

In the Environment Court
at Auckland

I Mua I te Kōti Taiao o Aotearoa
Tamaki Makaurau Rohe

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER an appeal to the Environment Court under
clause 14 of the First Schedule to the
Resource Management Act 1991

BETWEEN **Fletcher Residential Limited**
Appellant

AND **Auckland Council**
Respondent

**SECTION 274 NOTICE BY KĀINGA ORA - HOMES AND
COMMUNITIES**

11 October 2024

Solicitor:
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Special Counsel
Kāinga Ora - Homes and Communities
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**TO: THE REGISTRAR
ENVIRONMENT
COURT AUCKLAND**

1. Kāinga Ora – Homes and Communities (**Kāinga Ora**) wishes to be a party to this proceeding.
2. Kāinga Ora made a submission about the subject matter of the proceeding. Kāinga Ora has an interest in this proceeding that is greater than the interest of the general public.
3. Kāinga Ora is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.
4. Kāinga Ora is interested in all parts of the proceedings.
5. Without limiting its interests, Schedule 1 to this notice outlines whether Kāinga Ora supports or oppose those aspects, and associated reasons, of the proceeding. In addition to those specific provisions, Kāinga Ora is interested in all related provisions and in all consequential amendments that might be required or proposed to be made (including to any objectives, policies, rules or assessment criteria).
5. Kāinga Ora agrees to participate in mediation or other alternative dispute resolution of the Proceedings.

Dated:

11 October 2024



**Dr Claire Kirman
Solicitor for Kāinga Ora – Homes and Communities**

Address for service of Kāinga Ora

By email:

claire.kirman@kaingaora.govt.nz



By post:
PO Box 14594, Central Auckland 1051

Advice to recipients of copy of notice of interest

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

SCHEDULE 1

Provision appealed	Relief sought	Oppose/Support	Reasons
E24.1 Background	Retain	Neutral	Kāinga Ora has limited concern with the Council decision on the background.
New Policy E24.3(1A)	Retain	Neutral	Subject to addressing issues with the rules, Kāinga Ora is neutral to the Council decision on this policy.
Standard E24.6.2	Delete	Support	Within the design process for development Kāinga Ora consider that this is best left to be addressed through assessment criteria and conditions of consent rather than prescriptive standards that may also generate nuisance in the residential environments.
Matter for Discretion E24.8.1 and Assessment Criteria E24.8.2(1A)	Delete	Support	Within the design process for development Kāinga Ora consider that this is best left to be addressed through assessment criteria and conditions of consent rather than prescriptive standards that may also generate nuisance in the residential environments
Special Information Requirements E24.9	Delete	Support	Within the design process for development Kāinga Ora consider that this is best left to be addressed through conditions of consent rather than required information for application given the level of detail required.
Objective E27.2(3)	Retain objective subject to rule amendments requested.	Neutral	Subject to addressing issues with the rules, Kāinga Ora is neutral to the Council decision on this objective.
Objective E27.2(4)	Retain objective subject to rule amendments requested.	Neutral	Subject to addressing issues with the rules, Kāinga Ora is neutral to the Council decision on this objective.

Objective E27.2(5A)	Retain objective subject to rule amendments requested.	Neutral	Subject to addressing issues with the rules, Kāinga Ora is neutral to the Council decision on this objective.
New Objective E27.2(7)	Amend the objective as follows: The necessary electric vehicle supply capacity equipment is provided for to enable the <u>addition of charging equipment for facilitate use</u> of electric vehicles.	Oppose	Kāinga Ora supports the Council decision wording of this objective.
Policy E27.3(3)	Retain policy subject to rule amendments requested.	Oppose	Kāinga Ora supports the Council decision wording of this policy.
E27.3(14)	Amend the policy as follows: (a) requiring larger non-residential developments and all residential developments without a dedicated garage or basement car parking space to provide secure and covered bicycle parking.	Support	This requirement is likely to add unnecessary complexity and expense to development, potentially compromising appropriate and efficient development of scarce residential land.
New Policies E27.3(20A), and E27.3(20B)	Retain policy subject to rule amendments requested.	Oppose	This requirement is likely to add unnecessary complexity and expense to development, potentially compromising appropriate and efficient development of scarce residential land.
New Policies E27.3(30)	Amend the policy as follows: Electric vehicle charging (30) Require provision for electric vehicle supply <u>capacity equipment to enable the addition of charging equipment for electric vehicles within</u> new residential developments that provide carparking.	Oppose	Kāinga Ora supports the Council decision wording of this policy.
Standard E27.6.1	Delete amendments.	Support	This amended requirement is likely to add unnecessary complexity and expense to development, potentially compromising appropriate and efficient development of scarce residential land.
Table E27.4.1	Include a definition 'electric vehicle supply equipment' in Chapter J1 Definitions.	Neutral	Kāinga Ora considers terms used in District Plans should be appropriately defined to avoid confusion for plan users.

Standard E27.6.2	Amend the standard as described.	Support	Kāinga Ora considers that the retention of clause (iii) in the decision is likely to add unnecessary complexity and expense to development, potentially compromising appropriate and efficient development of scarce residential land. Kāinga Ora supports the other changes in the Council decision.
Standard E27.6.2(8) and E27.6.3.2	Delete.	Support	This new requirement is likely to add unnecessary complexity and expense to development, potentially compromising appropriate and efficient development of scarce residential land. Particularly when considered in conjunction with new rule E27.6.3.3(2A)
Standard E27.6.3.2(A)	Amend the standard as described.	Support	Kāinga Ora, support in part concerns raised in how these spaces will be allocated through subdivision of a development.
Standards E27.6.3.3 and E27.6.3.4	Delete.	Support	This new requirement is likely to add unnecessary complexity and expense to development, potentially compromising appropriate and efficient development of scarce residential land.
Standard E27.6.3.5	Retain.	Oppose	This new requirement is likely to add unnecessary complexity and expense to development, potentially compromising appropriate and efficient development of scarce residential land.
Standard E27.6.3.7	Delete.	Support	Within the design process for development Kāinga Ora consider that this is best left to be addressed through assessment criteria and conditions of consent rather than prescriptive standards that may also generate nuisance in the residential environments
Standard E27.6.4.3	Delete E27.6.4.3(c) and Table E27.6.4.3.3	Support	This new requirement is likely to add unnecessary complexity and expense to development, potentially compromising appropriate and efficient development of scarce residential land. Kāinga Ora supports the inclusion of amendments to note 1 to table E27.6.4.3.2 in the Council decision.

Standards E27.6.4.3.3, E27.6.6, E27.6.6.2, E27.6.6.3, E27.6.7	Amend as described.	Support in part	These new requirements are likely to add unnecessary complexity and expense to development, potentially compromising appropriate and efficient development of scarce residential land.
Matters of Discretion E27.8.1	Amend as described.	Oppose	These new requirements are likely to add unnecessary complexity and expense to development, potentially compromising appropriate and efficient development of scarce residential land.
Assessment Criteria E27.8.2	Amend assessment criteria as follows: 6) any activity or development which infringes the standards for bicycle parking and end-of-trip facilities in Standard E27.6.2(6) and Standard E27.6.2(7): ... (b) the provision made for cyclists and active modes is: (i) readily accessible, secure, provides locking points for different sizes and shapes of bicycle, provides <u>adequate</u> protection from all weathers, rain, encourages provides <u>mains outlets</u> for the charging <u>of</u> bicycles and is designed for safety; and (ii) practicable and adequate given site limitations and layout, arrangement of buildings and activities, users and operational requirements.	Oppose	These new requirements are likely to add unnecessary complexity and expense to development, potentially compromising appropriate and efficient development of scarce residential land.