

8 February 2024

Attention: Vijay Lala, Tattico

Dear Vijay,

Private Plan Change – Request for Information under Clause 23 of Schedule 1 of the RMA

Applicant:	Fletcher Residential Limited
Address:	79 Ladies Mile, Remuera

Thank you for your request for a private plan change under clause 21 of Schedule 1 of the Resource Management Act 1991 (RMA). We have received your request on 20 December 2023.

In order to better understand your request and its potential effects on the environment, we require further information from you under clause 23(1) of Schedule 1 of the RMA.

The further information we require is set out in Appendix 1.

If you have any questions or concerns about this notice, please contact me at 022 091 7233 or daniel.kinnoch@colabplanning.co.nz.

Yours sincerely,



Daniel Kinnoch
Consultant Planner for Auckland Council

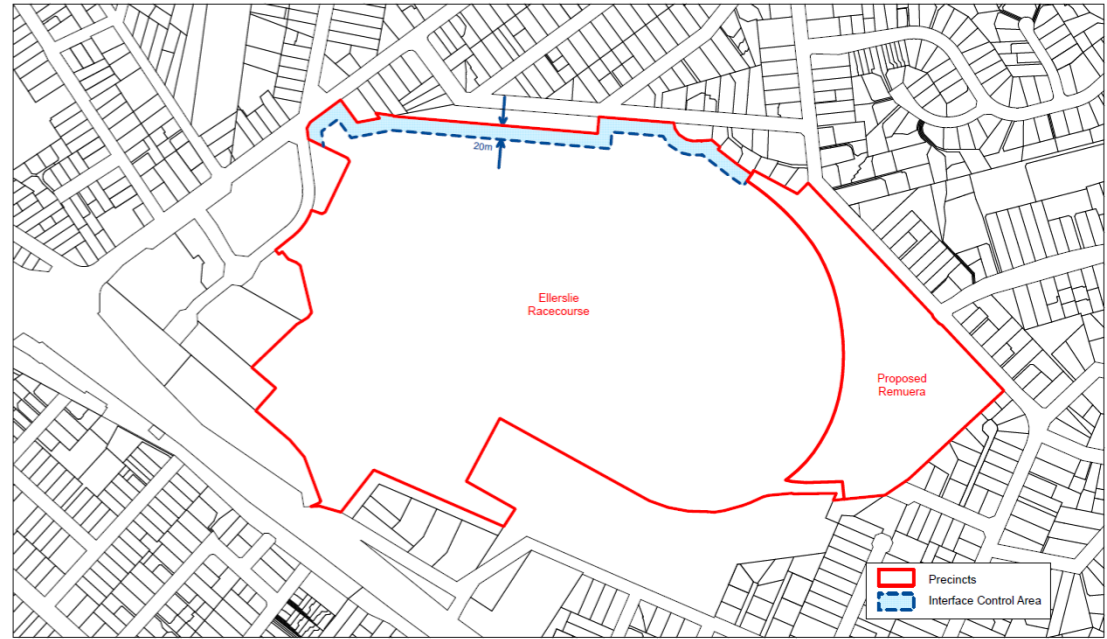
Appendix 1 – Clause 23 Request for Information

#	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>
P2	Consultation	<p>Please provide the following additional details to complete the consultation section of the plan change report:</p> <ol style="list-style-type: none"> 1. Feedback received from Mana Whenua, including any specific concerns, support, or cultural impact assessments provided. 2. A record of all consultation activities, including dates, 	<p>The information requested pursuant to subclause (1)(f) of Clause 6 of Schedule 4 and Clause 22(2) of Schedule 1 of the RMA. Specifically, feedback and any CVA from Mana Whenua will assist our understanding of the cultural implications of the plan change and to show the</p>	<p>The attached presentations were made to the local neighbourhood group, Healthy Waters, Watercare and the Local Board. An informal discussion was also held with Kainga Ora. They were briefed on the reasons and purpose of this private plan change and were aware of the full details of the development through the comprehensive consultation and engagement process undertaken as part of the fast-track resource consent process.</p>

		<p>the nature of information shared, and documented responses from all parties.</p> <p>3. Examples of the information packages provided to the consulted parties, including any visual materials, technical reports, or summaries that facilitated their understanding of the proposed plan change.</p> <p>4. Confirmation that all responses received have been documented and indicate where these are included within the application materials.</p>	<p>applicant's engagement with iwi. The detailed records and examples of the information provided are essential for assessing the adequacy and transparency of the consultation process.</p>	<p>All engagement and consultation documents are attached to this CL23 response.</p> <p>The attached presentation was made at a hui that all Iwi that have been involved in this project were invited to and those who were interested, attended. The Iwi representatives that attended and those that did not were briefed on the reasons and purpose of this private plan change and were aware of the full details of the development through the comprehensive consultation and engagement process undertaken as part of the fast-track resource consent process.</p> <p>All engagement and consultation documents are attached to this CL23 response.</p>
P3	Mana Whenua	<p>Please provide an analysis of the proposed plan change in relation to any applicable iwi management plan.</p>	<p>Required for a full understanding of the proposed plan change in relation to any relevant planning document recognised by an iwi authority.</p>	<p>Assessment of the proposed plan change in relation to the iwi management plans is provided below.</p> <p><u>Ngati Whatua O Orakei (NWO) Iwi Management Plan</u> The iwi management plan (IMP) sets out Ngati Whatua O Orakei's history in the Auckland area and its rohe (which includes the land subject to this plan change). Comprehensive consultation has been undertaken with NWO as part of the fast-track consent process and a further hui was held to consult on this plan change. The key purpose being to advise that the purpose of the plan change is to reflect the change in activity authorised by the resource consent.</p> <p>As required by the RMA and set out in this IMP the plan change has taken into account NWO's IMP. The plan change reflects NWO's historic association with the land as a place of passage between the harbours and a location where the spiritual association with the nearby maunga can be acknowledged. These elements are a fundamental part of the Remuera Precinct Landscape document, which is required to be given effect to through the plan change provisions.</p> <p>The IMP sets out the engagement protocols and what the priorities are for NOW as well as the preferred means of engagement. The engagement undertaken by the applicant and the feedback provided by NOW confirm that an appropriate engagement process has been pursued for the development proposed for this land.</p> <p>Following that the IMP sets out its kaitiakitanga framework. This includes, climate change, air quality, common issues/solutions urban design and spatial planning, terrestrial biodiversity, waste management, water and cultural heritage.</p> <p>With regard to ecology and waterways and stormwater disposal – innovative methods are encouraged. The plan change gives effect to this idea by re-using stormwater on site thereby avoiding discharges into ecological corridors and watercourses.</p> <p>The detailed approach to landscaping and creating waterways will result in terrestrial biodiversity habitats forming and as well as the improvement of stormwater quality and reductions in discharge.</p> <p>With regard to the desired outcomes of the IMP, the proposal will achieve the following:</p> <ul style="list-style-type: none"> • Improved climate change outcomes from higher density development in close proximity to public transport (bus and rail network). Improved connections throughout the site and to the surrounding neighbourhood. Additional trees and landscaping being established as part of the plan change outcomes. • The plan change will enable energy efficient building, good quality insulation and

				<p>higher density development, thereby minimising environmental footprints.</p> <ul style="list-style-type: none"> • The development of the site will result in the enhancement of open spaces, roads and garden streets and will support planting of native species (as set out in the Remuera Precinct Landscape Appendix. • A sophisticated solution to stormwater management is proposed whereby stormwater is treated on site and the majority is re-used within the adjacent Ellerslie Racecourse precinct to water the race-track. Stormwater management has been approved through the adopted Stormwater management Plan. <p>Overall, it is considered that the Plan Change has taken into account and given effect to the NWO IMP.</p> <p><u>Ngai Tai Ki Tamaki – Take Taiaomaurikura</u></p> <ul style="list-style-type: none"> • The development of this site has been well consulted with Ngai Tai Ki Tamaki (NTKT) and it is considered that it takes into account the Vision, Values and Principles of this IMP. • The development will result in a better place for resident to live and it will acknowledge values of important to NTKT, including appreciation of spiritual connection with the maunga and recognition of this place as a historical place of passage. • Restoration of ecological connections and avoidance of stormwater entering the CMA are also consistent with the principles of the IMP. This will result in positive effects on the marine environment. No adverse effects on the ability to gather kaimoana will result from the development. • The development will result in enhanced landscape outcomes for the land and sensitive development of the land. • Proximity to public transport will result in reductions to emissions over a business-as-usual development (which does not have density in proximity to public transport). • Overall, the objectives of the IMP are considered to be achieved.
P4	Greenways	Please provide an analysis of the proposed plan change in relation to the Ōrākei Local Paths (Greenways) Programme Plan.	Required for a full understanding of the proposed plan change in relation to the Ōrākei Local Paths (Greenways) Programme Plan.	<p>Assessment of the proposed plan change in relation to the Ōrākei Local Paths (Greenways) Programme Plan is provided below.</p> <ul style="list-style-type: none"> • The sections potentially relevant to this PPC is 4.0 Ellerslie to the sea and 6.0 Greenlane to the sea. • 4.0 Ellerslie to the sea – the proposed route does not run through the PPC land however the principle of connectivity is achieved by the connections provided within the PPC. • 6.0 Greenlane to the sea – the proposed route does not run through the PPC land however the principle of connectivity is achieved by the connections provided within the PPC. • The PPC proposes maximum connectivity in order to minimise effects around obstructions to connectivity. • <u>Overall, it is considered that the PPC is complementary to this document.</u>
P5	Local Board	Please provide an analysis of the proposed plan change in relation to the Ōrākei Local Board Plan 2023	Required for a full understanding of the proposed plan change in relation to the Ōrākei Local Board Plan 2023	<p>Assessment of the proposed plan change in relation to the Ōrākei Local Board Plan 2023 is provided below.</p> <ul style="list-style-type: none"> • The PPC has been consulted with the Local Board (minutes attached) and while the rezoning is not contemplated in the plan because plan changes are not generally included in such documents, it is considered the PPC is consistent with the Local Board Plan for the following reasons:

				<ul style="list-style-type: none"> ○ The PPC promotes positive outcomes for Maori, as set out in the PPC documentation. ○ The PPC promotes positive climate actions including enabling density in proximity to public transport routes, supporting walking and cycling and reducing demand for stormwater discharge into the CMA. ○ Providing a variety of housing options and housing choice for future residents. ○ Improving ecological outcomes, habitats and corridors within the local board area and around the PPC land. ○ The PPC will support the nearby Ellerslie Town Centre and will not detract from it.
P6	Building Height	<ol style="list-style-type: none"> 1. Please explain why the applicant has elected not to use the Height Variation Control (HVC) method in the R-THAB zone, and instead uses a bespoke HVC precinct provision. 2. The proposed matter for discretion and assessment criteria in the precinct cross-reference the relevant height infringement matters and assessment criteria in THAB. The latter in turn reference THAB Policy H6.3(4), which refers to 'identified locations <u>adjacent to centres</u>'. The proposed precinct is not located adjacent to a centre. Please provide further assessment of the inter-relationship between the assessment matters for the precinct and THAB zone to show that there is no gap or deficiency in policy that could inhibit the ability to assess a resource consent application against these provisions. 3. It is unclear whether the proposed HVC would be on the planning maps as well as the precinct, or just the precinct plan – please clarify what is intended. 	<p>To understand the relationship between proposed precinct and zone controls.</p> <p>Council's preference is not to introduce bespoke provisions in precincts when other tools are already available.</p>	<p>Response 1: The proposed approach was as a result of Auckland Council's initial planning response, which was adopted upon Council's recommendation. The key issue is that the proposed THAB zone is not adjacent to or adjoining a centre and therefore the THAB Height Variation Control was not considered to be available or appropriate for this Precinct. Therefore, a precinct specific provision is proposed, as recommended by Council.</p> <p>Response 2: The purpose of referring to the THAB matters of discretion and assessment criteria is to avoid repetition within the precinct provisions. These matters of discretion and assessment criteria are considered to be the most efficient and effective way of assessing building height infringements in the THAB zoned parts of the Precinct. However, I agree that THAB Policy H6.3(4) refers to additional height in identified locations adjacent to centres and cannot be applied to this Precinct. The PPC has been amended to remove reference to this policy.</p> <p>Response 3: As this is a Precinct specific provision, the additional height would just be indicated on the precinct plans and not the AUP planning maps.</p>
P7	MDRS	<p>How does the applicant propose to incorporate MDRS within those parts of the proposed precinct that are in a residential zone, as is currently required by Schedule 1, clause 25(4A) and section 77G(1)? And if the MDRS were no longer required to be incorporated under future legislative change, does the applicant wish to propose an alternative zoning for parts of or all of the subject site? If yes, what would this alternative be?</p>	<p>Relevant residential zones are proposed and therefore there is still a legal requirement for the MDRS to be incorporated as required by the RMA. However, it is acknowledged that MDRS may become optional for relevant local authorities to apply under future legislative change.</p>	<p>Response: The PPC has been amended to include the MDRS provisions as an Appendix (as discussed with Council officers). In this way if Auckland Council proposes not to continue with MDRS, the Appendix can simply be removed and negate having to re-draft the PPC.</p> <p>In terms of optional zoning, if MDRS is no longer progressed, our preference is that an alternative zoning plan should not be included within the plan change. Instead, the supporting Planning Report and S32 Evaluation has outlined what the alternative zoning approach could be if MDRS was withdrawn. We also propose that the applicant lodge a submission which also requests such relief in the event that MDRS is withdrawn. This will provide scope to amend the PPC to remove the MDRS provisions and make consequential changes to the zoning. The key difference would be the inclusion of the Mixed Housing Suburban zone adjacent the adjoining dwellings to the south on Hunterville Court and on the Ladies Mile fronting residential sites in the northern corner of the site. It is considered that imposing a lower zoning would be within scope of the PPC.</p>
P8	Ellerslie Racecourse Precinct	<p>Please provide the specific marked up changes that are required to the Ellerslie Racecourse Precinct that would be required in relation to the proposed plan change. This includes in particular the interface control area that currently applies and is shown on I313.10.1. Ellerslie Racecourse: Precinct plan 1.</p>	<p>To ensure that any necessary consequential changes are made to other precincts that adjoin the proposed plan change area.</p>	<p>Response: See attached amended Ellerslie Racecourse Precinct Plan 1 as amended. No other changes are considered necessary as the Interface Control Area standard refers to the map and the HIRB standard refers to adjacent residential zoned land.</p>

				<p>I313.10. Precinct plans I313.10.1. Ellerslie Racecourse: Precinct plan 1</p> 
P9	Garden Streets	Garden streets as a concept are not used elsewhere in the Auckland Unitary Plan and are proposed as a capitalised term within the proposed precinct provisions. Please provide an assessment of why these are proposed as a plan method in this location and their necessity based on any unique characteristics of the site or the environment. Please also consider whether, if retained, a garden street should be defined term, or explained within the precinct.	To ensure that methods are used appropriately within the Auckland Unitary Plan.	The reference to Garden streets within the Precinct provisions is to be retained as it links to the Remuera Precinct Landscape document which is Appendix A to the PPC. It is considered appropriate to retain this terminology as these connections provide vehicular and pedestrian linkages through the site and are required to be landscaped to a high quality. Given that the term “Garden Street” is a development standard and is referenced in the matters of discretion, assessment criteria and the Remuera Precinct Landscape document, it is considered appropriate to retain. It is not considered necessary to define “Garden Street” as it’s purpose is set out in the PPC standards and is graphically depicted in the Remuera Precinct Landscape document.
Economics (Derek Foy, 021 175 4574, derek@formative.co.nz)				
E1	Potential negative economic effects of the PPC	Please clarify the statement made in the ME report 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”.	The ME report does not identify any economic and social costs, other than the costs associated with development and construction of the subject land for residential activity. It is not clear from the ME report whether any other economic and social costs might be anticipated because of the PPC request, or what those might be, but it is necessary to understand those to assess the merits of the application.	<p>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 precinct provisions will ensure high quality landscaped spaces and connections within the site and to the surrounding neighbourhood.</p> <p>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.</p>
E2	Need for retail provision to service the Precinct	Please provide some assessment of the need for some commercial activity such as convenience retail or services activity to provide for the needs of not only the future population of the PPC area, but also surrounding residential areas.	The PPC area is broadly halfway between the Ellerslie Town Centre and the Upland Road Neighbourhood centre, with both being around 800m from the PPC area. It would be helpful to	Within the Ellerslie Central SA2, which the proposed development site sits within, employment in the supermarket and grocery stores industry (ANZSIC 06 classification which includes convenience retail) was around 13 employees in 2022 compared to an estimated population of 3,460. This equates to a ratio of around 3.72 employees per 1,000 people. If the proposed development of 357 dwellings is

			<p>understand if there is any merit in considering enabling some commercial provision (such as a small area of Neighbourhood Centre Zone) as part of the PPC request, in addition to the limited range of non-residential activities provided for as a restricted discretionary activity in the MHU and THAB zones. At some point, with increasing residential density in the area, some small retail presence in the area may have merit to provide for the convenience retail needs of residents. The existing Ellerslie Racecourse Precinct enables a greater range of non-residential activities in this location than the proposed precinct as a permitted activity.</p>	<p>assumed to have an average household size of 2.5 people per dwelling, this would mean an additional 890 residents. Assuming the existing ratio of employment to population is maintained, the additional population of development would require additional employment in the supermarket and grocery stores industry of around 3.3 employees. On this basis, the proposed development could potentially support a small amount of convenience retail activity. However, 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.</p>
E3	Transfer effect	<p>Please provide a discussion of the degree to which the economic effects are likely to be net additional to the Auckland economy, including the possibility that a portion of the effects identified might be transferred from other residential construction projects in Auckland.</p>	<p>While the ME report assesses the potential economic effects of the scale of development the PPC would enable (under one possible development configuration), there is no acknowledgement that that development might redirect construction resources and the consequent economic contribution made from other potential development locations within Auckland. If that were to occur, the scale of net additional economic effects generated by the PPC request would be much lower than the total effects assessed in the ME report.</p>	<p>The economic effects consider the level of activity which the proposed development will sustain in terms of value added and employment. This reflects its 'economic footprint' within the existing economy rather than any changes in its size and composition.</p> <p>For Auckland, the number of dwelling units consented in 2023 fell down to around 15,500, down from 20,500 and 21,300 in 2021 and 2022, respectively. Furthermore, the 357 dwellings of the proposed development would represent around 2% of the average number of annual dwelling unit consents of the past five years (17,800). Given the scale of the development in comparison to the Auckland construction sector and the decline in consent numbers, it is unlikely that it will push the residential construction industry beyond its available resources.</p>
<p>Transport (Gerhard Van der Westhuizen, 021 191 7923, gerhard.vdwesthuizen@flownz.com)</p>				
T1	Dwelling Yield	<p>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.</p>	<p>More yield enabled by the plan change may result in an increase in adverse traffic effects within the surrounding road network.</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>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> <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	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.	Additional parking spaces enabled by the plan change have the potential to increase adverse traffic effects within the surrounding road network. The requestor may like to consider a parking space cap provision in the precinct as one potential option to respond to this request.	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. 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. 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. 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.
Arboricultural (Chris Loughborough, 021 811 743, chris.loughborough@greenscenenz.com)				
A1	Notable Tree Schedule	The assessment at page 96 of the AEE in relation to B4.5 Notable trees suggests that no identified notable trees or groups of trees are located within or nearby the site. In relation to the trees that are proposed to be retained, the AEE assessment states that “[t]he trees are not considered to be appropriate for scheduling as the [Arbor Connect Report] assessment concludes they are not high-quality specimens.” The Arbor Connect Report has not assessed the suitability of Tree 5 to 15 being included in the AUP Notable Tree schedule under the factors listed at B4.5. Notable trees. Please provide this assessment.	To determine whether Trees 5 to 15 meet the factors in B4.5 that could make them eligible for inclusion in the AUP Notable Tree Schedule.	Response – Refer Arborist Assessment and additional comments below. Given that tree #13 and the other identified Pohutukawa on this frontage are required to be retained via the RC conditions, the rules and assessment matters applying to any works affecting this tree will be the same as the Precinct provisions – i.e. there will be no additional or more stringent provisions applying to works to this tree than the other Pohutukawa that are to be retained. Even though tree #13 scores enough to be registered as a notable tree, the precinct provisions already require its retention and any works to this tree refer back to the existing AUP trees in roads chapter (E17) matters of discretion and assessment criteria and therefore it is not necessary to register the tree as a notable tree.
Parks Planning (Roja Tafaraji, 021 937 084, roja.tafaraji@aucklandcouncil.govt.nz)				
OS1	Publicly accessible open space	Please demonstrate how the proposed “publicly accessible open space” shown on Remuera Precinct, Plan 2- Open Space & Features would contribute and secure the open space network linking open spaces and greenways network?	While the approved FT application proposed for privately owned publicly accessible routes within the subject site, it has been acknowledged and confirmed that those linkages are paramount in contributing to the outcomes desired by our Open Space Provision Policy to create a green network in order to “provide opportunities for movement of people and fauna and help conserve Auckland’s natural environment”. It has been also stated in Annex A- part A-Amendments to IXXX Remuera Precinct as the purpose of the standard IXXX.6.3 for Publicly Accessible Open Space “To ensure a publicly accessible network of connected open spaces”.	Response: The fast-track consent includes subdivision consent and as part of the subdivision conditions, easements for public access are required over the key publicly accessible routes and linkages. This means that the applicant will be responsible for ownership, landscaping, maintenance and report, but that there will be legal public access over those parts that were approved for public access within the response consent. This will ensure connections to the open space network that links to the open spaces and greenways network. The darker green linkage (1) relates to the trackside walkway and is intended to link to the pedestrian connections within the Ellerslie 1 Precinct. Connection to Derby Downs Domain is provided through the Garden Street and Pedestrian Route (refer Precinct Plan 3) network which connects to the public lower loop road which is to be vested in the Council, thereby providing public access to Derby Downs Domain. Proposed standards 6.4 (Pedestrian Routes) and 6.6 (Garden Streets) ensure pedestrian access is to be provided. Refer to attached subdivision easement plans approved as part of the fast-track consent.

			The darker green linkage labelled as “publicly accessible open space” on Remuera Precinct, Plan 2- Open Space & Features does not provide public access to Derby Downs Domain.	
OS2	Pedestrian Routes	Please clarify how the “ <i>Pedestrian routes</i> ” shown on Remuera Precinct Plan 3- Movement align with “ <i>publicly accessible open space</i> ” shown on Remuera Precinct, Plan 2- Open Space & Features.	As noted above, the connection between the open spaces are important from Open Space Provision Policy perspective to “ <i>provide opportunities for movement of people and fauna and help conserve Auckland’s natural environment</i> ”.	Response: Please refer to Appendix A– Remuera Precinct Landscape document of the PPC. These elements provide an interconnected network of public space, vehicle and pedestrian access across and through the Precinct. The Remuera Precinct Landscape document outlines how this will occur and the rationale for the approach which is based on 9 key landscape moves (pages 4-12) which culminate in the Landscape Strategy Diagram (page 13). Then from page 15 onwards, the detail of the landscape strategy is set out in detail. This has already been consented and the PPC is simply reflected the consented design which has been prepared on a comprehensive and integrated basis.
Healthy Waters (Lee Te, lee.te@aucklandcouncil.govt.nz)				
HW1	Remuera Precinct Provisions IXXX.2 Objectives	The three objectives in the proposed precinct provision do not refer to stormwater management, however there are possible flood risks in the area and downstream. Please provide information on the reasons for not including an objective related to stormwater management.	To ensure stormwater issues in the area are managed. It is recommended that an objective specifically related to stormwater management is included to ensure stormwater is appropriately managed and there is a clear direction for stormwater management, additionally this will support the policies and standards for stormwater.	The following objective is proposed which is taken from the recently approved and operative Drury Waihoehoe Precinct provisions: “ <i>Development is coordinated with the supply of sufficient three waters, energy and communications infrastructure</i> ”
HW2	Remuera Precinct Provisions IXXX.3 Policies	Policy (5) states “ <i>Ensure the stormwater management of the Precinct is in accordance with the principles and outcomes of the adopted Stormwater Management Plan.</i> ” Please clarify why only the principles and outcomes are identified, the stormwater management in the Precinct should be in accordance with all relevant matters in the SMP.	To ensure the SMP will be followed. It is recommended that Policy (5) includes all matters of the SMP and is not limited to the principles and outcomes. See also HW3 and HW4.	The policy is proposed to be re-worded as follows: “ <i>Ensure stormwater is managed in accordance with the adopted Stormwater Management Plan.</i> ”
HW3	Remuera Precinct Provisions Table IXXX.4.1 Activity table	Stormwater management and flood risks were assessed under the fast track consent and the risk was accepted by the Panel as it will be appropriately managed by the SMP. A SMP was adopted. It is important that the SMP from the fast track consent is used to ensure the risk and outcome predicted by the SMP is as predicted. Therefore, any future subdivision/development must be in accordance with the SMP and any deviation from what is required in the SMP is unlikely to be accepted. Under Table IXXX.4.1, (A3) states, (A3) <i>The construction of stormwater management structures or devices not in accordance with the</i>	To ensure the requirements in the SMP are met. It is recommended that rule (A3) should be a ‘discretionary’ activity, so that any subdivision/development that does not comply with the SMP can be fully assessed. Non-compliance with the SMP would more closely align with the activity status description at A1.7.4, being an activity that is not generally anticipated. See also HW2 and HW4.	Response 1: The Restricted Discretionary activity status is considered to be appropriate as any effects or assessment matters will relate to stormwater. Healthy Waters will be involved with any application and should an acceptable solution not be able to be achieved, the application will be refused consent – as occurs at present. The more likely regulatory path that would be pursued if for some reason deviation from the adopted SMP was required is that the SMP would be amended through the NDC conditions process, as opposed to utilising the above precinct rule. Response 2: Provisions amended so that the references to the principles and outcomes are removed and the SMP as a whole is referred to. Therefore all stormwater effects on the environment will be considered.

		<p><i>adopted Stormwater Management Plan identified in Standard IXXX.6.11 - Restricted Discretionary</i></p> <ol style="list-style-type: none"> 1. Please provide information on why a 'restricted discretionary' activity for (A3) is used as this allows for consideration of alternatives to what is outlined in the SMP and limits what can be assessed to the matter of discretion (see HW5). 2. The memorandum from Woods concluded that the proposed plan change development is to be consistent with the adopted SMP and that resource consent is required if development does not comply. However, it does not provide any information on reasoning as to why development that does not comply with the adopted SMP other than where the principals and outcomes set out in the SMP are still achieved is considered appropriate. Please clarify, and please provide information as to what kind of variations to the SMP there could be outside of the principals and outcomes, and the effects of these potential variations on the environment. 		<p>Amended Standard 6.11 as per below:</p> <p>IXXX.6.11 Stormwater Management</p> <p>Purpose:</p> <ul style="list-style-type: none"> • To ensure the stormwater is managed in accordance with the current adopted SMP. <p>(1) The management of stormwater from any activity, development and/or subdivision shall be in accordance with the current adopted Stormwater Management Plan.</p> <p>Given that the SMP for the Precinct has already been adopted into Schedule 4 of the NDC, this Precinct standard only needs to refer to the current adopted SMP. This is unlike other plan changes where only provisional approval to a SMP is given by Healthy Waters (pending final approval and adoption).</p> <p>The reason for this wording is due to the fact that stormwater is managed through a number of measures some are outside the Precinct so this wording is repetitive and is covered by (1). Reliance should only be placed on the current adopted SMP.</p>
HW4	<p>Remuera Precinct Provisions</p> <p>IXXX.7.1 Matters of discretion</p> <p>(11) Stormwater Management</p>	<p>Please provide information on why the matters of discretion for stormwater management only refer to the principles and outcomes of the SMP.</p> <p>All matters in the SMP should be able to be assessed.</p>	<p>To ensure the requirements in the SMP can be assessed.</p> <p>It is recommended that stormwater management not in accordance with the adopted SMP is a discretionary activity, in which case matters of discretion for stormwater management are not required (see HW8). Non-compliance with the SMP would more closely align with the activity status description at A1.7.4, being an activity that is not generally anticipated. See also HW2 and HW3.</p>	<p>It is proposed to amend the matters of discretion to:</p> <p><i>"The purpose of the standard; and The current adopted SMP"</i></p>
HW5	<p>Remuera Precinct Provisions</p> <p>IXXX.7.2 Assessment criteria</p> <p>(11) Stormwater Management</p>	<p>Please provide further information as to how the assessment criteria for stormwater management relate to the matters of discretion and how the assessment criteria are reflective of the requirements in the SMP.</p> <p>Please provide details on how flood risk will be assessed to ensure flood risk is not increased downstream.</p> <p>It is recommended that stormwater management not in accordance with the adopted SMP is a discretionary activity, in which case assessment criteria for stormwater management is not required (see HW8).</p>	<p>To ensure the requirements in the SMP are met and all relevant aspects of stormwater and flooding effects are assessed appropriately for the precinct and surrounding environment.</p>	<p>It is proposed to retain the assessment criteria with amendments to address matters raised by Healthy Waters. Refer to amended precinct provisions.</p>
HW6	<p>Assessment of Environmental Effects</p>	<p>The new private irrigation pond and the 1950mm public stormwater pipe will be used to manage stormwater for the Precinct.</p>	<p>To ensure that the private irrigation pond is already providing for the SMP requirements in relation to the proposed precinct.</p>	<p>The new pond has been constructed and is fully operational.</p> <p>The new pond is required to be maintained and operated through an encumbrance on the Record of Title in favour of Auckland Council.</p>

		<p>Please provide information to confirm,</p> <ol style="list-style-type: none"> 1. the status of the new irrigation pond and whether it is fully functional and built in accordance with the design, or if there has been any variation to the design and if this affects what is required in the SMP. Your response to this point must include the relevant EPA documents for the irrigation pond to ensure it is built to the approved design and requirements in the SMP 2. how the ongoing function of the irrigation pond will be maintained as the Precinct relies on the irrigation pond for stormwater management 3. the legal agreement on the use of the irrigation pond as it is a private asset that is connected to a public asset (1950mm pipe). 		
Non-Clause 23 Matters				
HW8	Suggested Precinct Changes	<p>We made a number of suggested changes to the Precinct provisions pre-lodgement that have not been adopted by the requestor. It would be helpful if you could please explain the reasons for not adopting these.</p> <p>Please see Appendix 2</p>	To ensure we understand why our recommendations have not been adopted.	Refer responses in separate document attached.

Appendix 2 – Healthy Waters Suggested Changes to Precinct Provisions