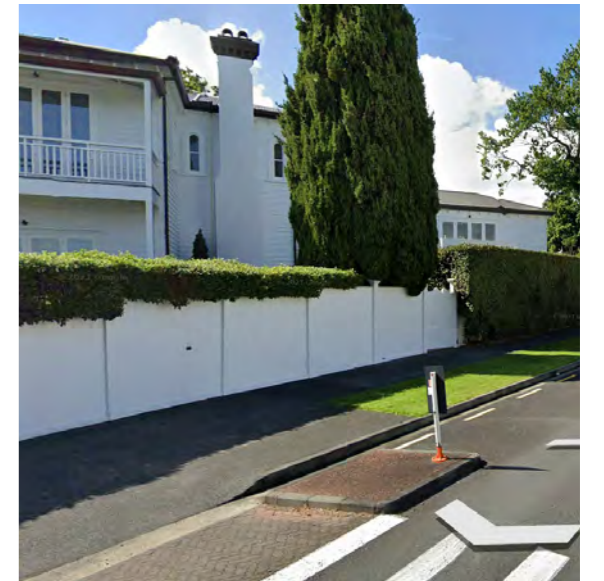
RETAINING WALLS

The successful integration of the proposed built form and streetscape into the landform of 'The Hill' is one of the Key Moves of the Landscape Strategy. The Architectural, Engineering and Landscape Design Team members have worked closely together to explore and refine building platform levels, location and extent of retaining walls and proposed use of ground contouring and batter slopes. This exercise has also included design refinement of retaining wall and batters slope solutions along the external site boundaries to minimise the use of retaining walls wherever possible on or near adjacent neighbouring property boundaries

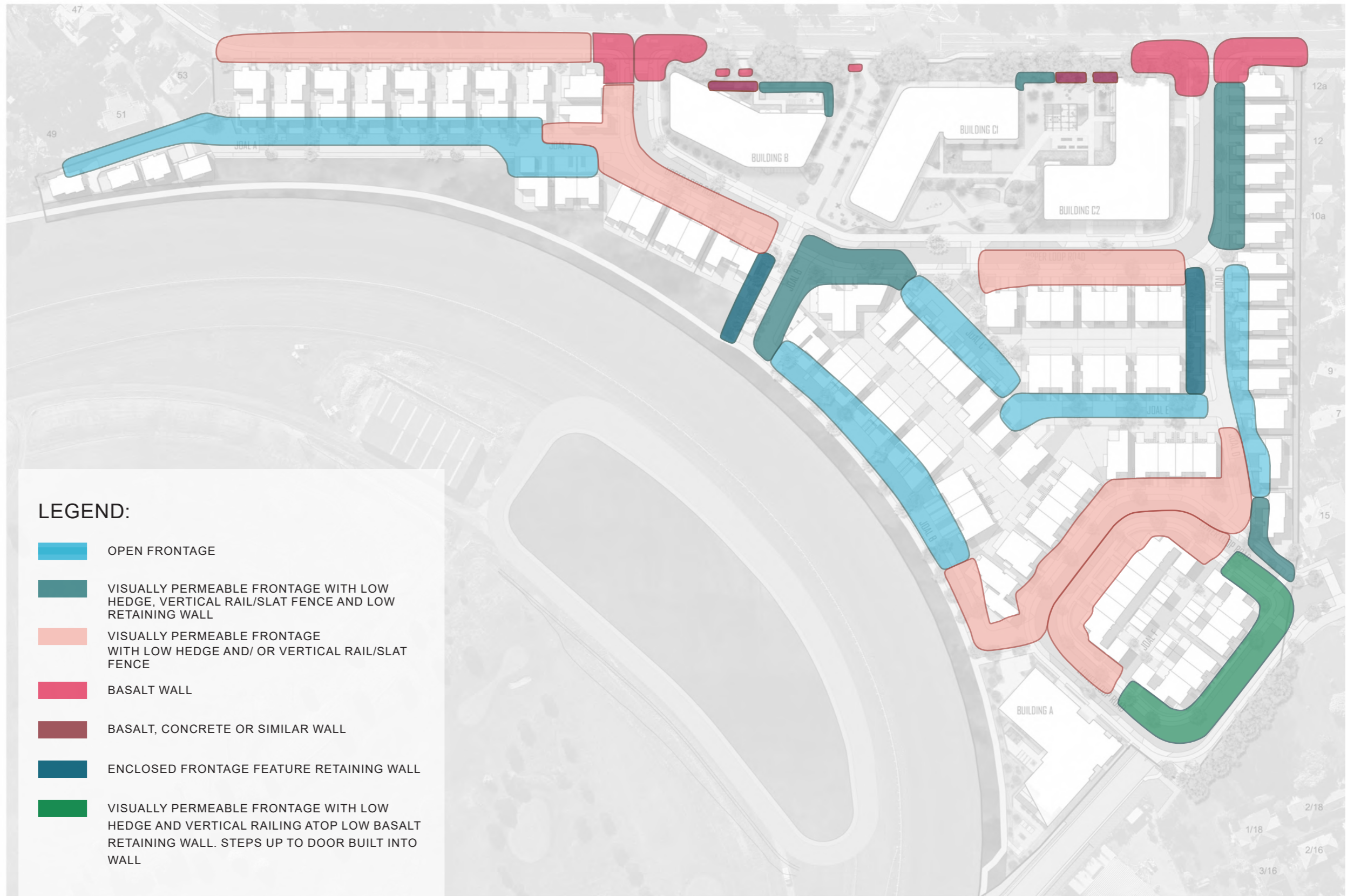
A refined retaining wall materials palette has been developed, which uses a hierarchy of materiality (basalt, keystone and timber/steel beam) to respond to the differing requirements across the site, which are in turn informed by the following design drivers:

- Provision of gateway entrance features at the site entrance points along Ladies Mile and Derby Downs Place
- Reference use of materiality as used in vicinity to the site (eg. along Ladies Mile) and to reflect the established heritage qualities of the ATR
- Achieve a balance between aesthetic and financial considerations, informed by the relative visual prominence of the proposed retaining wall

BOUNDARY TREATMENT - SITE CONTEXT & REMUERA VERNACULAR

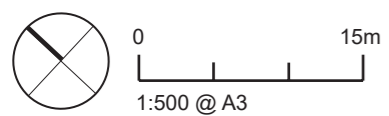


BOUNDARY TREATMENT - STREETScape FRONTAGE STRATEGY

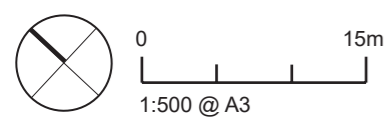
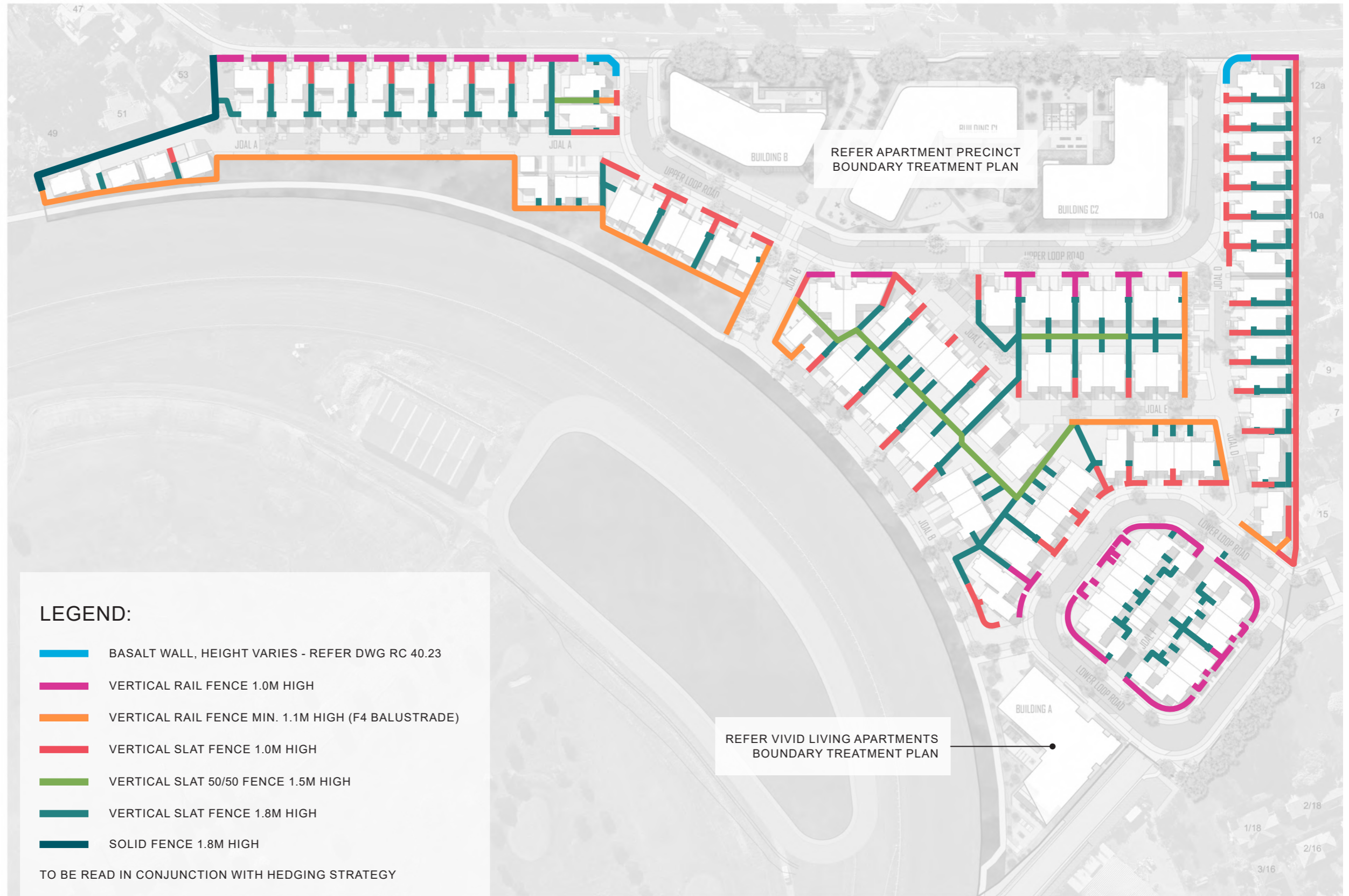


LEGEND:

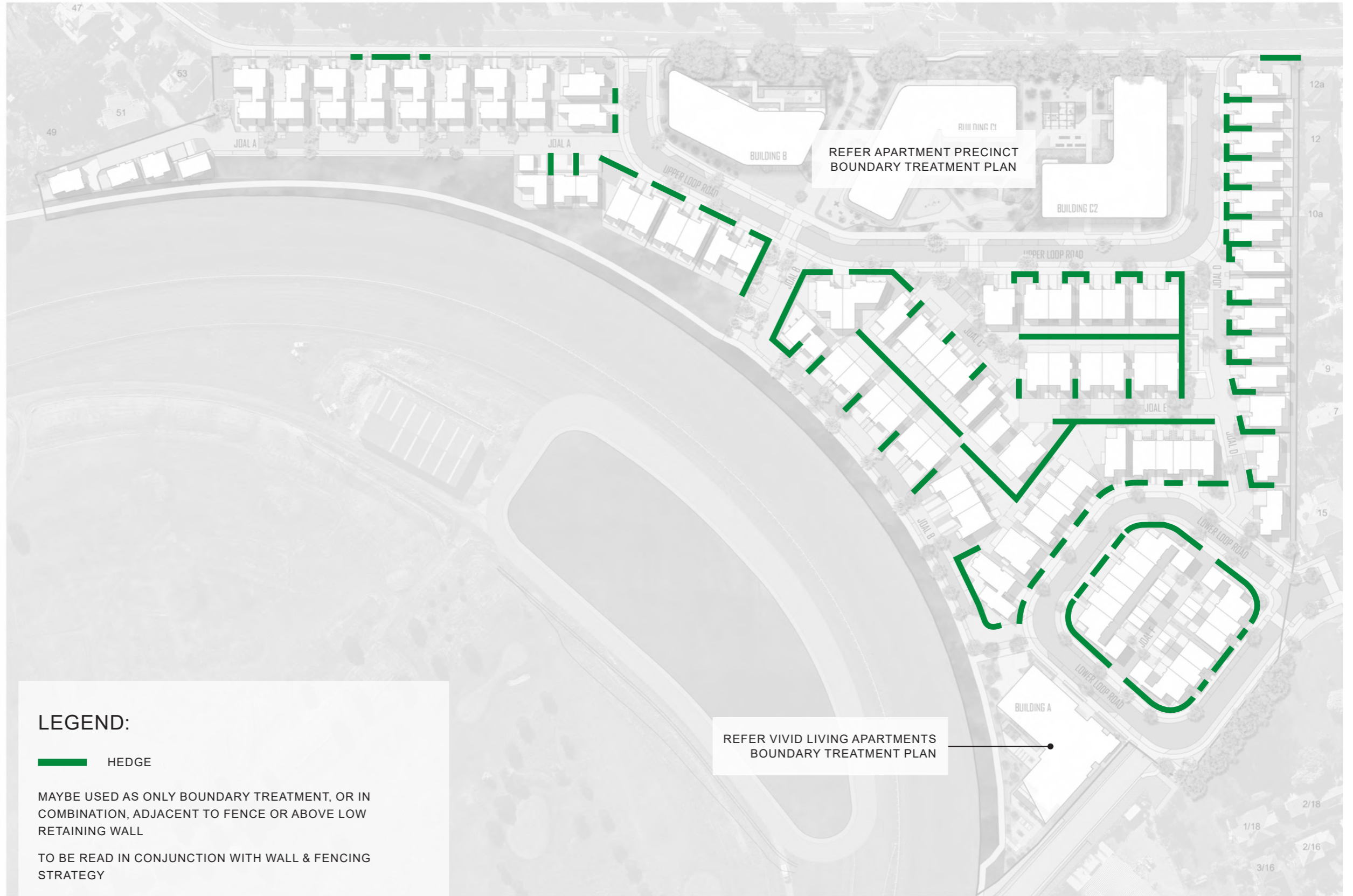
- OPEN FRONTAGE
- VISUALLY PERMEABLE FRONTAGE WITH LOW HEDGE, VERTICAL RAIL/SLAT FENCE AND LOW RETAINING WALL
- VISUALLY PERMEABLE FRONTAGE WITH LOW HEDGE AND/ OR VERTICAL RAIL/SLAT FENCE
- BASALT WALL
- BASALT, CONCRETE OR SIMILAR WALL
- ENCLOSED FRONTAGE FEATURE RETAINING WALL
- VISUALLY PERMEABLE FRONTAGE WITH LOW HEDGE AND VERTICAL RAILING ATOP LOW BASALT RETAINING WALL. STEPS UP TO DOOR BUILT INTO WALL




BOUNDARY TREATMENT - WALL AND FENCING STRATEGY



BOUNDARY TREATMENT - HEDGING STRATEGY



LEGEND:

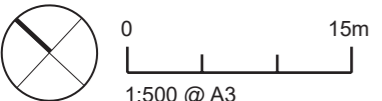
 HEDGE

MAYBE USED AS ONLY BOUNDARY TREATMENT, OR IN COMBINATION, ADJACENT TO FENCE OR ABOVE LOW RETAINING WALL

TO BE READ IN CONJUNCTION WITH WALL & FENCING STRATEGY

REFER VIVID LIVING APARTMENTS BOUNDARY TREATMENT PLAN

REFER APARTMENT PRECINCT BOUNDARY TREATMENT PLAN



BOUNDARY TREATMENT - PALETTE



VERTICAL SLAT FENCE - 1.0m



VERTICAL SLAT 50/50 FENCE - 1.5m



VERTICAL SLAT FENCE - 1.8m



SOLID FENCE - 1.8m



VERTICAL RAIL FENCE - 1.0m



VERTICAL RAIL FENCE (F4 BALUSTRADE) - 1.2m

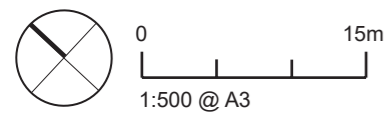
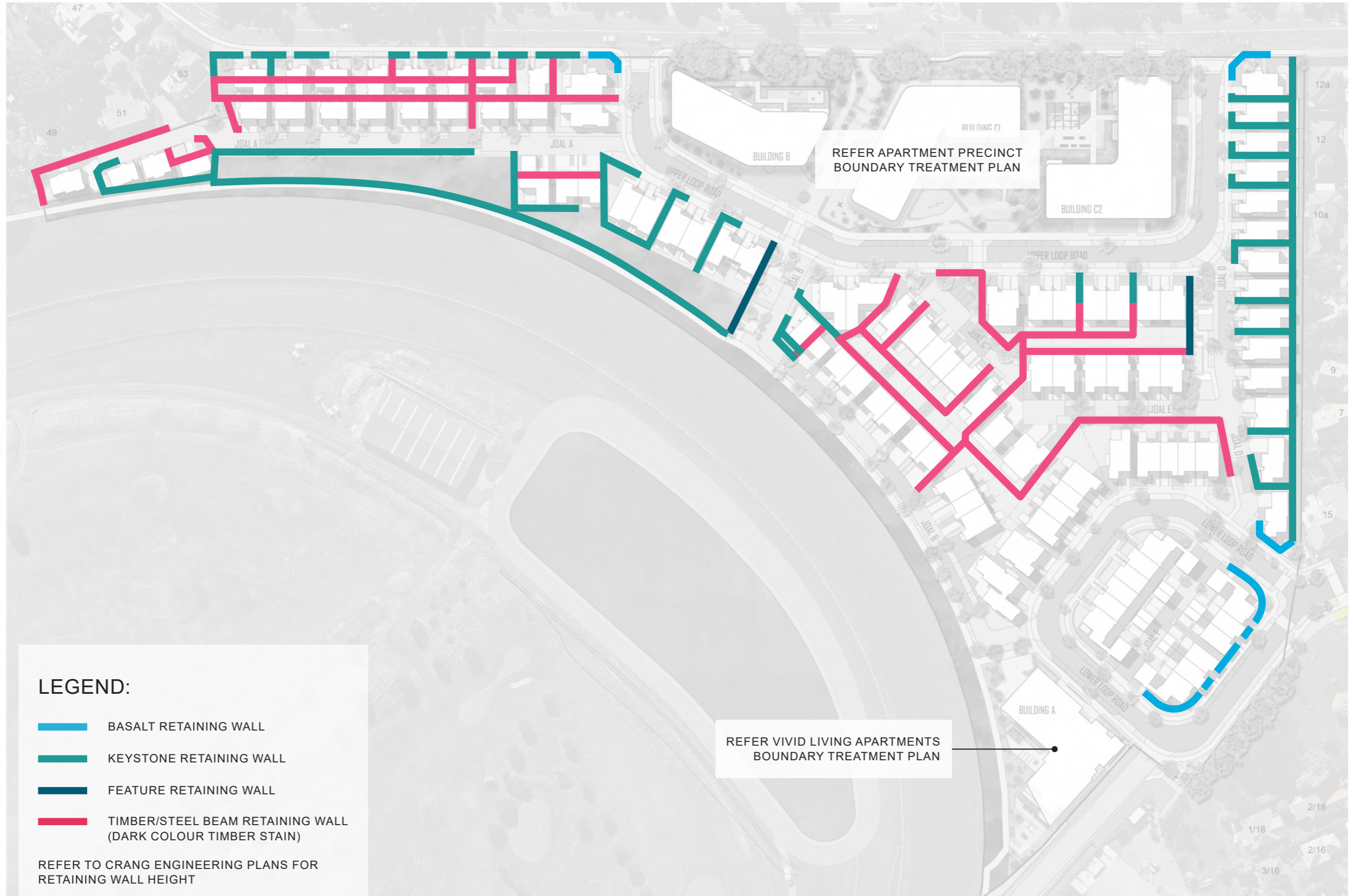


BASALT WALL



HEDGE (EVERGREEN)

RETAINING WALLS - STRATEGY



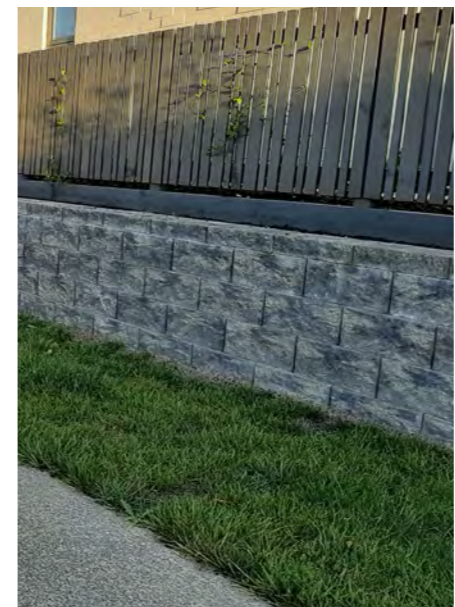
RETAINING WALLS - PALETTE



BASALT RETAINING WALL

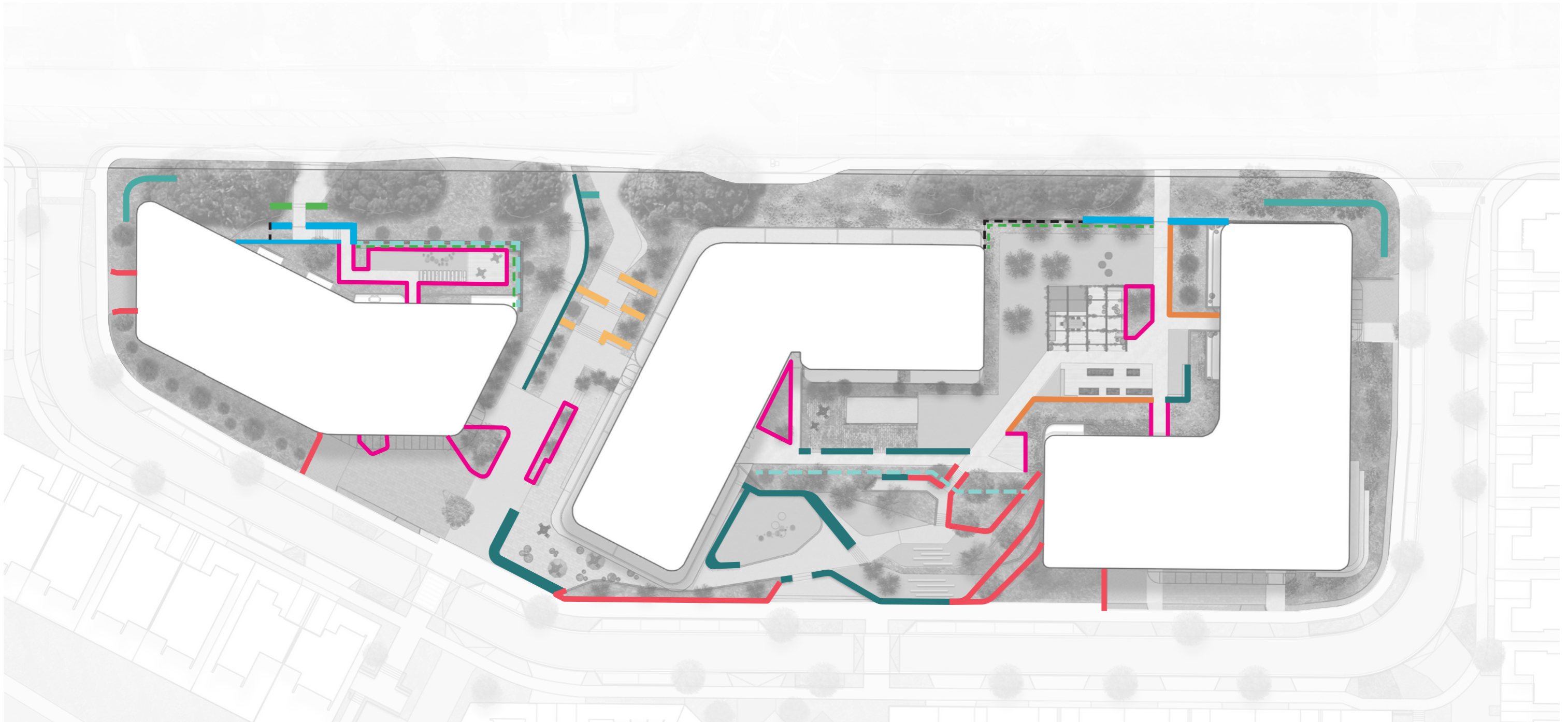


TIMBER / STEEL BEAM
RETAINING WALL



KEYSTONE RETAINING WALL

APARTMENT PRECINCT - RETAINING AND BOUNDARY TREATMENTS STRATEGY







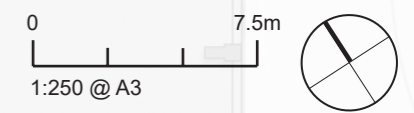
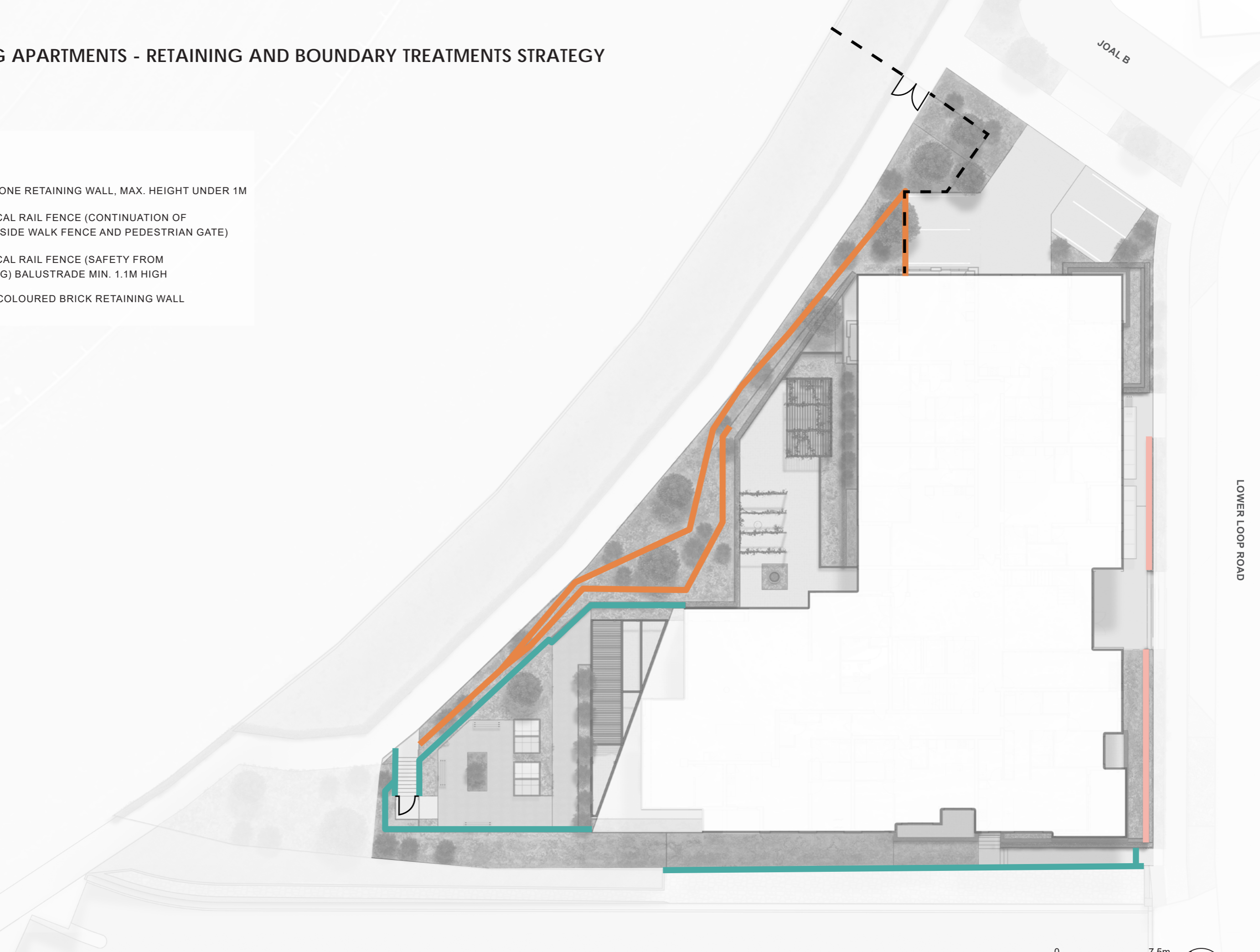
LEGEND:

- | | | | | | | | |
|---|--|---|---|---|--|---|--|
|  | LOW BASALT ENTRANCE WALL
INFORMAL SEATING HEIGHT |  | CONCRETE LOW WALL/RETAINING WALL
HEIGHT VARIES |  | BASALT, CONCRETE OR KEYSTONE
LOW RETAINING WALL |  | VERTICAL BLACK RAIL FENCE NOM. 1.0M HIGH |
|  | BASALT, CONCRETE OR SIMILAR WALL
NOM. 1.6M HIGH |  | RENDERED CONCRETE RETAINING WALL |  | RENDERED CONCRETE PLANTER WALL
0.4-0.6M HIGH |  | VERTICAL BLACK RAIL FENCE NOM. 1.6M HIGH |
|  | UPPER LOOP ROAD & BELVEDERE GARDENS
ENTRANCE FEATURE BASALT WALL
HEIGHT VARIES |  | LANDSCAPE NIB WALL 0.2M HIGH |  | HEDGE | | |

VIVID LIVING APARTMENTS - RETAINING AND BOUNDARY TREATMENTS STRATEGY

LEGEND:

-  KEYSTONE RETAINING WALL, MAX. HEIGHT UNDER 1M
-  VERTICAL RAIL FENCE (CONTINUATION OF TRACKSIDE WALK FENCE AND PEDESTRIAN GATE)
-  VERTICAL RAIL FENCE (SAFETY FROM FALLING) BALUSTRADE MIN. 1.1M HIGH
-  DARK COLOURED BRICK RETAINING WALL





About Boffa Miskell

Boffa Miskell is a leading New Zealand professional services consultancy with offices in Whangarei, Auckland, Hamilton, Tauranga, Wellington, Christchurch, Dunedin, and Queenstown. We work with a wide range of local and international private and public sector clients in the areas of planning, urban design, landscape architecture, landscape planning, ecology, biosecurity, cultural heritage, graphics and mapping. Over the past four decades we have built a reputation for professionalism, innovation and excellence. During this time we have been associated with a significant number of projects that have shaped New Zealand's environment.

www.boffamiskell.co.nz

Whangarei Auckland Hamilton Tauranga Wellington Christchurch Queenstown Dunedin
09 358 2526 09 358 2526 07 960 0006 07 571 5511 04 385 9315 03 366 8891 03 441 1670 03 470 0460