George Bramer

From: Unitary Plan
Sent: Thursday, 29 September 2022 6:31 pm
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Natalie Mcclay

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Natalie Mcclay

Organisation name:

Agent's full name:

Email address: nataliemcclay@xtra.co.nz

Contact phone number:

Postal address:
36 Arthur road
Hillpark
Auckland 2102

Submission details

This is a submission to:

Plan change number: Plan Change 78

Plan change name: PC 78: Intensification

My submission relates to

Rule or rules:
My Submission Relates to... Qualifying Matters, Special Character
Map: Hillpark Special Character Layer
SUPPORT provisions box (or not if you don't)
NO to amend (or yes if you want intensification)
Reasons: can be as simple as a sentence or as long as you want
Key Points might include:
only character area in the South
housing built into urban forest
future historical value of midcentury housing and section as a neighbourhood
legacy (we have had protections even under Manukau)
we have had character recognised and should be retained
infrastructure constraints (storm water, parking...)

Here, if you want, you can add other matters you think should be considered. Maybe,

Hillpark is a visible forested ridgeline visible from town center and afar.
Ecological corridor for wildlife.
Urban forest needs greater protection

4. APPROVE plan without ammendments. (or not if you want intensification)

5. PHOTOS..maybe take a couple and add them (a picture tells a thousand words)
Please take some time before the 29th of September to complete this.
More than one person per home can submit.
People from outside Hillpark can submit.

Have a fantastic weekend everyone. It is 100% up to you whether you support keeping the character area but, if you want to keep it, we need to submit!

Qualifying Matters, Special Character
Map: Hillpark Special Character Layer
SUPPORT provisions box (or not if you don't)
NO to amend (or yes if you want intensification)
Reasons: can be as simple as a sentence or as long as you want
Key Points might include:
only character area in the South
housing built into urban forest
future historical value of midcentury housing and section as a neighbourhood
legacy (we have had protections even under Manukau)
we have had character recognised and should be retained
infrastructure constraints (storm water, parking...)

Here, if you want, you can add other matters you think should be considered. Maybe,

Hillpark is a visible forested ridgeline visible from town center and afar.
Ecological corridor for wildlife.
Urban forest needs greater protection

4. APPROVE plan without ammendments. (or not if you want intensification)

5. PHOTOS..maybe take a couple and add them (a picture tells a thousand words)
Please take some time before the 29th of September to complete this.
More than one person per home can submit.
People from outside Hillpark can submit.

Have a fantastic weekend everyone. It is 100% up to you whether you support keeping the character area but, if you want to keep it, we need to submit!

Property address:

Map or maps: Hillpark special character layer

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:

Hi
only character area in the South
housing built into urban forest
future historical value of midcentury housing and section as a neighbourhood
legacy (we have had protections even under Manukau)
we have had character recognised and should be retained
infrastructure constraints (storm water, parking...)

2000.1

Hillpark is a visible forested ridgeline visible from town center and afar.
Ecological corridor for wildlife.
Urban forest needs greater protection

2000.2

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

Details of amendments:

Submission date: 29 September 2022

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.



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George Bramer

From: Unitary Plan
Sent: Thursday, 29 September 2022 6:01 pm
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Ronald Francois
Attachments: Intensification Submission revised 20200926_20220929174953.552.pdf

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Ronald Francois

Organisation name:

Agent's full name:

Email address: ronald.francois@gmail.com

Contact phone number: 02102794255

Postal address:
13b Sandspit Road
Cockle Bay
Auckland 2014

Submission details

This is a submission to:

Plan change number: Plan Change 78

Plan change name: PC 78: Intensification

My submission relates to

Rule or rules:
Plan Change 78

Property address:

Map or maps:

Other provisions:
Qualifying matters

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? Yes

The reason for my or our views are:
Rules not well defined, Council unable to clarify requests for clarification, absence of proper assessment of environmental impact and infrastructure capacity, removal of resource consent, risk of having developer's driven projects and resulting intensification in the wrong areas, risk of ruining character and heritage areas of historical significance to name a few

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

Details of amendments: See supporting document

Submission date: 29 September 2022

Supporting documents
Intensification Submission revised 20200926_20220929174953.552.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.



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THE INTENSIFICATION DEBATE CONTINUES – AND YOUR HELP IS NEEDED:

Summary

Cockle Bay Residents and Ratepayers:

1. Support the proposed changes to date in Plan Change 78.
2. Request the Independent Hearings Panel to introduce long term economic costs as a qualifying matter. A further Plan Change can introduce a time bound, location based, intensification plan that meets the objectives of the legislation, whilst also focussing infrastructure investments within predetermined priority areas. This will have the benefit of (i) enabling Auckland Council to channel developments to areas where there is sufficient infrastructure capacity; (ii) getting maximum value for money from infrastructure investments; (iii) achieving better planned maintenance to be targeted to areas of higher population density, rather than being dispersed across the city; (iv) enabling other providers, such as Ministries of Education and Health, and power and telecommunications companies, to plan their investments to reflect planned population growth. 2009.1
3. Because of the growing incidences of heavy rainfall and flooding, request stormwater to be included as a qualifying matter, with a wider area-based risk assessment, based on the 100 year flood scenario. Without this, we believe that an increasing risk of flooding, stream erosion and even difficulties obtaining affordable insurance cover will occur. (Cockle Bay is at particular risk because of dependence on streams, soak pits and aged infrastructure). 2009.2
4. Include immediately all relevant safeguards set out in the New Zealand Coastal Policy statement 2010. At the moment there are references only to areas of coastal erosion and inundation. The Enabling Act requires the Coastal Policy to be considered. 2009.3
5. Improve transparency and consistency by including detailed specifications on all consent requirements. (In cases where we have raised queries, we have been referred to individual planners for explanations. 2009.4
6. Broaden the criteria that defines character areas, in order to preserve our heritage. 2009.5

SUPPORTING INFORMATION

Medium to Long Run Economic Costs

We find it incredible that the two major political parties, both of whom claim to have the credentials to make wise decisions on economic management for the country, could have failed to have considered the medium to long term economic costs of a "one size fits all" approach to planning[1]. Putting aside the focus on development near city and other centres, which makes good sense, it assumes that all areas of a city are homogeneous, with similar characteristics across all areas. This includes assuming that there is uniform city-wide infrastructure capacity with the same "whole of life" expectation; uniform access to water supply; stormwater drainage; and wastewater treatment and networks; that all areas have equal access to schools, hospitals and medical facilities; that all areas are serviced by financially sustainable transport services, with no undue traffic congestion that requires special measures to alleviate delays, and that there are adequate communications networks, energy supply and social facilities. The legislation assumes that infrastructure has the capacity to cope with ad hoc growth and that there will be no difficulty providing increased capacity for growth across all areas of the city. The legislation fails to reflect that future random increases in infrastructure use will create random increases in demand for infrastructure capacity, and increased area-specific, volume-driven, planned maintenance, rehabilitation and replacement, with associated costs.

In contrast, sound investment management requires city-wide prioritization. Requirements for additional capacity must be managed on a structured area-by-area basis, built around a location-based development plan. This effects not just Council planning. Ministries responsible for provision of services such as schools and hospitals deserve some certainty about where and when growth will occur, rather than it being randomized across cities.

The legislation and plan change fails to consider priorities and local factors that should influence development within a city that in Auckland's case stretches from Wellsford to Pukekohe. The legislation goes on to assume that all fourteen major territorial centres in New Zealand are identical, and can be subjected to the same rules.

The qualifying matters specified in the legislation[2] provide only limited opportunities to introduce a development framework that reflects a need to channel development into areas where there is adequate infrastructure capacity to service future growth. The result will be very high medium to long term costs that could be avoided by more structured planning.

Our submission point 2 below endeavours to address this as far as possible within the legislative constraints.

Submission Point 1 – Support for changes to date

Plan Change 78 contains a number of plan changes giving effect to the legislative requirements. Because these may be challenged by other submitters there is a small risk that they could be removed or reduced in their scope. We believe the new provisions, including protection of views from Stockade Hill, need to be supported. The main point of our subsequent submission points is to secure further improvements, as indicated in subsequent submission points.

Submission Point 2 – Channelling growth to locations with capacity to absorb it.

In order to avoid the risk of avoidable costs in the medium to long term, we ask the Independent Hearings Panel to advocate a medium to long term approach that focusses development in areas where there is adequate spare infrastructure capacity to cater for population growth. This is to include non-Council infrastructure such as, schools and medical facilities and green space

Effectively this means including medium to long term economic and opportunity costs (or risks) as a qualifying matter. Consideration must be given to water supply and sewerage systems, including

[1] The legislation does specify that nationally significant infrastructure is a qualifying matter that can be used to declare an area unsuitable for intensification
[2] See Reference at conclusion of this Discussion Paper

combined wastewater and stormwater; stormwater infrastructure capacity; the long term economic life of infrastructure and planned replacement programmes; road and transport network capacity; and social infrastructure available such as schools, medical facilities, energy supplies, telecommunications networks and green space.

A revised plan change can provide for area-specific time-bound zoning changes that reflect planned capacity increase in infrastructure, thus achieving the objectives of the Enabling Act in a long term, cost effective manner.

In our submission to Council prior to the publication of Plan Change 78 we suggested that developers wishing to construct homes in areas where there was insufficient infrastructure capacity be required to pay a premium to offset the need to provide additional infrastructure on a timeline falling outside planned infrastructure development.

Submission Point 3 - Include stormwater infrastructure as a qualifying matter

The plan change rightly includes reference to combined wastewater and stormwater infrastructure as a qualifying matter. It makes no provision for areas such as Cockle Bay (and other parts of Auckland) where stormwater is not fully accommodated within fixed infrastructure. In these locations streams, flow paths and soak pits are important elements of the stormwater systems. Allowing intensification on sections currently serviced by soak pits reduces permeable areas and opportunities for natural absorption of stormwater. It increases the risk of increased flows in streams and overland flow paths, and flooding. As with the previous submission point, unplanned intensification introduces a high risk of avoidable medium to long term economic costs in terms of stream erosion and increased flooding. Indirect costs are likely to be incurred by property owners because of increased stream maintenance and insurance premiums – if in fact they are able to obtain insurance in locations with a record of flooding and erosion. This risk is already demonstrated in other parts of the country and globally. It can be avoided by excluding areas from intensification where stormwater infrastructure is inadequate and there is a track record of flooding.

Although the Cockle Bay catchment is identified as being subject to the Water and Wastewater constraints control, it appears that this is intended to be applied in an ad hoc manner, giving residents no assurance of consistent application of principles within the area. This raises an issue of equity. For instance, it is stated that applications for individual properties will be assessed against whether there is adequate capacity, including reticulated water and wastewater, and water for firefighting, and whether there is the ability to connect dwelling(s) to reticulated and wastewater networks. As an isolated case this makes sense. In a wider context it has the potential for introducing huge inconsistencies, and a risk of “first come, first served” developments. As an example, there was a question of wastewater and sewerage capacity for the original application for 71 apartments proposed for 30 – 40 Sandspit Road, Cockle Bay. If such an application was approved, even though the sewerage network was nearing capacity, then it moves the area closer to the point where subsequent development applications must be declined because maximum capacity had been reached, or there is a significant risk of future sewerage overflows effecting residents over a wider area. A wider spatially based prioritization-based methodology for determining growth areas based on infrastructure capacity overcomes development based on micro-level assessments.

The current revised development application for apartments at the same location, currently before the Environment Court, revealed flawed calculations by the developer for the stormwater retention / detention tanks. Adequate capacity tanks will mitigate some of the above risks, but not eliminate them completely. A definitive ruling is required on how the calculations are to be undertaken, and sampling of specific installations will be necessary to ensure compliance, with penalties for failures. There is also a question, not answered in our queries to Auckland Council, about following the required code of practice.

We request the Hearings Panel to recommend to Council: (i) that stormwater be included as a qualifying matter for all development sites; (ii) that no intensification be permitted adjacent to streams, flow paths, flood plains and other locations with a risk of flooding in the future; (iii) the correct basis for

calculating capacity of retention / detention tanks; (iv) a requirement to follow all required codes of practice, in particular in all areas defined as being subject to a stormwater constraint.

Submission Point 4 - Include areas subject to compliance with Coastal Policy Statement as a qualifying matter.

The Enabling legislation specifies that a qualifying matter is compliance with National Policy Statements and the New Zealand Coastal Policy Statement. The Coastal Policy does not appear in the legend or on the Plan Change 78 Information Sheets as a qualifying matter. The map show areas at risk of coastal erosion and coastal inundation, but gives no indication of which properties are subject to constraints to enable them to comply with the Coastal Policy. In the case of Cockle Bay, with a number of streams providing stormwater drainage, we would argue that policy compliance extends beyond properties adjacent to the beach, as the whole catchment drains down to the beach, and there is already quantified evidence of increased sedimentation – in contradiction to the Coastal Policy provisions.

Our submission to Council at the time that the Plan Change was being prepared indicated 3 objectives and 9 policies that have a particular relevance to Auckland coastal areas. In response to our query to Council about the scope of protections under Plan change 78 and legislated coastal policy, the response was that Council wishes "to avoid development in areas subject to coastal inundation and erosion, with a preferred approach of rezoning all affected properties and a new low residential zone". However, Council goes on to state that this cannot be addressed through Plan Change 78. It will be covered in a future Coastal hazard Plan Change (at an unspecified time). No other changes to incorporate Coastal policy objectives and policies are mentioned in response to our queries.

We submit that the statement of qualifying matters (Information Sheets 7 and 8, Parts 1 and 2) be expanded to include the Coastal Policy objectives and policies which must be complied with, and that properties effected be identified on the maps. We submit that properties must be identified based on the risk and effects related to the Coastal policy – for instance whether they effect, or are likely to effect, water quality and marine ecosystems through increased sedimentation or cumulative effects[3].

Submission Point 5 – In order to secure full transparency and consistency, the plan change be more prescriptive within the new planning rules on what requirements must be met.

In theory this submission should not be required. However, experience suggests otherwise. We give 4 examples:

Firstly, in a current case before the Environment court there are different interpretations on the application of climate change projections relating to rainfall projections and calculations, and applicability to new consent applications for multiple dwellings, compared to applications that are compliant with existing rules. After expert consultation, Council has already had to require revised calculation for stormwater retention and detention tanks once, but the revised calculations remain in dispute. The mere fact that experts can disagree on the interpretation means that the rules lack clarity. This needs to be formally resolved with a consistent interpretation.

Secondly, as indicated in the previous paragraph, there is scope for different interpretations of GDO1 (Stormwater Management Devices in the Auckland Region, Amendment 2, December 2017), a part of the AUP, and the Code of Practice. An updated Plan Change document can eliminate this debate by clarifying the rules for all parties. The mere fact that this is disputed before the Environment Court indicates significant scope for different interpretation. This ambiguity must be eliminated for the benefit of all stakeholders.

Thirdly we have raised queries with Council on interpretation of the new guidelines. The mere fact that we had to ask the questions indicates that the situation is not clear. Council staff responsible for resolving the queries were not able to provide an answer, and referred us to the planner and

[3] These effects are one example. (Policy 4, Integration). This is only 1 of the relevant objectives and policies. Other objectives and policies must also be incorporated.

engineers for our area[4]. This raises the scenario of not only a lack of transparency, but also inconsistency of interpretation, between different geographical areas of the city. This is further illustrated by the dispute related to the recent felling of trees, including trees stated to be protected or "significant", at the former UNITEC Arboretum, in order to make way for a new housing development[5].

Fourthly we note that although the Regional Policy Statement is referred to in Sections E1 of the revised AUP, the forgoing scope for omissions means that it is desirable that the policy statement requirements are fully integrated into the more specific policies, objectives and criteria for reviewing consent applications, and the relevant sections of the Building Code.

We request that the Independent Hearings Panel recommend that these safeguards of specifying all relevant criteria to be considered be incorporated into relevant sections of an updated a Plan Change.

Submission Point 6 – Special Character areas

This is more subjective. It is our belief that parts of the city do have distinct characteristics that give the area a unique character. These risk being destroyed under the revised plan change, which has been driven by the legislation. We ask the Independent Hearings Panel to urgently recommend to Council that the criteria used to assess which areas of the city deserve protection be interpreted more liberally in order to retain the overall appearance of larger areas of the city, and the associated heritage.

Reference: Resource Management Act (Enabling Housing and Other Matters) Enabling Act 2021

Section 77I Qualifying matters in applying medium density residential standards and policy 3 to relevant residential zones

A specified territorial authority may make the MDRS and the relevant building height or density requirements under policy 3 less enabling of development in relation to an area within a relevant residential zone only to the extent necessary to accommodate 1 or more of the following qualifying matters that are present:

(a) a matter of national importance that decision makers are required to recognise and provide for under section 6: 2021 No 59 Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 Part 1 s 9 9

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4 *Our question to Council*: Please confirm or otherwise that irrespective of the presence or absence of other qualifying matters, stormwater quality and quantify management is required for all sites in accordance with the provisions of the relevant sections of the existing AUP, Council's Code of Practice and Council's design guidelines. Specifically, sections E1, E8, E10, E36, and E38 of the AUP, the use of GDO1(SWMD- Amendment 2) and the Stormwater Code of Practice are applicable.

Council responses to this and similar questions: "All development must be checked through the Councils building consent process and / or infrastructure-Development engineering section of the Council."

"The relevant codes for checking should be verified with the Council's Resource Consent team (for the relevant area) and Development Engineers."

"In terms of legal effect and how MDRS affects properties, you would need to discuss this matter with the Principal Specialist Planner in the Resource Consents Department for the Cockle Bay area. They have detailed advice about the application of QM's and its relationship with MDRS."

"However, as stated earlier, for specific sites and application of the MDRS standard and how the QM affects development, please check with the resource consents team responsible for the area."

5 Reported by the Tree Council 22 September 2022

(b) a matter required in order to give effect to a national policy statement (other than the NPS-UD) or the New Zealand Coastal Policy Statement 2010:

(c) a matter required to give effect to Te Ture Whaimana o Te Awa o Waikato—the Vision and Strategy for the Waikato River:

(d) a matter required to give effect to the Hauraki Gulf Marine Park Act 2000 or the Waitakere Ranges Heritage Area Act 2008:

(e) a matter required for the purpose of ensuring the safe or efficient operation of nationally significant infrastructure:

(f) open space provided for public use, but only in relation to land that is open space:

(g) the need to give effect to a designation or heritage order, but only in relation to land that is subject to the designation or heritage order:

(h) a matter necessary to implement, or to ensure consistency with, iwi participation legislation:

(i) the requirement in the NPS-UD to provide sufficient business land suit- able for low density uses to meet expected demand:

(j) any other matter that makes higher density, as provided for by the MDRS or policy 3, inappropriate in an area, but only if section 77L is satisfied.

George Bramer

From: Unitary Plan
Sent: Thursday, 29 September 2022 11:01 pm
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Sally Ann Haysom
Attachments: Plan Change Herald Island submission (final).pdf

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Sally Ann Haysom

Organisation name:

Agent's full name:

Email address: sally@sallyhaysom.co.nz

Contact phone number: 022 124 7321

Postal address:
17 Ferry Parade
Herald Island
Auckland 0618

Submission details

This is a submission to:

Plan change number: Plan Change 78

Plan change name: PC 78: Intensification

My submission relates to

Rule or rules:
All Residential Mixed Housing Urban Zoned Properties on Herald Island

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:
As stated on the attached PDF

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

Submission date: 29 September 2022

Supporting documents
Plan Change Herald Island submission (final).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.



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I oppose Plan Change Variation PC78.

I oppose the rezoning of Herald Island from Single House Zone to MHUZ (Mixed Housing Urban Zone)

On the following basis:-

The reasons for my views are:

1. ***PUBLIC TRANSPORT CONSTRAINTS***
   Public Transport Constraints for Herald Island are considerable. The local road network is already under significant stress because of the following issues:
   There is no public transport available on Herald Island and this has significant negative implications for our residents.
   While there have been bus services in the past, they travelled on convoluted routes which just slotted in Herald Island as an afterthought. It meant that going to my workplace in 1986 involved an indirect route including the back of West Auckland. It took an hour and a half to get to the city (rush hour didn't exist in 1986). Now, we have no buses from Herald Island to anywhere.
   Currrently there is only the option for me to get to Citizen's Advice Bureau (volunteer twice a week at NorWest) is to drive. It is a 14 minute drive from home to my volunteering job.
   Public transport to Citizens Advice Bureau – one only:
   Given that there are no buses operating on Herald Island, to get to work (at Citizens Advice) from Herald Island on public transport, there is only one option.
   Walk to the nearest bus stop (14 minutes away on Kauri Road). Catch a bus to Hobsonville (stops outside New World), wait 15 minutes to switch to a different bus which takes a circuitous route around the back of Hobsonville area and arrives at Westgate.
   Cross the main road on foot to the Nor West shopping centre where the Te Manawa library is located. The total amount time taken from Home to CAB would be **1 hour 20 minutes.**
   Ditto for the return trip as long as I can depart on time from my volunteering job.
   If I had driven it would take me **11 minutes.**
   The walking sections are extremely dangerous in parts – specifically on Kauri Road and Kingsway Road. Both are extremely dangerous roads for walkers and cars. An increase in traffic numbers if PC 78 goes through would only increase those risks.
   PLEASE APPLY A TRANSPORT RELATED QUALLIFYING MATTER TO ALL HERALD ISLAND PROPERTIES AND AMEND ALL HERALD ISLAND PROPERTIES ZONED MIXED HOUSING URBAN ZONE TO LOW DENSITY RESIDENTIAL ZONE

2010.1

2010.2

2. ***INFRASTRUCTURE - The causeway (Kingsway Road), Kauri Road and Brigham Creek Road are unsafe to travel (by foot, cycle or vehicles) and any increase in population numbers would further exacerbate the issue***
   Kingsway Road (the causeway) is increasingly dangerous to cross particularly on foot. It's approximately 0.8kms in length and not safe for walkers.

If PC 78 it passed it, not only will it significantly increase the population who will all have to drive, resulting in thousands more car trips per week in the area. This will exacerbate the danger to pedestrians both on the causeway (Kingsway Road) and Kauri Road.
Kingsway Road is not geared to handle significant increased traffic loads. The 'one-lane on and one lane off' road will be under considerable stress and road safety will be significantly compromised.
Heading off the Island, the Ferry Parade and The Terrace intersection is not safe with limited sight lines for traffic heading off the island from The Terrace.
However it is even worse for walkers crossing the Causeway on the narrow tar-sealed walking "corridor". I am referring to it as a "corridor" because Auckland Transport has said it cannot be called a footpath (I assume that they mean it is too narrow and there is no kerbing and channelling).
On the one side of the Causeway where it is possible to walk, the walking "corridor" is barely one metre wide and there is at least a 45deg fall from the edge down to the high tide mark.
On the other side of the Causeway (marked on the map as Kingsway Road) it is impossible to walk as the road markings butt up to a considerable drop off the road into the water (i.e. no space at all on side of road).
Many cars (but not all) take a wide berth to help ensure walker safety which is considerate, but the Causeway is narrow in itself and an increase in multiple cars per property has led to some dangerous situations on the Causeway. I have witnessed some of these personally, including a car crash at the Herald Island end of the causeway.
At the Kauri Road end of the causeway, the road narrows even further and the intersection becomes effectively a blind corner (in both directions along Kauri Road). This makes the causeway even more dangerous as drivers do not have clear sight of pedestrians (and vice versa) around the corner coming onto Brigham Creek Road. Every increase in the number of vehicles on Herald Island increases the risk of accidents in the area.
Walking to the bus stop along Kauri Road entails another dangerous trip. Kauri Road has <u>no footpaths on either side of the road.</u>
There are deep swales and uneven ground and it is dangerous. We have observed cars on Kauri Road having to take a wide berth to ensure walker safety. The cars often crossed the centre line to avoid us pedestrians (walking on the side of the road but not on it). The road is narrow and while it was courteous of drivers to cross the centre line to the other side of the road to protect us, it was putting the car at risk of oncoming traffic. Over the years we have witnessed cars regularly exceeding the speed limit.
The risk to pedestrians and cars would greatly increase should intensification (PC 78) goes ahead. It would result in thousands of additional car trips from Herald Island to main arterial roads/per week in the area. This defies logic, especially as the only main road that is accessible to Herald Islanders is Brigham Creek Road – a road well-known for safety issues (resulting in deaths) and congestion.
PLEASE APPLY A TRANSPORT RELATED QUALLIFYING MATTER TO ALL HERALD ISLAND PROPERTIES AND AMEND ALL HERALD ISLAND PROPERTIES ZONED MIXED HOUSING URBAN ZONE TO LOW DENSITY RESIDENTIAL ZONE

3. ***THE IMPACT OF HIGH DENSITY HOUSING ON THE EFFORTS (thousands of hours spent by Herald Island volunteers) TO FOSTER FLORA AND SUPPORT NATURAL HABITATS ON HERALD ISLAND*** | 2010.3

The implementation of PC78 will completely change the unique nature of the Herald Island community. It will result in three storey homes in a concentrated area in the centre of the island.

We have seen the results of infill housing in other parts of Auckland over the years. Mostly it has resulted in "pepper pot" (additional) houses built within communities on subdivided sections. Or purchases of adjacent properties which are then knocked down and consolidated to build medium/high density homes.

Compared to the Herald Island situation, the visual difference is that the Auckland City 'pepper pot properties' have been built in very small pockets across the vastness of the greater Auckland City.

The Herald Island situation is that if all the available properties rezoned as high density (as shown on the Plan Change Map) were sold and developed into multiple dwellings (properties on the water's edge would stay as they are) then Herald Island would be a mini version of a high-rise city on an island. The visual profile of Hong Kong island comes to mind (on a minor scale).

This is not 'pepper pot' housing changes, which most people could probably live with. It is a high density based, blatant destruction of an island environment. ***The question I would like answered is ……Why Herald Island but not Waiheke Island?***

The aim of the Act is to free up more land for affordable housing. The value of the land on Herald Island in many cases well exceeds the value of the house. Land on Herald Island is not cheap. The Government has said that Plan Change 78 will help solve the housing crisis and provide affordable housing. The vast majority of Herald Island homes have CVs of in excess of $1 million. How is that "providing affordable houses?" particularly with the level of deposits required and rising interest rates. It certainly won't be a "go" for the first home buyer.

The proposed plan change will alter the nature of Herald Island forever, resulting in the destruction of a unique community, both socially and physically.

Road safety on Herald Island would be massively compromised by intensification. On the Island's ring road there are significant areas where there are no footpaths or kerbing and channelling.

It is currently dangerous and if proposed Plan 78 goes ahead, it will result in at least a double digit increase on cars parked on the road which will significantly increase the risk to pedestrians.

This is a real concern, particularly as Herald Island has limited footpaths: There are two roads circling the island perimeter. Ferry Parade has no footpaths on the waterside at all (fronting approximately 70 homes).

On The Terrace there are footpaths on both sides, with a minor exemption.

Traffic and Parking – Herald Island is constrained by a narrow ring road. Many cars have to park on the narrow roads in the middle of the island. Given that the new PC78 doesn't take into account required parking on the housing site, more cars will end up on the roadside where there are no footpaths.

PLEASE APPLY A TRANSPORT RELATED QUALLIFYING MATTER TO ALL HERALD ISLAND PROPERTIES AND AMEND ALL HERALD ISLAND PROPERTIES ZONED MIXED HOUSING URBAN ZONE TO LOW DENSITY RESIDENTIAL ZONE

4. ***THE IMPACT OF THE CHANGED FACE OF HERALD ISLAND IF AROUND 50 PER CENT OF HERALD ISLAND BECOMEs HIGH DENSITY?***

2010.4

What happens when our residents (especially the elderly) in the zoned area are forced to sell due to high-rise (adjacent multiple house dwellings built on two or three sides of their homes with no provision required for parking)?
And what happens to the gardens that have been nurtured on Herald Island with 30 years' of support from members of the Herald Island Environmental Group (HIEG)?
Thousands of hours have been spent by HIEG for more than 30 years creating an environment to attract native birds to the Island, including a massive number of trees (tens of thousands) planted over a 30+ years period (in both public and private properties) which are now mature and which face potential destruction if intensification goes ahead.
Trees can benefit communities in multiple ways.
We now have tui, kingfishers, wax-eyes and wading birds every day in our own garden and in the estuary - and not so regular visitors such as kereru and ruru. This is the result of the decades of work to attract the birds and increase species numbers.
Herald Island has had an eradication program for many years resulting in a significant reduction of pests such as possums and rats. This hard work is now paying off with the Island environment.
Herald Island is on the North West Wildlink between Tiritiri Matangi and the Waitekere Ranges, so we are helping to provide a link for birds between the east and west coasts of Auckland.

5. Council's high-density proposal will devastate the natural environment that has been built by Herald Islanders.
   With one swipe of the Council pen, if the proposed planning for Herald Island goes ahead, Council will have destroyed a very special environment. Globally there is a major concern about the disappearance of millions of birds from the environment across many countries. Why are we not hearing any concern from the New Zealand political parties?

George Bramer

From: Unitary Plan
Sent: Thursday, 29 September 2022 6:16 pm
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Solange Francois
Attachments: Intensification Submission revised 20200926_20220929180705.505.pdf

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Solange Francois

Organisation name:

Agent's full name:

Email address: solange.francois@gmail.com

Contact phone number: 0220611795

Postal address:
10 Covina Place
Somerville
Auckland 2014

Submission details

This is a submission to:

Plan change number: Plan Change 78

Plan change name: PC 78: Intensification

My submission relates to

Rule or rules:
Plan Change 78

Property address:

Map or maps:

Other provisions:
See supporting document

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 rules are unclear, they pose a threat to the environment and to the existing infrastructure capacity which is inadequate in many areas marked for intensification, they don't make enough provisions for the climate change and 100-year event, resource consent has been removed, developers have carte blanche without enough restrictions and controls and they can ruin entire character and heritage areas of historical significance

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

Details of amendments: See supporting document

Submission date: 29 September 2022

Supporting documents
Intensification Submission revised 20200926_20220929180705.505.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.



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THE INTENSIFICATION DEBATE CONTINUES – AND YOUR HELP IS NEEDED:

Summary

Cockle Bay Residents and Ratepayers:

1. Support the proposed changes to date in Plan Change 78.
2. Request the Independent Hearings Panel to introduce long term economic costs as a qualifying matter. A further Plan Change can introduce a time bound, location based, intensification plan that meets the objectives of the legislation, whilst also focussing infrastructure investments within predetermined priority areas. This will have the benefit of (i) enabling Auckland Council to channel developments to areas where there is sufficient infrastructure capacity; (ii) getting maximum value for money from infrastructure investments; (iii) achieving better planned maintenance to be targeted to areas of higher population density, rather than being dispersed across the city; (iv) enabling other providers, such as Ministries of Education and Health, and power and telecommunications companies, to plan their investments to reflect planned population growth. 2013.1
3. Because of the growing incidences of heavy rainfall and flooding, request stormwater to be included as a qualifying matter, with a wider area-based risk assessment, based on the 100 year flood scenario. Without this, we believe that an increasing risk of flooding, stream erosion and even difficulties obtaining affordable insurance cover will occur. (Cockle Bay is at particular risk because of dependence on streams, soak pits and aged infrastructure). 2013.2
4. Include immediately all relevant safeguards set out in the New Zealand Coastal Policy statement 2010. At the moment there are references only to areas of coastal erosion and inundation. The Enabling Act requires the Coastal Policy to be considered. 2013.3
5. Improve transparency and consistency by including detailed specifications on all consent requirements. (In cases where we have raised queries, we have been referred to individual planners for explanations. 2013.4
6. Broaden the criteria that defines character areas, in order to preserve our heritage. 2013.5

SUPPORTING INFORMATION

Medium to Long Run Economic Costs

We find it incredible that the two major political parties, both of whom claim to have the credentials to make wise decisions on economic management for the country, could have failed to have considered the medium to long term economic costs of a "one size fits all" approach to planning[1]. Putting aside the focus on development near city and other centres, which makes good sense, it assumes that all areas of a city are homogeneous, with similar characteristics across all areas. This includes assuming that there is uniform city-wide infrastructure capacity with the same "whole of life" expectation; uniform access to water supply; stormwater drainage; and wastewater treatment and networks; that all areas have equal access to schools, hospitals and medical facilities; that all areas are serviced by financially sustainable transport services, with no undue traffic congestion that requires special measures to alleviate delays, and that there are adequate communications networks, energy supply and social facilities. The legislation assumes that infrastructure has the capacity to cope with ad hoc growth and that there will be no difficulty providing increased capacity for growth across all areas of the city. The legislation fails to reflect that future random increases in infrastructure use will create random increases in demand for infrastructure capacity, and increased area-specific, volume-driven, planned maintenance, rehabilitation and replacement, with associated costs.

In contrast, sound investment management requires city-wide prioritization. Requirements for additional capacity must be managed on a structured area-by-area basis, built around a location-based development plan. This effects not just Council planning. Ministries responsible for provision of services such as schools and hospitals deserve some certainty about where and when growth will occur, rather than it being randomized across cities.

The legislation and plan change fails to consider priorities and local factors that should influence development within a city that in Auckland's case stretches from Wellsford to Pukekohe. The legislation goes on to assume that all fourteen major territorial centres in New Zealand are identical, and can be subjected to the same rules.

The qualifying matters specified in the legislation[2] provide only limited opportunities to introduce a development framework that reflects a need to channel development into areas where there is adequate infrastructure capacity to service future growth. The result will be very high medium to long term costs that could be avoided by more structured planning.

Our submission point 2 below endeavours to address this as far as possible within the legislative constraints.

Submission Point 1 – Support for changes to date

Plan Change 78 contains a number of plan changes giving effect to the legislative requirements. Because these may be challenged by other submitters there is a small risk that they could be removed or reduced in their scope. We believe the new provisions, including protection of views from Stockade Hill, need to be supported. The main point of our subsequent submission points is to secure further improvements, as indicated in subsequent submission points.

Submission Point 2 – Channelling growth to locations with capacity to absorb it.

In order to avoid the risk of avoidable costs in the medium to long term, we ask the Independent Hearings Panel to advocate a medium to long term approach that focusses development in areas where there is adequate spare infrastructure capacity to cater for population growth. This is to include non-Council infrastructure such as, schools and medical facilities and green space

Effectively this means including medium to long term economic and opportunity costs (or risks) as a qualifying matter. Consideration must be given to water supply and sewerage systems, including

[1] The legislation does specify that nationally significant infrastructure is a qualifying matter that can be used to declare an area unsuitable for intensification
[2] See Reference at conclusion of this Discussion Paper

combined wastewater and stormwater; stormwater infrastructure capacity; the long term economic life of infrastructure and planned replacement programmes; road and transport network capacity; and social infrastructure available such as schools, medical facilities, energy supplies, telecommunications networks and green space.

A revised plan change can provide for area-specific time-bound zoning changes that reflect planned capacity increase in infrastructure, thus achieving the objectives of the Enabling Act in a long term, cost effective manner.

In our submission to Council prior to the publication of Plan Change 78 we suggested that developers wishing to construct homes in areas where there was insufficient infrastructure capacity be required to pay a premium to offset the need to provide additional infrastructure on a timeline falling outside planned infrastructure development.

Submission Point 3 - Include stormwater infrastructure as a qualifying matter

The plan change rightly includes reference to combined wastewater and stormwater infrastructure as a qualifying matter. It makes no provision for areas such as Cockle Bay (and other parts of Auckland) where stormwater is not fully accommodated within fixed infrastructure. In these locations streams, flow paths and soak pits are important elements of the stormwater systems. Allowing intensification on sections currently serviced by soak pits reduces permeable areas and opportunities for natural absorption of stormwater. It increases the risk of increased flows in streams and overland flow paths, and flooding. As with the previous submission point, unplanned intensification introduces a high risk of avoidable medium to long term economic costs in terms of stream erosion and increased flooding. Indirect costs are likely to be incurred by property owners because of increased stream maintenance and insurance premiums – if in fact they are able to obtain insurance in locations with a record of flooding and erosion. This risk is already demonstrated in other parts of the country and globally. It can be avoided by excluding areas from intensification where stormwater infrastructure is inadequate and there is a track record of flooding.

Although the Cockle Bay catchment is identified as being subject to the Water and Wastewater constraints control, it appears that this is intended to be applied in an ad hoc manner, giving residents no assurance of consistent application of principles within the area. This raises an issue of equity. For instance, it is stated that applications for individual properties will be assessed against whether there is adequate capacity, including reticulated water and wastewater, and water for firefighting, and whether there is the ability to connect dwelling(s) to reticulated and wastewater networks. As an isolated case this makes sense. In a wider context it has the potential for introducing huge inconsistencies, and a risk of “first come, first served” developments. As an example, there was a question of wastewater and sewerage capacity for the original application for 71 apartments proposed for 30 – 40 Sandspit Road, Cockle Bay. If such an application was approved, even though the sewerage network was nearing capacity, then it moves the area closer to the point where subsequent development applications must be declined because maximum capacity had been reached, or there is a significant risk of future sewerage overflows effecting residents over a wider area. A wider spatially based prioritization-based methodology for determining growth areas based on infrastructure capacity overcomes development based on micro-level assessments.

The current revised development application for apartments at the same location, currently before the Environment Court, revealed flawed calculations by the developer for the stormwater retention / detention tanks. Adequate capacity tanks will mitigate some of the above risks, but not eliminate them completely. A definitive ruling is required on how the calculations are to be undertaken, and sampling of specific installations will be necessary to ensure compliance, with penalties for failures. There is also a question, not answered in our queries to Auckland Council, about following the required code of practice.

We request the Hearings Panel to recommend to Council: (i) that stormwater be included as a qualifying matter for all development sites; (ii) that no intensification be permitted adjacent to streams, flow paths, flood plains and other locations with a risk of flooding in the future; (iii) the correct basis for

calculating capacity of retention / detention tanks; (iv) a requirement to follow all required codes of practice, in particular in all areas defined as being subject to a stormwater constraint.

Submission Point 4 - Include areas subject to compliance with Coastal Policy Statement as a qualifying matter.

The Enabling legislation specifies that a qualifying matter is compliance with National Policy Statements and the New Zealand Coastal Policy Statement. The Coastal Policy does not appear in the legend or on the Plan Change 78 Information Sheets as a qualifying matter. The map show areas at risk of coastal erosion and coastal inundation, but gives no indication of which properties are subject to constraints to enable them to comply with the Coastal Policy. In the case of Cockle Bay, with a number of streams providing stormwater drainage, we would argue that policy compliance extends beyond properties adjacent to the beach, as the whole catchment drains down to the beach, and there is already quantified evidence of increased sedimentation – in contradiction to the Coastal Policy provisions.

Our submission to Council at the time that the Plan Change was being prepared indicated 3 objectives and 9 policies that have a particular relevance to Auckland coastal areas. In response to our query to Council about the scope of protections under Plan change 78 and legislated coastal policy, the response was that Council wishes "to avoid development in areas subject to coastal inundation and erosion, with a preferred approach of rezoning all affected properties and a new low residential zone". However, Council goes on to state that this cannot be addressed through Plan Change 78. It will be covered in a future Coastal hazard Plan Change (at an unspecified time). No other changes to incorporate Coastal policy objectives and policies are mentioned in response to our queries.

We submit that the statement of qualifying matters (Information Sheets 7 and 8, Parts 1 and 2) be expanded to include the Coastal Policy objectives and policies which must be complied with, and that properties effected be identified on the maps. We submit that properties must be identified based on the risk and effects related to the Coastal policy – for instance whether they effect, or are likely to effect, water quality and marine ecosystems through increased sedimentation or cumulative effects[3].

Submission Point 5 – In order to secure full transparency and consistency, the plan change be more prescriptive within the new planning rules on what requirements must be met.

In theory this submission should not be required. However, experience suggests otherwise. We give 4 examples:

Firstly, in a current case before the Environment court there are different interpretations on the application of climate change projections relating to rainfall projections and calculations, and applicability to new consent applications for multiple dwellings, compared to applications that are compliant with existing rules. After expert consultation, Council has already had to require revised calculation for stormwater retention and detention tanks once, but the revised calculations remain in dispute. The mere fact that experts can disagree on the interpretation means that the rules lack clarity. This needs to be formally resolved with a consistent interpretation.

Secondly, as indicated in the previous paragraph, there is scope for different interpretations of GDO1 (Stormwater Management Devices in the Auckland Region, Amendment 2, December 2017), a part of the AUP, and the Code of Practice. An updated Plan Change document can eliminate this debate by clarifying the rules for all parties. The mere fact that this is disputed before the Environment Court indicates significant scope for different interpretation. This ambiguity must be eliminated for the benefit of all stakeholders.

Thirdly we have raised queries with Council on interpretation of the new guidelines. The mere fact that we had to ask the questions indicates that the situation is not clear. Council staff responsible for resolving the queries were not able to provide an answer, and referred us to the planner and

[3] These effects are one example. (Policy 4, Integration). This is only 1 of the relevant objectives and policies. Other objectives and policies must also be incorporated.

engineers for our area[4]. This raises the scenario of not only a lack of transparency, but also inconsistency of interpretation, between different geographical areas of the city. This is further illustrated by the dispute related to the recent felling of trees, including trees stated to be protected or "significant", at the former UNITEC Arboretum, in order to make way for a new housing development[5].

Fourthly we note that although the Regional Policy Statement is referred to in Sections E1 of the revised AUP, the forgoing scope for omissions means that it is desirable that the policy statement requirements are fully integrated into the more specific policies, objectives and criteria for reviewing consent applications, and the relevant sections of the Building Code.

We request that the Independent Hearings Panel recommend that these safeguards of specifying all relevant criteria to be considered be incorporated into relevant sections of an updated a Plan Change.

Submission Point 6 – Special Character areas

This is more subjective. It is our belief that parts of the city do have distinct characteristics that give the area a unique character. These risk being destroyed under the revised plan change, which has been driven by the legislation. We ask the Independent Hearings Panel to urgently recommend to Council that the criteria used to assess which areas of the city deserve protection be interpreted more liberally in order to retain the overall appearance of larger areas of the city, and the associated heritage.

Reference: Resource Management Act (Enabling Housing and Other Matters) Enabling Act 2021

Section 77I Qualifying matters in applying medium density residential standards and policy 3 to relevant residential zones

A specified territorial authority may make the MDRS and the relevant building height or density requirements under policy 3 less enabling of development in relation to an area within a relevant residential zone only to the extent necessary to accommodate 1 or more of the following qualifying matters that are present:

(a) a matter of national importance that decision makers are required to recognise and provide for under section 6: 2021 No 59 Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 Part 1 s 9 9

---

4 *Our question to Council*: Please confirm or otherwise that irrespective of the presence or absence of other qualifying matters, stormwater quality and quantify management is required for all sites in accordance with the provisions of the relevant sections of the existing AUP, Council's Code of Practice and Council's design guidelines. Specifically, sections E1, E8, E10, E36, and E38 of the AUP, the use of GDO1(SWMD- Amendment 2) and the Stormwater Code of Practice are applicable.

Council responses to this and similar questions: "All development must be checked through the Councils building consent process and / or infrastructure-Development engineering section of the Council."

"The relevant codes for checking should be verified with the Council's Resource Consent team (for the relevant area) and Development Engineers."

"In terms of legal effect and how MDRS affects properties, you would need to discuss this matter with the Principal Specialist Planner in the Resource Consents Department for the Cockle Bay area. They have detailed advice about the application of QM's and its relationship with MDRS."

"However, as stated earlier, for specific sites and application of the MDRS standard and how the QM affects development, please check with the resource consents team responsible for the area."

5 Reported by the Tree Council 22 September 2022

(b) a matter required in order to give effect to a national policy statement (other than the NPS-UD) or the New Zealand Coastal Policy Statement 2010:

(c) a matter required to give effect to Te Ture Whaimana o Te Awa o Waikato—the Vision and Strategy for the Waikato River:

(d) a matter required to give effect to the Hauraki Gulf Marine Park Act 2000 or the Waitakere Ranges Heritage Area Act 2008:

(e) a matter required for the purpose of ensuring the safe or efficient operation of nationally significant infrastructure:

(f) open space provided for public use, but only in relation to land that is open space:

(g) the need to give effect to a designation or heritage order, but only in relation to land that is subject to the designation or heritage order:

(h) a matter necessary to implement, or to ensure consistency with, iwi participation legislation:

(i) the requirement in the NPS-UD to provide sufficient business land suit- able for low density uses to meet expected demand:

(j) any other matter that makes higher density, as provided for by the MDRS or policy 3, inappropriate in an area, but only if section 77L is satisfied.

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

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

Auckland Council
Te Kaunihera o Tāmaki Makaurau

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

Attn: Planning Technician
Auckland Council
Level 24, 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) Mr Ross Anthony De Bueger

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

Address for service of Submitter

4 Mandeville Pl, Unsworth Heights, Auckland 0632

Telephone: Fax/Email: debueger@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 78

Plan Change/Variation Name: Intensification

The specific provisions that my submission relates to are:
(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

Or

Property Address: 13 KNOX ROAD, SWANSON, AUCKLAND 0653

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:

SEE ATTACHED

(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. ☒

EXCLUDE THE REDWOOD PARK GOLF CLUB LAND

2017.1

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 ☐

RAdeBruegen

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

09/29/2022

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.

- Redwood Park has been a Golf Club for over 50 years serving both the membership and community.
  We have over 800 members and over 7775 Green fees players have enjoyed our facilities in the last 9 months. The local schools also utilise the club for teaching their students the game of golf. The rezoning would affect a large portion of our land and with the increase in rates resulting from this rezoning we believe the financial impact would put the future of this club in jeopardy and a great facility would be lost to the community.

- The club is committed to ongoing investment in the golf club and therefore there is a very low, if any, likelihood for housing development in the next 30 years. Therefore, it is appropriate to apply a zone that reflects the use on the privately owned land for the foreseeable future. If at some future time the club decides to reduce the area of its site used for golfing purposes or dispose of the site in its entirety, then the appropriateness of the zoning of these areas can be revisited at that time.

- The Waitakere City Council in its time was happy to treat this land as a Community Facility in private ownership and when it was restructured to the current Auckland City Council, they in turn were happy to continue to treat the land in the same manner. We would ask that this continue going forward.

- This land is on an overland flood plain and is prone to flooding along the stream bank which in part has been due to poor maintenance of the stream. We lease the stream bank strip from the Council and have done so for years. There would need to be huge changes to the stream if the property was to be rezoned and we believe this will have a detrimental on the ecological area. 2017.2 2017.3

George Bramer

From: Unitary Plan
Sent: Thursday, 29 September 2022 8:31 pm
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Rachel Bilbe
Attachments: 220929 v2_MN AC Plan Change 78 submission.pdf

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Rachel Bilbe

Organisation name: Counties Energy Limited

Agent's full name: Mira Narula

Email address: mnarula@align.net.nz

Contact phone number: 0272320496

Postal address:
399 New North Road
Kingsland
Auckland 1021

Submission details

This is a submission to:

Plan change number: Plan Change 78

Plan change name: PC 78: Intensification

My submission relates to

Rule or rules:
General provisions - refer attached

Property address: Refer attached - various properties

Map or maps: Various - see attached

Other provisions:
Refer attached

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:
Refer submission

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

Details of amendments: Refer attached

Submission date: 29 September 2022

Supporting documents
220929 v2_MN AC Plan Change 78 submission.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.

Yes

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



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Auckland Unitary Plan

PC 78: Intensification

Submission



1

Quality Control Sheet

Submitter: Counties Energy Limited

Asset: Counties Energy Electricity Distribution Network

Plan: Auckland Unitary Plan - Proposed Plan Change 78: Intensification

Document: Submission

Counties Energy Contact: Rachel Bilbe, Land Access Coordinator

Consultant Contact: Jo Michalakis, Auckland Manager – Planning, Align Limited

File Reference: COUNT063

Version:

Issue 1.0	29 September 2022	For approval

Distribution:

Rachel Bilbe	Counties Energy	Email
AC Policy Team	Auckland Council	Online Submission

Produced by:

Mira Narula

Review by:

Jo Michalakis

Align Limited

Date: 29 September 2022

Limitations:

This report has been prepared for the client according to their instructions. The information in this report should not be used by anyone else, or for any other purposed. Some of the information presented in this report is based on information supplied by the client. Align Limited does not guarantee the accuracy of any such information. Any advice contained in this report is subject to this limitation.

1. Introduction

This submission is prepared by Align Limited (399 New North Road, Kingsland 2021) on behalf of Counties Energy Limited (14 Glasgow Road, Pukekohe 2120, New Zealand).

This document provides a submission on Plan Change 78: Intensification. The document contains a spreadsheet with general submission points for consideration by Auckland Council in relation to the following parts of the proposed plan change:

- Increased building heights enabled
- Greater intensification of residential development
- Reduced front yard setback requirements
- Layout of new development

Counties Energy wishes to be heard in support of their submission.

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

2. About Counties Energy

Counties Energy Limited (CEL) is an electricity operator under the Electricity Act, a network operator under the Telecommunication Act, and a network utility operator under the Resource Management Act. CEL is a requiring authority in respect of its electricity network.

Schedule 1 Part B of the Civil Defence and Emergency Management Act 2002 also cites electricity distribution as a Lifeline Utility.

CEL owns, manages, and operates an electricity distribution network in southern Auckland, northern Waikato and Hauraki District areas, collectively serving over 44,000 customers, with a system length of 3,200km covering an area of approximately 2,250km^2. The Auckland Council portion of their network covers 830km^2 and makes up 37% of the CEL network. In the Auckland Region, this includes urban centres such as Pukekohe, Waiuku and Southern Papakura; rural residential areas like Hunua; and rural areas with very low customer density. CEL serves customers who are critical to the region as well as businesses, households, and community services in the network area.

CEL supply power to nearly 45,000 homes, farms and businesses in the southern Auckland and northern Waikato areas. Its network is one of the fastest growing electricity distribution networks in New Zealand. With significant amounts of residential development already under construction, new connections are growing 2-3% per annum. Recent private plan changes have rezoned and added further extensive areas for development. This is largely driven by the growth of Auckland and its location within the ‘golden triangle’ of urban growth between Tauranga, Hamilton and Auckland.

By length, 72% of the CEL network is rural overhead, however the urban networks supplying Pukekohe, Waiuku, Tuakau, Pokeno, Drury and parts of Papakura comprise a split of overhead and underground assets. Generally, the eastern part of the network is newer, higher in network connection densities and subject to high levels of growth in the areas adjacent to motorway and state highway corridors. The western side of the network is older, more remote, lower density and has less growth in terms of new connections and load requirements on the network. The CEL network is exposed to a range of environmental conditions, including weather – particularly the harsh coastal environment around the Awhitu peninsula, and vegetation – most notable in the areas around Hunua Ranges, but with effects across the entire network.

Electricity is essential infrastructure that enables development to occur. CEL receives power from the national grid at Bombay and Glenbrook Grid Exit Points either at 11kV or 33kV then conveys it to nine substations for conversion to either 22kV or 11kV before being distributed via an extensive network of lines, cables, transformers, and other equipment for use by local people, businesses and industry. CEL has high criticality fibre networks above and below ground to control the operation of network equipment.

As with any other technology, future proofing to meet the needs of the communities and businesses is a priority for CEL. Key to this is the integration of land use and infrastructure planning, to identify, protect, and provide existing and future electricity network infrastructure to ensure that the existing and future needs of the South Auckland area are met in light of pressures from urban growth.

A detailed map of the Counties Energy Network can be found here: https://www.countiesenergy.co.nz/articles/network-map?rq=map

3. Counties Electricity Network Operation and Location

CEL’s network is made up of both High Voltage (HV) and Low Voltage (LV) lines made up as follows:

HV network comprises:

- sub-transmission lines (33kV and 110kV) which convey electricity from the Grid Exit Point (GXP) to zone substations or between zone substations. Typically serving 500 to 12,000 customer connections.
- feeder lines (11kV and 22kV) which convey electricity from zone substations to transformers or in some cases direct to customers with a large demand (e.g. some industrial customers). These typically serve 80 to 2,500 customer connections.
- LV Network (400V) comprises lines from transformers to individual connection points, typically serving 1 to 20 customer connections**.**

More than 20 years ago, CEL decided to provide for future growth by converting the backbone of its network from 33kV (for sub-transmission) and 11kV (for feeders) to 110kV and 22kV respectively. These voltages carry significant loads with a reasonably unobtrusive overhead line network and have provided the consumer-shareholders of CEL with a network that is cost effective to construct, flexible and resilient.

4. Submission

Protection of existing infrastructure

Electricity is an essential component of a well-functioning urban environment. Therefore, it is vital that the planning process recognises the importance of protecting existing electricity infrastructure and makes suitable provision for new infrastructure to serve the increased reliance on electricity to power our homes, cars and industry as the country strives to reduce carbon emissions; failure to do so will compromise public safety and cause ongoing disruption for the very communities and businesses that the electricity network is intended to serve.

The underlying Medium Density Residential Rules that will apply to most of Auckland's residential zones raise concerns for CEL around how existing infrastructure and the safe operation of that infrastructure can continue to be provided for and protected.

Roads provide corridors for the construction and maintenance of electricity infrastructure, as supported by section 24 of the Electricity Act 1992. Any development of land adjoining roads with electricity infrastructure must comply with regulations designed to ensure the safety of the occupants and the continuity of the electricity supply.

One of the core changes the Auckland region will see as a result of Council's response to the MDRS is an increased number of residential developments comprising significantly taller buildings. Where there is existing overhead electricity infrastructure in the adjoining road corridor, these taller buildings can potentially interfere with the ability to comply with NZECP34:2001 – New Zealand Electrical Code of Practice for Electrical Safe Distances and the Electricity (Safety) Regulations 2010. These are regulations under the Electricity Act 1992, containing mandatory requirements relating to development near existing lines of various voltages. It specifies the minimum safe distances for people, buildings and structures, mobile plant and earthworks from overhead lines and their support structures.

All development must demonstrate compliance with NZECP34:2001 regardless of the residential zone setback along the boundary of an affected property.

Given the newly enabled height limits for buildings within residential zones, it is unlikely that all future buildings will be able to comply with these regulations. For example, NZECP34 states that where there are buildings, the minimum safe distance to the side of conductors under normal operating conditions (without engineering advice) is 5m for lines operating at 11kV and 8.5m where the line is operating at 22kV. Poles on the CEL network typically stand 9m to 10m out of the ground and 1.5m from the boundary. The MDRS permits building heights of 12m with a front yard setback of 1.5m. CEL seek to proactively prevent encroachment of their infrastructure.

Suitable access will also be necessary to maintain the safety and reliability of existing electricity infrastructure and where necessary, to undertake the minor upgrades permitted under the rules of the Auckland Unitary Plan in order to supply the demand associated with residential intensification.

Where compliance with NZECP34 cannot be achieved, the developer will be expected to pay for the relocation and/or undergrounding of the lines. Undergrounding within established residential areas is not without its own set of challenges, however. Piecemeal undergrounding of lines along the road frontage of an affected development is not efficient in terms of cost, or operation and security of supply.

Relief Sought:

A qualifying matter for electricity distribution at the resource consent stage; or other mechanism (at the building consent stage) could be introduced, requiring developers to consult with CEL to ensure compliance with NZECP34 can be achieved where new development will be near existing overhead lines in the road corridor or other existing equipment listed in NZECP34.

2020.1

New infrastructure requirements

While the Auckland Unitary Plan makes provision for the installation of underground electricity infrastructure and associated ground mounted equipment, the practical application is often difficult to achieve. Existing underground services, established footpaths, and street trees limit the number of suitable sites in the road reserve for distribution transformers and switchgear, which are an integral part of the distribution network.

In such cases, easements, which, because of the size and nature of the equipment they house are often large, must be sought from the developer requiring connection of the new development to the electricity network. However, in CEL's experience, easements do not necessarily guarantee unhindered access and operation of its underground network. As the photos below show, equipment is damaged during construction, decks and fences built in the easement without consent, either prevent access to equipment or create a potential risk.



Image 1: Undercutting switchgear within easement during construction earthworks



Image 2: Unauthorised metal fence preventing access and causing potential safety risk





Image 3 and 4: Damage to transformer during construction, and unauthorised earthworks within easement





Image 5 and 6: Unauthorised fences within easement areas preventing access to equipment

It is anticipated that the number of easement breaches will increase because of the size of the easements required and because the reduced minimum yard setbacks which will likely bring development closer to road boundaries and increase the number of houses permitted on each site. A typical easement for a single distribution transformer measures 4.6m x 6.3m and is set into the front of a residential lot, occupying the zone setback and effectively reducing the developable area.

Where infill developments in an area make it necessary to add or upgrade equipment to satisfy the demand for electricity, CEL anticipate pushback from developers faced with losing land to electricity infrastructure, and an inability to install the equipment in established road reserves where there is competition for suitable space.

Relief Sought:

Where transformers and switch gear must be installed within new developments to provide for the increased demand for electricity in an area, the developer (via their agents) must first consult with CEL to establish the layout and maximum number of dwellings that can be established, while ensuring access to and the safe operation of network equipment. 2020.2

5

Network Planning

New substations/lines and line upgrades will be required to serve the increased demand – this requires land and network corridors to be planned for well in advance. In terms of capacity, the increased ability for greater density developments could lead to sporadic development where potential dwelling numbers are unknown.

Counties Energy's Asset Management Plan (AMP) is published annually, showing the proposed ten-year plan. The AMP relies on preparing load forecasts based on available information to guide how CEL invest in the network to ensure that electricity supply to existing and future customers is safe and reliable. Previous AMPs were developed based on information regarding anticipated dwelling numbers and timing of development-ready land published in documents such as the Future Urban Land Supply Strategy and Structure Plans relevant to the CEL network area. The uncertainty regarding the timing, location, and magnitude of the proposed residential intensification within urban areas will have the most significant impact on CEL's ability to provide accurate load and budget forecasts and, consequently, how CEL can meet demands placed on the network.

From an initial review, it seems likely that the impact of the proposed intensification will take effect towards the end of the AMP ten-year planning window. Based on their current AMP, CEL should be able to accommodate development in the areas of the network identified for increased density urban residential zoning. However, this will be subject to review once figures become available regarding potential dwelling numbers in each location.

Relief Sought:

CEL request that the expected dwelling numbers be shared by Auckland Council at an early date so that they can confirm that they can supply the required infrastructure in a timely manner.

2020.3

5. Conclusion

CEL request that Auckland Council give consideration to the submission points raised above in their proposed roll out of new residential zones across Auckland.

George Bramer

From: John Burns <jaburns@xtra.co.nz>
Sent: Thursday, 29 September 2022 5:59 pm
To: Unitary Plan
Subject: Proposed Plan Change 78
Attachments: CC submission pp 1 & 2.pdf; CC submission final 29.09.22.doc; Attachment A.pdf; Attacment B.pdf; Attachment C.pdf; Attachment D.pdf; Attachment E.pdf; Attachment F.pdf

I attach the Character Coalition's Submission on this Plan Change in electronic form.

A hard copy of this submission was lodged with Council this afternoon.

Regards,

John Burns

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

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

Auckland Council
Te Kaunihera o Tāmaki Makaurau

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

Attn: Planning Technician
Auckland Council
Level 24, 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) JOHN ANDREW BURNS

Organisation Name (if submission is made on behalf of Organisation)
CHARACTER COALITION INCORPORATED

Address for service of Submitter
106 Marsden Avenue Balmoral Auckland 1024

Telephone: 021 1868212 Fax/Email: jaburns@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 78
Plan Change/Variation Name	Intensification

The specific provisions that my submission relates to are:
(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)	As set out in the Attachment
Or Property Address	
Or Map	

Or
Other *(specify)*

Submission

My submission is: *(Please indicate whether you support or oppose the specific provisions or wish to have them*

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 set out in the Attachment

(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. ☑

As set out in the Attachment

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 ☑

Signature of Submitter
(or person authorised to sign on behalf of submitter)
On behalf of Character Coalition Inc.

29 September 2022
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.

The reasons for my views and the relief sought are:

SPECIAL CHARACTER AREAS – SPATIAL EXTENT

While Council has correctly included Special Character Areas as a qualifying matter, it has not carried forward all the Special Character Areas that are currently contained in the Unitary Plan as Special Character and/or Heritage Areas.

Council has:-

1. Wrongly set a threshold of "high quality" in deciding which Special Character Areas it has carried forward ;

2. Wrongly concluded that a Special Character Area is only of "high quality" or sufficient quality if 75% or 66% (depending on whether the area is within a walkable catchment) of the properties within it have scored 5 or 6 on its scale;

3. Applied an incorrect and/or inadequate methodology and/or used incorrect and/or inadequate criteria in assessing the value of properties within Special Character Areas;

4. Wrongly excluded from consideration a number of properties in Special Character Areas because it has incorrectly applied its methodology in scoring them;

5. Wrongly applied the methodology it has adopted in determining what is an area it deems to be of "high quality" and therefore suitable for inclusion as a Special Character Area.

6. Wrongly failed to include a number of areas of Special Character value as Special Character Areas.

7. Wrongly failed to include relevant matters in the character statements for some or all of the Special Character Areas it has retained.

Taken together, these errors mean that a number of areas that should be protected from insensitive and inappropriate development are now unprotected.

The failure of the proposed Plan Change to include and protect these areas:

1. Is contrary to the purpose of the Resource Management Act 1991 as set out in Section 5 and Part II.

2. Does not recognise and provide for the protection of historic heritage from inappropriate subdivision, use, and development as required by S6 (f) of the Act.

3. *Fails to have particular regard and/or sufficient regard to the matters set out in Section 7 of the Act, and in particular S7:*

   (b)
   the efficient use and development of natural and physical resources:
   (c)
   the maintenance and enhancement of amenity values:

(f)
maintenance and enhancement of the quality of the environment:
(i)
the effects of climate change.

4. Will have significant adverse effects on the environment, and in particular on the people of Auckland and their communities, on the amenity values in the areas thus excluded and on the social, economic, aesthetic, and cultural conditions which are affected by those matters.

5. Is not required to give effect to the requirements of the Resource Management (Housing and Other Matters) Amendment Act 1991 or of the National Policy Statement – Urban Development, because the Plan Change with all the Special Character Areas included as a qualifying matter would provide more than enough capacity for Auckland's future housing needs for the foreseeable future.

The Character Coalition seeks the following decisions to be made by Council:

1. The inclusion of all the Special Character Areas currently in the Unitary Plan as Special Character areas in the Proposed Plan Change. 2021.1 2021.2

2. In particular, the inclusion of the following properties and/or areas in or as Special Character areas in the Proposed Plan Change:

    a. An area or areas in Epsom as shown outlined in blue on Attachment A. 2021.3
    b. The expansion of the area of Queen Street in Northcote Point (currently identified as a Special Character Area on the Council's map of Survey Areas 65 & 66 dated August 2022) as shown in Attachment B. 2021.4
    c. An area or areas in Ayr & Laurie Streets in Parnell as shown outlined in blue on Attachment C. 2021.5
    d. The properties in West End Road shown on the Council's map of Survey Area 25 dated August 2022 but which now have been removed from the area identified as a Qualifying Matter 2021.6
    e. The properties in St Stephens Ave Parnell shown on the Council's map of Survey Area 26 (part) dated August 2022 as having been removed from the Special Character Overlay. 2021.7
    f. The properties in the Ohinerau/Mt Hobson Area currently shown on Council's map of Survey Area 41 (Isthmus C only) dated January 2022 which were previously in a Special Character Area, but which have not been included in the area identified in the Plan Change as a Qualifying Matter. 2021.8
    g. The properties in Middleton Rd, Ada Street, Bassett Road and Seaview Road, Remuera shown on the Councils map of Survey Area 5a (Isthmus A only) dated August 2022) as having been removed from the Special Character Overlay. 2021.9
    h. The properties from 2-18 Lucerne Rd shown on the Councils map of Survey Area 5a (Isthmus A only) dated August 2022 as having been removed from the Special Character Overlay. 2021.10

i. The properties in Bassett Rd, Remuera shown on the Council's map of Survey Area 5b (being Isthmus B properties only) dated April 2022 as having been removed from the Special Character Overlay. 2021.11

j. The properties from 60 to 118 Arney Road Remuera and all the properties in Seaview Road, Remuera shown on the Council's map of Survey Areas 6 and Part 56 (Isthmus B) dated August 2022 as having been removed from the Special Character Overlay. 2021.12

k. The properties in Remuera East outlined in red on Attachment D. 2021.13

l. The properties in Aldred Avenue and Victoria Rd, Remuera shown coloured on attachment E. 2021.14

m. The properties from 28 to 58, 31 to 39 and 55-65 Kelvin Avenue, Remuera, shown outlined in yellow on attachment F. 2021.15

3. Any other or further changes to the Proposed Plan Change which are required to give effect to those changes listed in 1 and 2 above and to protect the properties and areas referred to in 1 and 2 above from inappropriate subdivision and development.

OTHER MATTERS

The parts of the plan and/or areas upon which Character Coalition is submitting	**The reasons for our concerns.**	**What we want done to meet those concerns.**	
H3A. Residential – Low Density Residential Zone	1. We have concerns about the manner in which the LDRZ applies only to sites with a qualifying matter, and this is explicitly stated within the zone description. We understand that this is the most practical approach under the mandated legislation, but it requires a formal zone change for any site for which a qualifying matter is applied to, or removed from, in the future.		2021.16
	2. H3A.2. Objectives (5)-(11) and H3A.3. Policies (8)-(17): It is unclear how these are to be applied to sites which are not subject to the relevant qualifying matter. At present there	Clauses in these objectives and policies should link back to specific qualifying matters. Alternatively, the objectives and policies could be rationalised into one each, requiring development to take into	2021.17 2021.18

	is the risk of misapplying them.	account any applicable qualifying matters.	
	3. H3A.2. Objectives (12)-(13) and H3.A.3 policies (18)-(22): These are operative MDRS objectives and policies which refer to three storey building, but the LDRZ is not consistent with the MDRS in other areas and we are therefore unclear why these need to be included in the LDRZ. They appear in conflict with the zone description which refers to one to two storey buildings.	Remove objectives H3A.2. (12)-(13) and H3.A.3 policies (18)-(22) from the LDRZ.	2021.19 2021.20
	4. H3A.3. Policy (8) assumes that Special Character Areas have lower intensity. In many cases they do, but there are certain areas through Parnell and the western city suburbs where development has occurred on very small sites and has an overall higher density than many suburbs. Additionally, a "lower intensity neighbourhood" is not defined and leaves open the question, "Lower than what?" How is a "neighbourhood" defined? By street or suburb or something else?	Clearer wording is required to assist in understanding what is meant by a "*lower intensity neighbourhood*".	2021.21
	5. Rules (A31)-(A38) Duplicate rules in various other section of the AUP, now requiring activities in the LDRZ to variously seek consents for activities in hazard areas, ONFs, ONLs.	Delete Rules (A31)-(A38).	2021.22
	6. H3A.5. Notification, Clause (4) states: "*Any application for a resource consent which is listed in H3A.5 (3) 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."* The wording of the rule implies that even if consent is required for another non-notified activity, the normal tests for notification apply.	Amend clause (4) as follows: *"Any application for a resource consent which is listed in H3A.5(3) above which also requires resource consent under* <u>*another rule or*</u> ~~*other*~~ *rules in the Plan* <u>*which are subject to the normal tests for notification,*</u> *will be subject to the normal tests for notification under the relevant sections of the RMA."*	2021.23
	7. H3A.6.7. Building height, Clause (2) states: "*Buildings or structures existing at 30 September 2013 and located within the Outstanding Natural Character Overlay, High Natural Character Overlay or*	Clarify or delete H3A.6.7 (2).	2021.24

	Outstanding Natural Landscape Overlay must not exceed a maximum height of 5 metres (refer to Outstanding Natural Character and High Natural Character Overlay Standard D11.6.2).” The rule needs clarification that it applies to new buildings. It is also suggested that the chapters relating to the Outstanding Natural Character Overlay, High Natural Character Overlay and Outstanding Natural Landscape Overlay are the best place for such a rule.		
	8. Table H3A.6.9.2 Yards states, in Relation to Riparian Yards: “*10m from the edge of all other permanent and intermittent streams.”* The word “other” nullifies the intent of the rule.	Alter Table H3A.6.9.2 Yards to read: “*10m from the edge of all ~~other~~ permanent and intermittent streams”*	2021.25
	Matters supported: (a) H3.A.4 “*The rules and standards in this zone are replaced by the rules and standards of Chapter D18 Special Character Areas Overlay – Residential and Business as they apply to residentially zoned land*.” This is an important administrative clarification which leads to greater certainty for applicants and a clearer design framework.		2021.26
Other Zones adjoining or opposite SCAs	1. Other than H6.6.8, there is no provision that we can see for zones of a higher density to have specific reference to SCAs when development occurs on an adjoining site. For example, where a MHU site adjoins a SCA site, it should have a qualifying matter which requires a lower HIRB control on the common boundary. This should equally apply to HHP within residential zones. Additionally, H6.6.8 requires only a 4m + 60 degree recession plane outside of a walkable catchment in the THAB zone. There is no requirement to match the scale of the SCA.	Add a requirement in all zones that adjoin a SCA or HHA match the recession plane of the zone or overlay on the common boundary.	2021.27
	2. We are concerned that the application of qualifying matters has	Propose a qualifying matter or appropriate zone for sites within a visual	2021.28

	not taken into account the need to provide for the ongoing protection of the values for which SCAs were identified and protected. This is particularly so in those areas where historical SCAs are now separated by areas of intensive zoning, and where SCAs have been removed on one side of the street while being retained on the other. This has led to the proposed fragmentation of SCAs and the potential loss of heritage value. While neighbourhoods need to have a variety of housing forms, an important aspect of SCAs is their visual appearance in the streetscape, which cannot be maintained where only one side of the street is an SCA, or where SCA dwellings are dwarfed by apartments behind. Therefore, it is important to provide for a qualifying matter for those sites and streets that are within a visual catchment of an SCA.	catchment of an SCA.	
	3. We are concerned that community facilities such as schools, located within SCAs do not share a zoning which would support the ongoing protection of heritage values of SCAs.	Residentially zoned land occupied by community activities within or adjoining and SCA should be rezoned LDRZ.	2021.29
	4. We are concerned that residentially zoned land subject to the Historic Heritage qualifying matter has not been incorporated into the Low Density Residential Zone as other qualifying matters have. On many sites within scheduled historic heritage areas, there is still significant potential for development. While a resource consent will be required under Historic Heritage rules, the underlying zoning provides an anticipated scale of development. The LDRZ is the most appropriate residential zone for residential Historic Heritage Places as they are generally of a low density.	Residentially zoned land with a Historic Heritage qualifying matter should be rezoned LDRZ.	2021.30

D18 Special Character Areas Overlay	1. The criteria used for the assessment of SCAs do not adequately align with the descriptions of the SCAs within the schedule, and does not account for the differences between them. For example, SCA Residential Isthmus B relies strongly on landscape elements such as mature trees, including street trees, and well landscaped front lawns which contribute to the garden suburb character. By contrast, the SCA Residential Isthmus A relies strongly on visibility of the dwelling to the road, and greater consistency of materials, scale, and building form.	Reconsideration of criteria used to score SCAs based on the values for which these areas are scheduled, with account taken of the differences between varying types of SCAs.	2021.31
	2. No account has been taken of the need to consider streetscapes as a whole. Assessment of SCAs has been undertaken by area. Where one side of a street scores highly, consideration should have been given to retaining the SCA and creating a LDRZ qualifying matter on the opposite side of the street to protect the overall scale and character of the street. This is particularly the case on east-west streets where one side of the street will have their back turned to the south boundary or north side of the street and therefore the south side facing the road is often poorer in appearance than the south side of the street where outlook to the north is prioritised. There appear to be examples of where this has occurred for this reasons and because of topography, such as Landscape Road in Mt Eden and numerous examples in Remuera where one side of the street has qualified for protection, but most protection of the wider neighbourhood is lost due to being under-represented in the scores.	Consideration of streetscapes in scoring and retaining SCAs so that SCAs on one side of a street are protected from unsympathetic development which could compromise their heritage values.	2021.32
	3. No account has been taken of the presence of Historic Heritage Places within SCA's on the scoring used, or the need to preserve HHPs from unsympathetic development. For	HHP's should contribute to scoring for SCAs and should be protected by zoning for similar scale development surrounding them when in residential areas.	2021.33

	example, HHPs in St Mary's Bay, St Stephen's Avenue in Parnell, Northcote Point, Birkenhead Point and parts of Devonport have been upzoned around HHPs.		
	4. No account has been taken of past consistent application of the Special Character Area rules which has enabled improvement in the values of Special Character Areas. As redevelopment occurs, sites with lower scores have potential for improvement in time, and shouldn't be judged by their current condition alone. When cities plan for development, they look to describe a future development form and development and assess projects against this future environment. When cities plan for heritage conservation, they have a fixed time in the past in mind and development is assessed against the impact on the heritage value at that time. In planning for Special Character, which are areas influenced by a consistency in historical development, there is a need to consider both the past environment and the future planned environment. This creates a tension as two competing concepts are required to be balanced.	Scoring should reflect potential elements to be restored or enhanced.	2021.34
	5. D18.2(4) "*Existing residential buildings provide for and respond to housing needs and demand in a way that maintains and enhances the special character values of the area.*" This objective needs to take into account that some building within SCAs are not protected and can be demolished. New buildings proposed also need to provide for an respond to housing needs and demand in a way that maintains and enhances the SCA values.	Change Objective D18.2(4) to read: "*Existing <u>and proposed</u> residential buildings provide for and respond to housing needs and demand in a way that maintains and enhances the special character values of the area*."	2021.35
	6. There are no policies in D18 specifically providing for new	A new policy 7C is suggested to provide for a new dwelling where the special	2021.36

	residential buildings on sites where demolition of existing buildings is permitted. Policy 7A provides for the conversion of existing buildings and policy 7A provides for minor dwellings.	character values of the area, as identified in the special character area statement, are maintained, on sites where demolition of an existing dwelling is permitted.	
	7. Table D18.4.1 (A1) requires restoration and repair of buildings to comply with standards relating to height; height to boundary; yards; coverages; and fencing. Many buildings within the SCA do not comply with these standards and requiring a resource consent for the restoration and repair of these buildings may discourage restoration and repair.	Table D18.4.1 (A1) requires restoration and repair of buildings to comply with standards. It is recommended that the restoration and repair of building is a permitted activity without requiring compliance with standards.	2021.37
	8. D18.6.1A.2 (3) Minor dwelling standards states: "*Where the minor dwelling is a standalone building, it must be sited to the rear of the existing principal dwelling*." The word "existing" is redundant and may lead to confusion as there may be cases where a new principal dwelling may be constructed and it would be preferable for the minor dwelling to be at the rear. This standard also has limited application to rear sites and needs clarification in this regard.	D18.6.1A.2(3) Minor dwelling standards rewording is suggested as follows: "*Where the minor dwelling is a standalone building, it must be sited to the rear of the ~~existing~~ principal dwelling. This standard does not apply to rear sites.*" This change will allow for sites where a new principal dwelling is proposed, and also accommodate greater flexibility on rear sites.	2021.38
	9. D18.6.1.1. Building height and D18.6.1.2. Height in relation to boundary applies the same standards across all SCAs. This standard does not take into account the different patterns of development within these areas and unnecessarily restricts development in the Residential Isthmus B SCA which should have a higher standard of 10m+1m height and 3.5 + 45 degrees to provide for the additional scale of development on these sites.	Amend D18.6.1.1. Building height and D18.6.1.2. Height in relation to boundary in the Residential Isthmus B SCA to higher standards of 10m+1m maximum height and 3.5m + 45 degrees height in relation to boundary to provide for the additional scale of development in this SCA.	2021.39
	10. D18.6.1.2. (3) Height in relation to boundary provides for the height to boundary plane to be measured from "*the farthest boundary of the legal right of way, entrance strip or pedestrian accessway*".	D18.6.1.2. (3) the exception for height to boundary plane to be measured from "*the farthest boundary of the legal right of way, entrance strip or pedestrian accessway*" should be deleted where the	2021.40

	Front sites have the advantage of the street to preserve one boundary with openness, light, and outlook. Rear sites are unfairly disadvantaged by this exemption as they have no street boundary for openness, light and outlook, and they therefore rely often on driveways to act as quasi streets, although they are much narrower in width. Therefore, there should be no exception for a right of way, entrance strip or pedestrian accessway where these adjoin a rear site. This will therefore protect rear sites from being unduly shaded, visually dominated or overlooked by surrounding development.	right of way adjoins a rear site. Clarification should also be provided that the HIRB can only be measured from the immediately adjoining legal right of way, entrance strip or pedestrian accessway. The following is suggested: *"(3) Where the boundary forms part of a legal right of way, entrance strip, or access site, Standard D18.6.1.2(1) applies from the farthest boundary of the <u>immediately adjoining</u> legal right of way, entrance strip or pedestrian accessway <u>for the first 20m from the road frontage</u>."* This rule will take into account the potential for greater development adjoining driveways etc where they adjoin front sites, but will protect rear sites by allowing driveways to serve as a proxy street for the preservation of privacy, light and outlook.	
	11. Figure D18.6.1.3.1 Setback for buildings on rear sites in the Special Character Areas Overlay – Residential, should be consistent with Table D18.6.1.3.1 Yards (2) which provides flexibility in the application of 1.2m side yards and 3m rear yards. The figure shows the 3m rear yards perpendicular to the street, and the 1.2m side yards parallel to the side boundaries of adjoining sites. The rule does not specify which boundaries to apply the yards to and therefore the diagram should show a variety of yard applications to avoid confusion.	Amend Figure D18.6.1.3.1 Setback for buildings on rear sites in the Special Character Areas Overlay – Residential to show a variety of positions of rear and side yards on rear sites.	2021.41
	12. D18.8.1.1. (B1) appears to be a duplication in part of D18.8.1.1 (A1) and D18.8.2.1 (AB1) is a duplication of D18.8.1.1. (A1).	Delete D18.8.1.1. (B1) and D18.8.2.1 (AB1) to avoid duplication.	2021.42

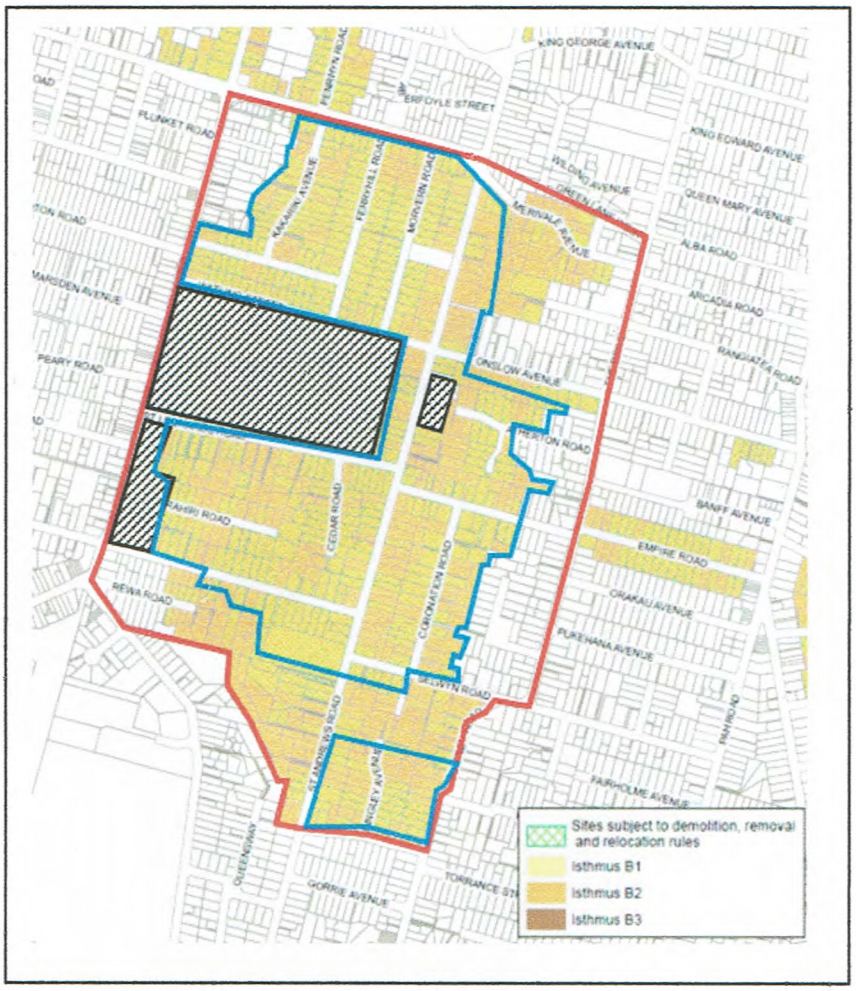
	Areas of support: (a) D18.3 (7A) allows for the conversion of existing buildings to provide for up to two dwellings or for up to two dwellings and one minor dwelling where the special character values are maintained. This is supported as it provides for greater density and housing choice while not compromising the SCA values. (b) D18.4 (3) provides for the SCA rules and standards to replace those of the underlying zone. This is an important administrative provision for ease of use of the Plan and to allow clear design direction. (c) Table D18.6.1.3.1 Yards which maintains the use of an average front yard setback to maintain consistency of setback along the streetscape. (d) Table D18.6.1.3.1(2) states: "*A building or parts of a building on a rear site in the Special Character Overlay – Residential must be set back a minimum depth of 3m from at least two boundaries and 1.2m from all other boundaries. This is shown in Figure D18.6.1.3.1 Setback for buildings on rear sites in the Special Character Areas Overlay – Residential*." This rule is supported to allow flexibility of development on rear sites.		2021.43 2021.44 2021.45

Attachment A : Epsom

The map shows the existing Epsom SCA sitting with an identifiable area of the central isthmus (red border).

The three hatched areas (black) include properties and streets which express values which are consistent with the existing Epsom SCA. It is proposed that an appropriate methodology is used to determine which properties within these areas may be included in the existing SCA, or alternatively are included in a new zone subject to a Qualifying Matter which protects and enhances existing SCAs.

The two sub-areas (light blue) satisfy the *"66% 5s6s and cohesive"* rule set by Council. There are alternatives which also satisfy the rule.



Attachment B

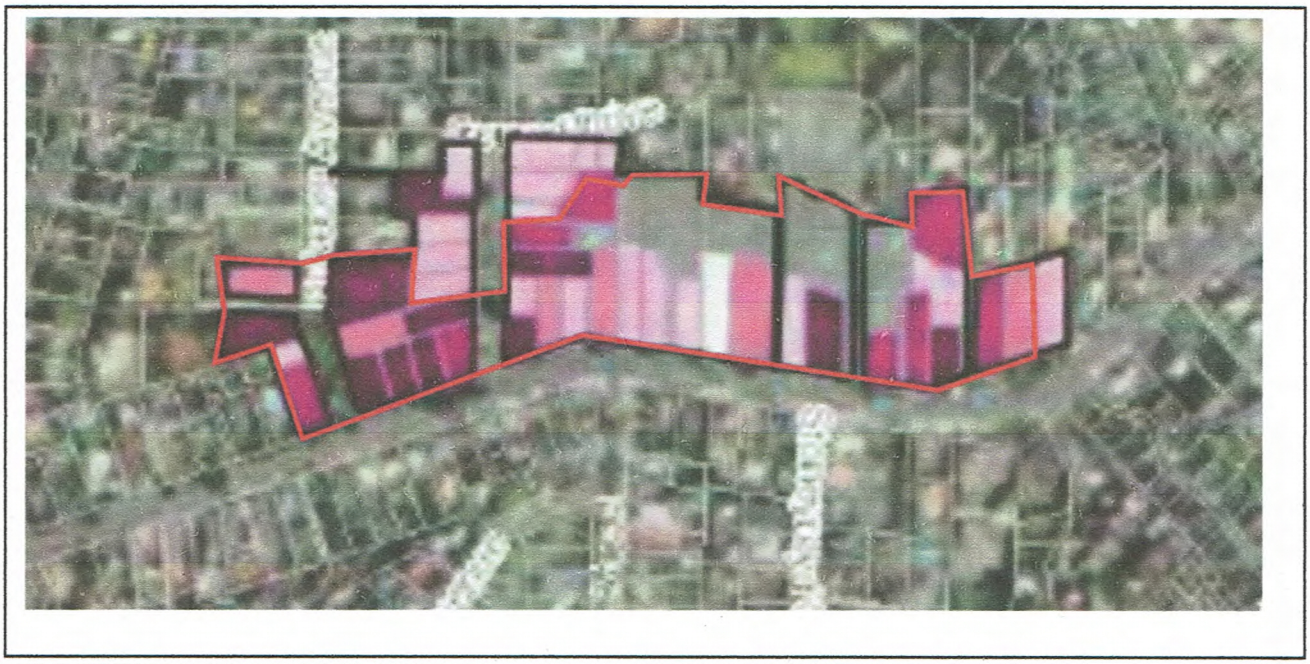


Attachment C





Attachment D

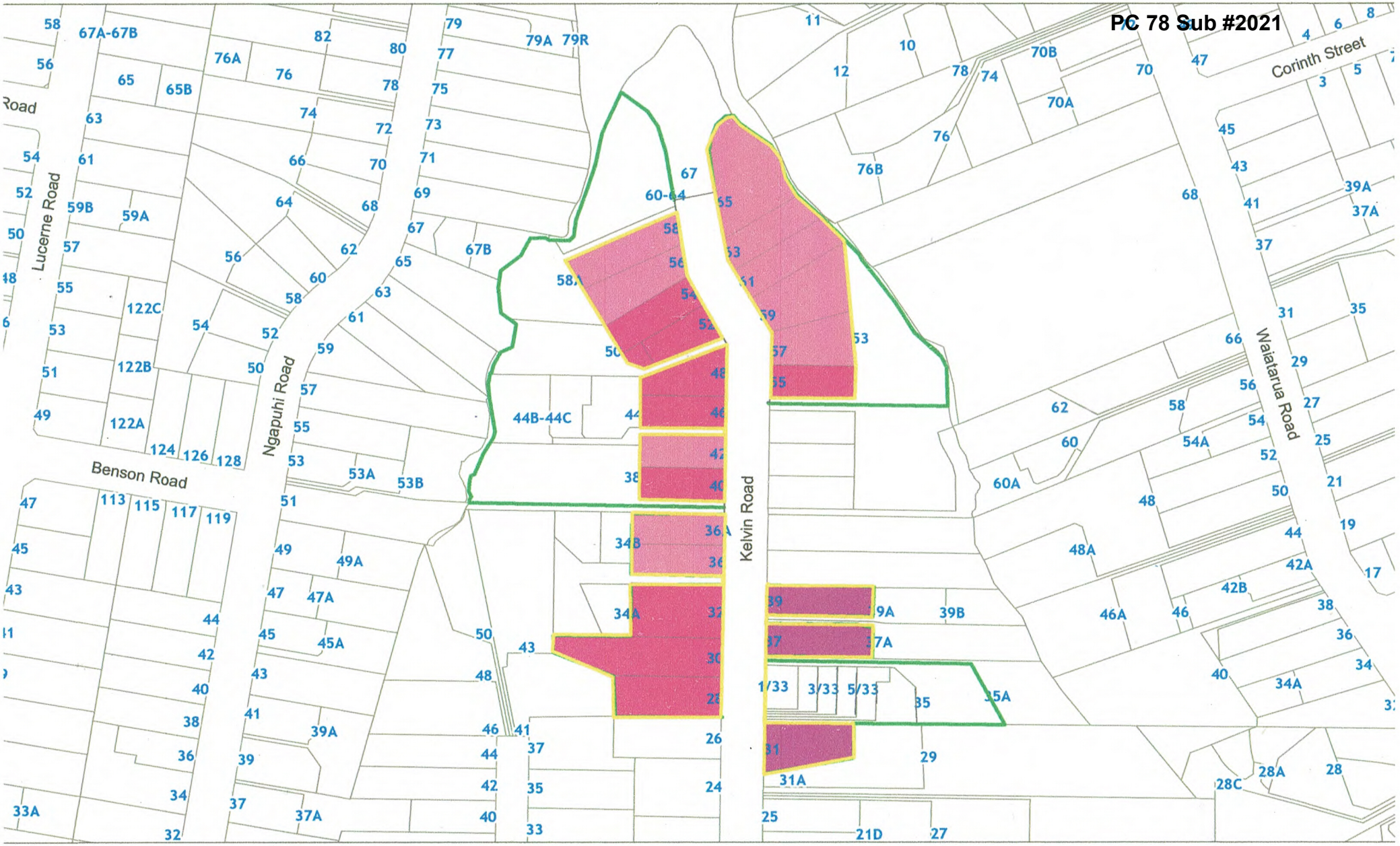


Attachment E



ALDRED ROAD / VICTORIA AVENUE





Attachment F

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of a submission to the **AUCKLAND COUNCIL** by **THE CHLORIDE TRUST** in respect of **PLAN CHANGE 80 (RPS) and PLAN CHANGE 78 (Intensification)** to the partly operative Auckland Unitary Plan

SUBMISSION OF THE CHLORIDE TRUST

Dated 29 September 2022

To: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
AUCKLAND 1142

1. INTRODUCTION

1.1 This submission is made by Avarua Trustee Limited as trustee of the Chloride Trust (**the Trust**) on Plan Change 80 – RPS: Well-Functioning Urban Environment, Resilience to Effects of Climate Change and Qualifying Matters ("**PC80**"); and also on Plan Change 78 – Intensification ("**PC78**") to the partly operative Auckland Unitary Plan ("AUP"), which gives effect to requirements of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (**EHSA**) and the National Policy Statement on Urban Development (**NPS:UD**).

1.2 The Trust's submission relates to the implications of PC78 for properties in the Auckland Light Rail Corridor like most of Mangere in Plate A below:

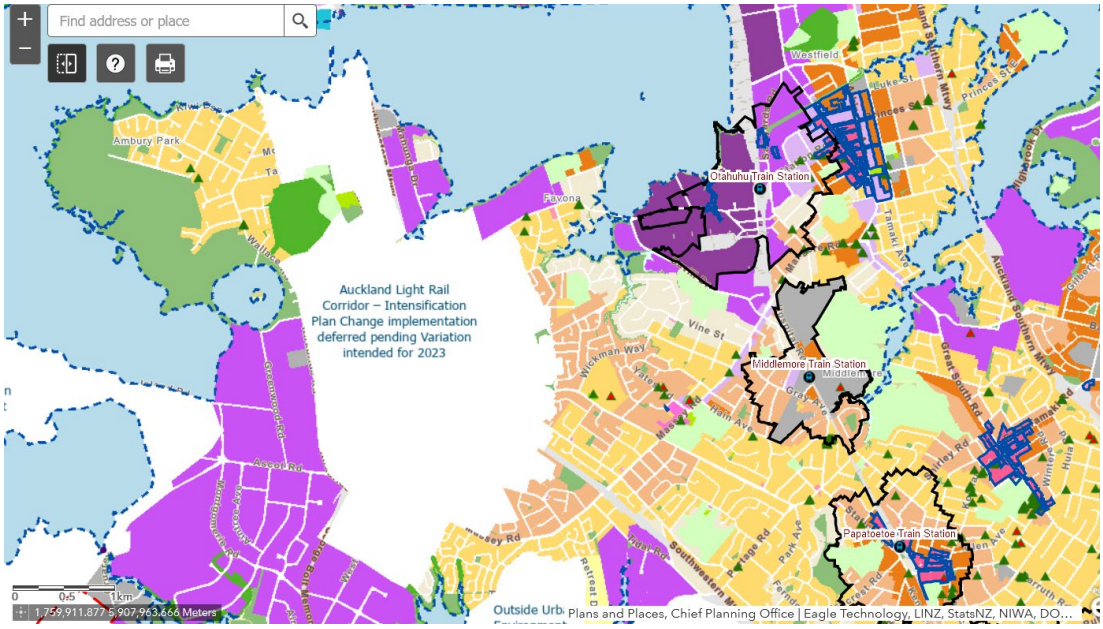


Plate A

The Trust is interested in providing quality more compact warm healthy dry homes, that enables tamariki and mokopuna to live in the areas their parents used to. The area around Market Road, Epsom, highlit in yellow in Plate B below (the **Market Road area**).

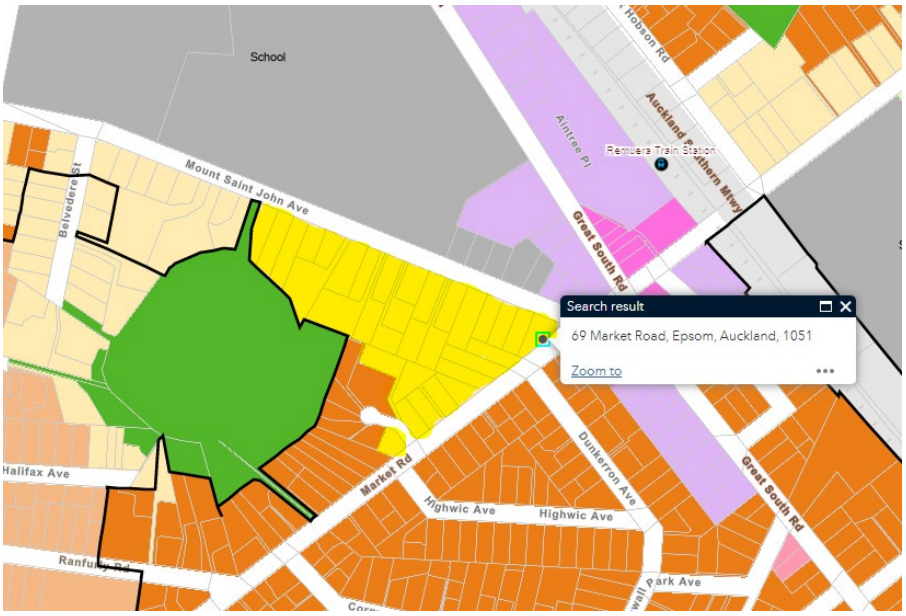


Plate B

1.3 Under PC78, there are no changes within the Auckland Rail Corridor. Within the Auckland Light Rail Corridor the Auckland Unitary Plan, Operative in Part 2016, continues to apply. There is resultantly a huge void in the middle of the isthmus and around Mangere as a result of non-existent light rail. This area is very significant, where some Councillors have estimated this to be over 30 square kilometres (including over 10sq km in Mangere) accommodating the housing and commercial needs of hundreds of thousands of Aucklanders.

1.4 Under PC78, the proposed zoning for the Market Road area is Low Density Residential, and it is subject to a Special Character Area Overlay – Residential (**SCAR**).

1.5 There is the creation of a SCAR by Auckland Council which is contrary to the Executive branch of Government's requirements. Auckland Council's actions to create the SCAR are a significant risk of being overturned by the Government, and burdening ratepayers for something the silent majority want – more quality affordable housing options from increasing density in all walkable catchments. We want to be a world class city, which means not pandering to NIMBY groups, and to be aspirational. True leadership means standing up for what is right in the long-term which is to not deny the hopes and aspirations of young Aucklanders from being priced out of housing in walkable catchments, that cause Auckland to lose its younger residents to other areas of the country, Australia and other overseas destinations.

1.6 The Chloride Trust seeks the following relief:

(a) Put in the mahi and provide a response in light of the NPS-UD now for the large parts of Auckland missed out, and provide appropriate zones for these well frequented Light Rail Zone areas in the white voids; 2023.1

(b) In PC80 delete all references to special character in the Regional Policy Statement ("RPS"); 2023.2

(c) In PC78 delete all references to special character, delete all of chapter D18, delete all overlay maps and schedules and appendices relating to special character; 2023.3 2023.4

(d) In PC78 specifically to remove the SCAR from the Market Road area; and 2023.5

(e) In PC78 to rezone the Market Road area to Terrace Housing and Apartment Building Zone (**THAB**).

1.7 Grounds for the relief sought are set out below.

1.8 The Trust is not a trade competitor for the purposes of PC78 and could not gain an advantage in trade competition through this submission.

2. REASONS FOR THE TRUST'S SUBMISSION

2.1 Overall, the Trust is neutral as to whether PC80 and PC78 are accepted or declined. With regards to PC80 the Trust's position is that all references to special character in the RPS are unwarranted and PC80 should be modified accordingly. The Trust's position on PC78 is that with respect to the Light Rail Corridor, PC78 should not accepted until work is completed to upzone these underlying properties to focus on a quality compact Auckland that can serve the hapori for many generations. The Trust submits for the Market Road area, that PC78 should not be accepted unless it incorporates the relief sought in this submission. Furthermore the Trust submits that PC78 should not have any references to special character, chapter D18 should be deleted, and all overlay maps and schedules and appendices relating to special character should also be deleted.

2.2 This is on the basis that, as currently drafted (and again with respect to the Light Rail Corridor and the Market Road area), that PC78 will not be consistent with all relevant legislation or appropriately give effect to applicable higher order policy instruments, including the RMA, EHSA and NPS:UD, for the reasons set out below.

High strategic value of the area for intensification

2.3 The Market Rd area is of high strategic value in terms of Auckland's ability to implement the requirements of the NPS:UD and achieve a compact urban form with intensification around rapid transit stops:

(a) The area is all within the Walkable Catchment of Remuera Train Station which would, but for the proposed application of a SCAR as a qualifying matter, trigger the 6 storey minimum requirement in Policy 3 of the NPS:UD.

(b) The properties in this Market Road area (shown in Plate B in yellow highlighter) are in very close proximity to Remuera Train Station, within 500m walking distance (under 6 minutes' walk). Remuera Station is a key piece of rapid transit infrastructure, with the two busiest lines out of Auckland's four train lines passing through this Station.

(c) The area is also in very close proximity to other key facilities including:

(i) The Local Centre Zone around Market Rd and Great South Road, known as the Market Road Shops which provides accessibility to local employment opportunities.

(ii) Te Kōpuke (Mount Saint John), an Open Space Zone that provides outdoor recreation and amenity opportunities.

(iii) Cornwall Park (Puriri Drive – northern portion).

(iv) St Cuthbert's College, Diocesan School and Dilworth School.

2.4 Given the above, there are exceptionally strong reasons to enable intensification in this area in accordance with the intent of the NPS:UD and EHSA, such that a low density residential zoning is likely inappropriate.

2.5 The significant extent of the lost opportunity for intensification that results from the SCAR being applying in this area means that that the justification for the SCAR as a qualifying matter must be

carefully examined. As a city do we want to be constrained by overly restrictive planning controls that restrict quality urban development, and price out our children and grandchildren? Or do we prefer to be prioritise the aging submitters, conservative in nature that do not like change, forgetting that Auckland has tripled in size in the past 60 years and is likely to do so again, and urban sprawl is extremely destructive on ecological and environmental values. Even if the need for growth is acknowledge it is not in my backyard.

Lack of justification to exclude the Light Rail Corridor

The Light Rail Corridor area is a large area of over 30 sq km, with at least 10sq km in Mangere. Like many infrastructure projects it is facing time. This means delays in giving affect to the Government's NPS-UD, which were avoidable by doing this work when requested, and delaying future housing options in great locations. It is not acceptable to zone out existing stations on the rapid transit network ad hide behind a white void.

Special Character values insufficient to justify low density zoning

2.6 There is a property that some of the beneficiaries of the Trust was raised in, at 69 Market Road, Epsom. For this property the Special Character values are not significant as the house was substantially burned down in a fire in the 1960s, and it has had numerous add-ons since then. The vast majority of what is visible now is modern construction.

2.7 The same is true of many of the other buildings in this area. Those that have heritage value can and should be protected using a heritage overlay, which is recognised in the NPD:UD as a legitimate qualifying matter.

2.8 The Market Rd area is also subject to the Regional Maunga Viewshafts and Height and Building Sensitive Areas Overlay, which is also a legitimate qualifying matter. This overlay may impose height restrictions does not necessarily require a low density zoning, and is compatible with THAB zoning. Indeed many areas of the Auckland isthmus have THAB zone whilst being subject to a volcanic viewshaft constraint.

2.9 By way of example, the properties at 5 – 9 Maxfield place, which are immediately adjacent to the proposed low density residential zone in the Market Rd area, are proposed as THAB zoning despite also being subject to the Viewshaft Overlay. This shows that the presence of a viewshaft overlay is not in itself a basis for a low-density residential zoning. The same logic applies to heritage overlays.

2.10 The proposed approach would result in 2 storey maximum height, single dwellings at properties such as 89 Market Road, which is adjacent to buildings of up to 6 storeys (91 Market Road and Maxfield Place). This discrepancy shows the inappropriateness of the low-density residential zoning in this area, which is a perverse outcome of treating special character as more important than Walkable Catchment considerations.

To the extent that there is special character in the Market Rd area, it is outweighed by the area's strategic importance as an opportunity for Auckland to move toward a more compact urban form.

Lack of justification for Special Character as a qualifying matter in Walkable Catchments

2.11 The NPS:UD does not include special character considerations as a qualifying matter. It requires that for any proposed qualifying matter, the evaluation report must (among other requirements):[1]

> *identifies the specific characteristic that makes the level of development directed by Policy 3 inappropriate in the area, and justifies why that is inappropriate in light of the national significance of urban development and the objectives of this National Policy Statement*

[1] Section 3.33(3) NPS:UD.

2.12 The Section 32 evaluation report in regard to special character addresses the justification for treating this as a qualifying matter at section 2.2.2. This section notes the objectives of the NPS:UD including the direction to improve the responsiveness and competitiveness of land and development markets, and the requirement to open up more development capacity in accessible places.

2.13 The report then outlines the nature and value of special character areas in Auckland, establishing that protection of these characteristics is not compatible with "development up to at least six storeys in many Policy 3 locations and up to three dwellings of up to three storeys in relevant residential zones as per the MDRS standards."

2.14 However, having established an incompatibility between special character protections and the MDRS standard, the evaluation report then fails to assess which of these competing values should take precedence, in light of the objectives of the NPS:UD. It simply assumes, without justification, that special character values should be protected at the expense of intensification opportunities. As such the evaluation report fails to meet the process requirements of the NPS:UD, and we note that could leave Auckland Council prone to judicial review and adverse costs awards.

2.15 Further, the protection of special character values at the expense of key intensification opportunities (e.g. within Walkable Catchments) is unjustified and contrary to the objectives of the NPS:UD and EHSA:

(a) Particularly with rapid transit stop Walkable Catchments, the loss of intensification opportunity by applying a low density residential zoning is severe, and would substantially limit the effectiveness of the MDRS standards given that most special character areas in Auckland are in the inner suburbs – exactly where the most intensive development should be enabled.

(b) The evaluation report's assertion that the specific characteristics of the SCAR overlay contribute to a well-functioning urban environment is a bare assertion without any basis. In fact, applying these regulatory restrictions near rapid transport stops is a barrier to achieving the compact urban form that is necessary for a well-functioning urban environment.

(c) Overall, the negative effects of applying a SCAR overlay on 69 Market Road, Epsom, and in areas that would otherwise be THAB zone outweigh the benefits to such an extent that this proposal would be inconsistent with the requirements of the NPS:UD.

3. RELIEF SOUGHT

3.1 For the foregoing reasons, the Trust seeks the following outcome in relation to PC78:

(a) If PC78 is approved, then the Light Rail Corridor upzoning must be available by 21 February 2023;

(b) all references to special character should be deleted, including deletion of all of chapter D18, delete all overlay maps and schedules and appendices relating to special character;

(c) In the event PC78 is approved, then in respect of the Market Road SCAR area, that it is amended to adequately address the issues raised and submission points set out above with the SCAR removed on the Market Road area and this Market Road area rezoned to Terraced Housing and Apartments Zone;

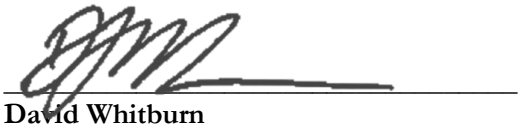
(d) Such further or other consequential relief as may be necessary to full give effect to the issues raised, submission points set out and relief sought in this submission.

3.2 The Trust seeks with respect to PC80 the outcome from Auckland Council to delete all references to special character, delete all of chapter D18, delete all overlay maps and schedules and appendices relating to special character.

3.3 The Trust wishes to be heard in support of this submission.

3.4 If others make a similar submission, the Trust may consider presenting a joint case with them at hearing.

DATED at AUCKLAND 29 September 2022



David Whitburn
Avarua Trustee Limited
As trustee for the Chloride Trust

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NOTICE OF SUBMISSION ON PROPOSED PLAN CHANGE 7□

AUC□LAND UNITARY PLAN

□□□

example of one such “small” local centre with a larger development capacity that the Grey Lynn local centre which has been classed as large.

I request that neighbours amenity values are considered in the Mixed Housing Urban zone rules.

Reasons

Mixed Housing Urban zone rules were written for the Auckland Unitary Plan for a development zone where it was expected that most of the properties would be redeveloped within 30 years. As this zone will now cover most of Auckland, it is no longer a zone where such a high level of redevelopment can be expected. Consequently, developments within this zone are likely to be pepper potted about existing neighbourhoods, so it is vitally important that neighbours amenity is considered ensure pleasant and healthy neighbourhoods.

I request that neighbours amenity is considered in the zone rules for Terrace House and Apartment zone where this zone adjoins another residential zone.

Reasons

Council needs to find a way to ensure that properties in lower density zones that adjoin high density apartment zoned land do not rob their neighbours of the sunlight which is so vital to healthy living environments.

I support the Special Character Overlay being a qualifying matter.

Reasons

This allows the Council to continue the legacy of protection and stewardship – kaitiakitanga - of the special character of Auckland as it exists in Grey Lynn as well as many other parts of Auckland. Grey Lynn is one of the great wooden suburbs of Auckland, a place that strongly expresses the growth of urban life in New Zealand from the late nineteenth century through until the mid-twentieth century. This is something to be proudly celebrated for all New Zealanders.

However, many streets in Grey Lynn that lie outside Special Character overlay exhibit the same intact special character as those that are included within the overlay. Owners have lovingly restored their original cottages, villas and bungalows, acting as if they were legally required to do so. Consequently, since the Residential 1 (now Special Character) areas of Grey Lynn were identified in the early 1990s, the character of the houses not covered by the overlay has improved. Extraneous additions, from 1970s carports to fake brick cladding, have been carefully removed, peeling paint has been stripped,

and after much hard labour the original character has been able to shine through. The restoration of these properties has further reinforced the special character of the area.

An urgent special character survey should be undertaken in streets not covered by the special character overlay so that the overlay can be extended to cover all the streets in Grey Lynn that qualify.

I support infrastructural constraints being a qualifying matter.

Reasons

Pollution of our harbours and waterways is a huge problem and in my part of Auckland sewage overflows are the main culprit. At Coxs Bay the pollution is so bad that it has been unsafe for swimming for many years. Whenever there is heavy rain raw sewage gushes into Coxs Bay due to an overloaded wastewater network.

I support notable trees and notable groups of trees being a qualifying matter.

Reasons

The trees in included in the schedule are part of the heritage of this special part of Auckland. They play a role in minimising climate change and support populations of native bird species by providing food and habitats.

I note that the splendid avenue of London plane trees in Selbourne Street not currently included in the schedule, but should be. I can see the outstretched branches of these trees from my garden. The avenues of London plane trees in Browning Street, Castle Street and Francis Street area also omitted from the schedule. These beautiful avenues of trees are a part of the heritage of Grey Lynn. Their high branches provide a place of refuge in a busy city for native birds. They provide shade in summer and are a living remnant of a larger collection of street trees planted in the city in the mid 1920s, many of which no longer remain.

In summary I seek the following decisions in amending Plan Change 78:

1. Reclassify the Grey Lynn Local Centre as a small local centre. 2024.1
2. Delete the intensification within 200 meters of the Grey Lynn Local Centre. 2024.2
3. I request that the Mixed Housing Urban zone rules be refined so that neighbours' amenity is preserved. 2024.3
4. I ask that zone rules for THAB zoned properties which adjoin residential properties zoned for lower density housing be refined so that neighbours' amenity is preserved. 2024.4
5. Retain residential and business Special Character as a Qualifying Matter. 2024.5

6. I request that Council undertake a survey and special character assessment of areas not already covered by the Special Character overlay in Grey Lynn and add qualifying areas to the special character overlay. 2024.6

7. Retain infrastructural constraints as a qualifying matter. 2024.7

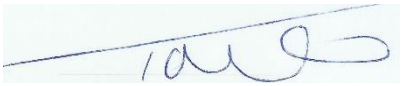
8. Retain notable trees and notable groups of trees as qualifying matters. 2024.8

9. I request that council add the avenues of London plane trees in Selbourne Street, Browning Street, Castle Street and Francis Street to the schedule as notable groups of trees. 2024.9

I wish to be heard in support of this submission.

I declare that I cannot gain any advantage in trade competition through this submission.

I am directly affected by the adverse effects that will arise from PC78 as set out by the matters of concern in my submission.

Signed:  Date: 29 September 2022

Address for Service:

Email: tfmace@outlook.com

Physical Address: 24 Dryden Street, Grey Lynn, Auckland, 1021

Ph: 021 826 426

SUBMISSION ON PROPOSED PLAN CHANGE 78 TO THE AUCKLAND UNITARY PLAN

To: Auckland Council

Name of submitter: Classic Group

This submission relates to Proposed Plan Change 78 to the Auckland Unitary Plan (AUP).

The specific Plan Change provisions that this submission relates to are listed within the table provide at **Attachment A.**

The reasons for the submitter's support, where relevant, are set out within the table attached as Attachment A. In general, where the submitter supports the provisions as notified the submitter considers that:

1. The applicable provisions will promote the sustainable management of natural and physical resources, contrary to Part 2 of the Resource Management Act 1991 ('the Act");

2. The applicable provisions are soundly based on evidence or an appropriate cost benefit analysis as required by section 32 of the Act;

3. The applicable objectives, policies and rules of the AUP, as they relate to the Submitter's sites:

    i) will promote the sustainable management of natural and physical resources;
    ii) are consistent with the purpose and principles of the Act;
    iii) will not give rise to adverse effects on the environment that are not avoided, remedied or mitigated;
    iv) are appropriate and justified in terms of Section 32 of the Act.

4. The applicable provisions that are supported will give effect to the National Policy Statement: Urban Development (NPS-UD), the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021, and the Medium Density Residential Standards (MDRS).

The specific reasons for the submitter's concerns, where relevant, are set out within the table attached as Attachment A. In general, where the submitter opposes the provisions as notified the submitter considers that:

1. The applicable provisions do not promote the sustainable management of natural and physical resources, contrary to Part 2 of the Resource Management Act 1991 ('the Act");

2. The provisions are not soundly based on evidence or an appropriate cost benefit analysis as required by section 32 of the Act;

3. The applicable objectives, policies and rules of the AUP, as they relate to the Submitter's sites:

   i) will not promote the sustainable management of natural and physical resources;
   ii) are inconsistent with the purpose and principles of the Act;
   iii) will give rise to adverse effects on the environment that are not avoided, remedied or mitigated;
   iv) are inappropriate and unjustified in terms of Section 32 of the Act.

4. The submitter is of the opinion that the intention of the NPS-UD and MDRS is to simplify the planning process, not complicate it, by ensuring planning decisions improve housing affordability through supporting competitive land and development markets, and by *enabling* development and intensification. This in turn is expected to increase the supply and affordability of housing.

5. In contrast, the submitter is of the view that the provisions as proposed would place significant additional (and unreasonable) cost on a resource consent application and add to unaffordability, as well as risk further limiting the supply of housing and development to meet demand. The proposed approach is overly onerous and would lead to numerous, overly complicated and costly resource consent applications, as well as potential interpretation issues. This is not consistent with the NPS-UD nor MDRS. 2033.1

6. Furthermore, while being both costly and inefficient, the submitter considers that the provisions as notified risk encouraging lower density and less challenging development by making intensification too difficult to be achieved. This would not achieve the intensification nor affordability objectives sought by the NPS-UD and MDRS, nor would it amount to an efficient use of land.

7. The submitter considers that the proposed changes should go further to give effect to the NPS-UD. Objective 3 of the NPS-UD requires district plans to enable more people to live in, and more businesses and community services to be located in, areas of Auckland that are in or near a centre zone or other area with many employment opportunities, or are well-serviced by public transport, or where there is high demand for housing or for business land in the area. This is supported by Policy 3 of the NPS-UD. The submitter is of the view that there are numerous additional locations where intensification is appropriate, where the market will deliver intensification, and consequently where significant intensification should be provided for. These include Town Centre Zones, wider walkable catchments and additional corridors serviced by frequent bus services. among others. The submitter also considers that provision in the policy framework should be made for a contextual analysis of the appropriateness of additional height and intensity outside of walkable catchments and centres to ensure these opportunities are not lost by an overly prescriptive planning framework. 2033.2

2033.3

8. The submitter notes that Policy 6(b) of the NPSUD also states that the planned urban built form in those RMA planning documents may involve significant changes to an area, and those changes "*may detract from amenity values appreciated by some people but improve amenity values appreciated by other people, communities, and future generations, including by providing increased and varied housing densities and types and are not, of themselves, an adverse effect."* The submitter is concerned that a number of the changes ignore the intent of this policy.

The submitter seeks the following decision from the Auckland Council, regarding the Proposed Plan Change 78:

a) That the relief sought within the table attached as **Attachment A** is provided; and

b) Any other consequential changes that would give effect to the relief sought in this submission.

The submitter wishes to be heard in support of their submission. If others make a similar submission, the submitter will consider presenting a joint case with them at a hearing.

The submitter is not a trade competitor, and could not gain an advantage in trade competition through this submission.



Michael Campbell
Campbell Brown Planning Limited
For and on behalf of Classic Group as its duly authorised agent.

Date: 29 September 2022

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Attachment 1

Table 1: Identifies the specific proposed amendments or changes to the Auckland Unitary Plan under PC78 which the submitter either supports, seeks amendment to, or opposes.

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	Chapter C General Rules				
1.	**C1.6A Overlay and precinct rules** (1) Where an activity is subject to a rule in an overlay, the overlay may specify whether the overlay rule replaces a zone rule, a precinct rule or an Auckland-wide rule. (2) Where an activity is subject to a rule in a precinct, the precinct may specify whether the precinct rule replaces an overlay rule or a zone rule, or an Auckland-wide rule.	Support	The revised wording clarifies the status of precinct or Auckland Wide Rules.	Retain the proposed wording.	2033.4
	Chapter D Overlays - Natural Heritage				
2.	**D14. ~~Volcanic~~ Maunga Viewshafts and Height and Building Sensitive Areas Overlay** **D14.4. Activity table [rcp/dp]** **Buildings in a height and building sensitive area, excluding network utilities, electricity generation facilities, broadcasting facilities and road networks** (A7) Buildings up to 9m in height except as specified in Standard D14.6.3. — P (A7A) Buildings that do not comply with standard D14.6.5 Building coverage — RD (A7B) Buildings that do not comply with standard D14.6.6 Landscaped area — RD (A7C) Buildings not complying with underlying zone Yards standards — RD (A7D) Buildings that do not comply with standard D14.6.7 Earthworks — RD	Oppose	The submitter opposes the additional activities in activity Table D14.5, being A7A, A7B, A7C and A7D. The submitter also opposes Standards D14.6.5 – D14.6.8 The additional standards for buildings are unnecessary and will not be efficient or effective in managing the effects on the Maunga View Shafts. The standards will reduce the ability to achieve the outcomes sought by the MDRS standards.	Delete the additional activities in activity Table D14.5, being A7A, A7B, A7C and A7D. Delete proposed Standards D14.6.5 – D14.6.8 Any other consequential changes that would give effect to the relief sought in this submission.	2033.5 2033.6
	Chapter G RUB and Walkable Catchments				
3.	**G2. Walkable Catchments** Policy 3(c) of the National Policy Statement on Urban Development 2020, updated May 2022, requires regional policy statements and district plans in tier 1 urban environments to enable building heights of at least six storeys within at least a walkable catchment of the following: (i) existing and planned rapid transit stops (ii) the edge of city centre zones, and (iii) the edge of metropolitan centre zones. Auckland is a tier 1 urban environment. A walkable catchment of around 1,200m is applied from the edge of the Business – City Centre Zone. A walkable catchment of around 800m is applied from both the edge of the Business – Metropolitan Centre Zones and from the pedestrian access points to existing or planned rapid transit stops. Edge and route modifying factors such as property boundaries, road boundaries, severance, topography, block sizes, the walking environment and the mix of land use activities can affect these general walkable catchment distances. The depiction of walkable catchments in the planning maps is a district plan method pursuant to section 75(2) of the Resource Management Act 1991 for implementing the policies of the district and giving effect to the National Policy Statement on Urban Development 2020, updated May 2022. The planning maps show the location and extent of walkable catchment boundaries, many of which overlap with each other. The location or extent of a walkable catchment can only be amended by way of a plan change pursuant to Schedule 1 of the Resource Management Act 1991. Any amendment to the location or extent of a walkable catchment must give effect Policy 3(c) of the National Policy Statement on Urban Development 2020, updated May 2022.	Support in Part	The submitter considers that the explanation for walkable catchment should note that in some cases the RTN or centres (where slightly beyond an 800m or 1,200m walkable catchment distance) is connected by extensive cycleways that make micro mobility transportation a viable choice. 'Micro mobility' and 'active' transport modes (i.e., scooters, bikes etc) are expanding traditional 'walkable' distances and this is acknowledged by the MfE guidance on walkable catchments. The guidance notes that:[1] *…not all places are equal and different locations with different characteristics may often have different-sized walkable catchments […] a city or a metropolitan centre with a rapid transit stop located within or close by, is also likely to have a larger walkable catchment than a centre without a rapid transit stop.* The use of such alternative modes and their relationship to 'walkability' is also acknowledged within Auckland Transport's 'Urban Street and Road Design Guide' in which it is noted in relation to increased density of residential occupation:[2] Density (and a diversity of housing choices) gives people the opportunity to live in neighbourhoods that meet their lifestyle preferences and economic means. The goal should be to provide residents with the choice to live in amenity-rich neighbourhoods where they are a short walk *or* bike ride away from shopping, parks, schools and cafés, and take public transport or drive to work and regional destinations. Density allows for more options for more people. Prioritising investment in frequent, high-capacity public transport to support density is a mutually supportive strategy that can rapidly shift people from	That the following wording is added to G2: The suitability of a walkable catchment can vary depending on a number of factors, including topography, connectivity and access to a regular public transport network. In some cases, there may be sites that are located outside a 'walkable catchment' that are suitable for additional intensification and building height. Such sites should be considered on their merits having regard to their context and their ability to provide additional housing choice in an area that is well served by a range of amenities, including public transport. Any other consequential changes that would give effect to the relief sought in this submission.	2033.7

[1] Ministry for the Environment, *Understanding and implementing intensification provisions for NPS-UD*, clause 5.5.3 Different locations will have different-sized walkable catchments. https://environment.govt.nz/publications/understanding-and-implementing-intensification-provisions-for-the-national-policy-statement-on-urban-development/

[2] Auckland Transport 'Urban Street and Road Design Guide', page 51.

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
			private cars to public transport and active modes [emphasis added].		
4.		Support in Part	The submitter considers that the walkable catchment should be amended to be 1200m from the edge of Metropolitan Centre Zones, as well as the City Centre Zone. The range of amenities, services, shops, cafés and the extent of employment within Business – Metropolitan Centre Zones is often comparable to that of the City Centre Zone. In fact, the edge of Business – Metropolitan Centre Zones is often more desirable to walk to than the edge of the City Centre zone from a destination and availability of services and amenity perspective. This availability of activities and amenities is acknowledged within the zone description of Chapter H9. Business – Metropolitan Centre Zone which states that the Business – City Centre Zones: *"act as focal points for community interaction and commercial growth and development and contain hubs serving high frequency transport. The zone provides for a wide range of activities including commercial, leisure, high density residential, tourist, cultural, community and civic services. Zone provisions, in conjunction with rules in the other business zones, reinforce metropolitan centres as locations for all scales of commercial activity. These centres are identified for growth and intensification."* Furthermore, taking into account the above points with respects to micro mobility (refer submission point 3 above), a 1200m 'walkable catchment' from Business – Metropolitan Centre zones is considered appropriate. Metropolitan Centre Zones are well serviced by micro mobility and also incorporate high frequency transport options (numerous bus services, train stations and bus ways, among others).	Amend the extent of a 'walkable catchment' to be 1200m from the edge of Business – Metropolitan Centre zones. Any other consequential changes that would give effect to the relief sought in this submission.	2033.8
	H3A. Residential – Low Density Residential Zone				
5.	**H3A.1. Zone description** In the urban environment, the Residential – Low Density Residential Zone is applied to identified sites within residential neighbourhoods, subject to relevant qualifying matters, with the purpose being to: • incorporate MDRS, and make development less enabling to the extent necessary to accommodate the qualifying matter(s) that are present; • protect significant ecological areas and outstanding natural features and landscapes and high natural landscapes; • protect areas of distinct cultural, historic and natural heritage; • protect areas subject to risks from natural hazards including coastal hazards, coastal erosion, overland flow paths and flood plains; • maintain and enhance special character residential areas; and • provide for low density residential activities and buildings consistent with a suburban scale and subdivision pattern, such as one to two storey houses. It is applied in the urban environment where the relevant qualifying matters have resulted in a lower intensity of development. Limiting levels of re-development is necessary to accommodate one or more qualifying matters while enabling residential development. The zone applies to: • the Waitakere Ranges Heritage Area; • neighbourhoods with special character based on past development patterns;	Oppose in Part	The submitter notes that the Low Density Residential Zone has been applied to a range of Qualifying Matters. Consistent with the current approach of the Auckland Unitary Plan, the submitter considers that rezoning should be based on land use principles and issues such as flooding or the presence of an SEA over part of the site should not determine the zoning, unless there is clear evidence of significant risk from natural hazards, or if the site is completely covered in an SEA. In its interim guidance on flooding and hazards as part of the hearings for the Auckland Unitary Plan, the Auckland Unitary Plan Independent Hearings Panel noted that it was not convinced about the degree of restriction on use and development in existing built up areas under the natural hazard and flooding provisions. The Panel considered that more consideration should be given to enabling design-led solutions using controlled or restricted discretionary activity status, with appropriately limited matters of control or discretion, and clear and succinct assessment criteria that assist with giving effect to the objectives and policies for natural hazards and flooding. It is noted that there are existing examples of high density residential and business zones that are presently featured in the current Unitary Plan that have a SEA, flood plain or	That the Auckland Council reviews **all** OLFP's, flood plain and SEA areas identified as Qualifying Matters on the planning maps within Plan Change 78, and any areas that have been downzoned to a Low Density Residential Zone due to the flood plain, OLFP or SEA overlay, are rezoned to a zoning that is based on the most appropriate zone based on accepted land use principles. Any other consequential changes that would give effect to the relief sought in this submission.	2033.9 2033.10 2033.11 2033.12

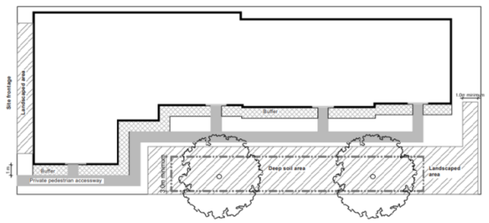
	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	• a coastal setting; • sites containing cultural values or substantial proportions of significant ecological areas; • sites that are subject to high natural character, outstanding natural features or landscapes; or, • other factors such as natural hazards risks in the coastal environment and from flooding. To respond to the identified purpose the Residential – Low Density Residential zone may also be applied in plan changes that rezone Future Urban zone land to a residential zone where relevant qualifying matters exist. Within the zone, MDRS are incorporated to the extent qualifying matters can be accommodated. The activities and standards are limited by Auckland-wide provisions and overlays as the Residential - Low Density Residential Zone works with other plan provisions to provide for dwellings while accommodating relevant qualifying matters. To support the purpose of the zone, development is managed with additional dwellings provided for only where dwellings and other buildings do not detract from the values of the identified qualifying matter. The zone is generally characterised by residential activities and buildings consistent with a suburban scale and subdivision pattern, such as one to two storey high buildings with yards and landscaping consistent with a low intensity built character, except where the zone exhibits high landscape or natural heritage values.		OLFP restriction. In some cases, increases in heights can provide greater flexibility in terms of managing the effects of natural hazards, such as the provision of higher freeboard levels. It is further noted that the SEA is currently located on some sites proposed within MHU and THAB zones. The current Unitary Plan includes objectives, policies and methods to manage the effects on these Qualifying Matters. It is considered more appropriate to manage the effects on these features through overlays or controls, rather than downzoning an area. It may well be that a special overlay reduces all or part of a site from being developed to the full extent of the underlying zoning, but the submitter considers that this is a more efficient and effective approach than downzoning an entire site, on the basis that part of the site is impacted by a particular overlay or control.		
H5. Residential – Mixed Housing Urban Zone					
H5.2. Objectives					
6.	(1) Land ~~near the Business – Metropolitan Centre Zone and the Business – Town Centre Zone, high-density residential areas and close to the public transport network~~ is efficiently used for higher density residential living and to provide urban living that increases housing capacity and choice and access to public transport.	Support	Consistent with the MDRS.	Retain the revised wording.	2033. 13
7.	(3) Development provides **high-**quality **amenity**: **(a)** on-site ~~residential amenity~~ for residents and **(b) to** adjoining sites; and **(c) to** the street.	Oppose	The inclusion of 'high' and 'amenity' does not reconcile with the outcomes of the MDRS standards of the zone as they exist or are proposed. The term 'high-quality amenity' is open to subjectivity and will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Retain existing wording.	2033. 14
8.	**(6) Development contributes to a high-quality built environment that is resilient to the effects of climate change.**	Oppose	The term 'high-quality built environment' is open to subjectivity and will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete the proposed wording or reword to delete reference to high quality built environment.	2033.15
9.	**(8) Enable a safe street environment for pedestrians.**	Oppose	The policy addresses aspects of a site that are located outside the zone boundary. Chapter 27 Transportation addresses pedestrian safety for developments that adjoin the road.	Delete the proposed wording.	2033.16
10.	**(9) Development is enabled on sites within significant ecological areas where it provides for the protection and management of the significant ecological values.**	Oppose	It is considered that effects of development on SEA are already suitably dealt with via Chapter D9 and E15. The inclusion in the zone is not necessary and undermines the existing AUP framework and the efficient use of land.	Delete the proposed wording.	2033.17
11.	**(10) Intensification is avoided in areas with significant transport infrastructure constraints.**	Oppose	Objective should clearly identify the Beachlands area identified in the mapping control for transport constraints.	Delete the proposed objective or amend to specifically refer to Beachlands only.	2033.18
H5.3. Policies					
12.	(6A) 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; (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.	Oppose in part	The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Amend the text of Policy 6A as follows (6A) Require development to achieve a built form that contributes to the planned outcomes of the zone ~~high-quality built environment~~ ~~outcomes~~ by: (a) maintaining reasonable 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, commensurate with the expectations of the zone; (e) minimising visual dominance effects of carparking and garage doors to streets ~~and private accessways~~;	2033.19

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
				~~(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~~. Any other consequential changes that would give effect to the relief sought in this submission.	
13.	(12) Require dwellings to be provided with access to safe and reliable drinking water, wastewater and stormwater disposal services.	Oppose	Infers that the quality of the drinking water is able to be influenced by the applicant. This is the responsibility of Watercare. Any wording should be similar to that already identified in the existing assessment criteria.	Delete the proposed wording	2033.20
14.	(14) Require development of four or more dwellings per site to contribute to a safe urban road environment for pedestrians through improvements to the adjacent road network.	Oppose	This does not correspond to an effect from the construction of four dwellings. The development contributions already include a component for local transport upgrades.	Delete the policy in its entirety.	2033.21
15.	(15) Require buildings on sites subject to significant ecological areas to be of a scale that protects and maintains the significant ecological values of those areas.	Oppose	It is considered that effects of development on an SEA are already suitably dealt with via Chapter D9 and E15. The inclusion in the zone is not necessary and undermines the existing AUP framework and the efficient use of land.	Delete the policy in its entirety.	2033.22
16.	(16) Avoid developments of more than one dwelling per site in areas identified on the planning maps as subject to significant transport infrastructure constraints.	Oppose in part	Policy should clearly identify the Beachlands area identified in the mapping control.	Delete the proposed objective or amend to specifically refer to Beachlands only.	2033.23
H5.4. Activity table					
17.	(A1) activities not provided for.	Oppose	It is considered activities not provided for should be DA as per Chapter C.	Amend A1 to be a Discretionary Activity	2033.24
18.	(A2A) One dwelling per site subject to a Significant Ecological Area Overlay which complies with Standards E15.4.2(A29) and E15.6.5	Oppose	It is considered that effects of development on SEA are already suitably dealt with via Chapter D9 and E15. The inclusion in the zone is not necessary and undermines the existing AUP framework and the efficient use of land. Additional Standards added beyond the MDRS requirement. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Delete the activity from the table.	2033.25
19.	(A2B) Two or more dwellings per site subject to a Significant Ecological Area Overlay (refer to Vegetation management and biodiversity E15.4.2(A43) and E15.6.5) (A33B) New buildings and additions and alterations to buildings in a Significant Ecological Area Overlay which do not comply with H5.6.10(2) Building coverage.	Oppose	It is considered that effects of development on SEA are already suitably dealt with via Chapter D9 and E15. The inclusion in the zone is not necessary and undermines the existing AUP framework and the efficient use of land. Additional Standards added beyond the MDRS requirement for activity (A2B). The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Delete the activities from the table.	2033.26
20.	Activity Table - Standards to be complied with (multiple activities) Standard H5.6.3A Number of dwellings per site; H5.6.3B Dwellings within the Infrastructure – Combined Wastewater Network Control as identified on the planning maps; H5.6.3C Dwellings within the Infrastructure – Stormwater Disposal Constraints Control as identified on the planning maps; Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; ~~Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones;~~ Standard H5.6.8 Yards; Standard H5.6.9 Maximum	Oppose	Additional standards beyond the MDRS are not required as directed by government. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Delete all standards that are not identified within the MDRS.	2033.27

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	impervious areas; Standard H5.6.10(1) Building coverage; Standard H5.6.11(3) and (4) Landscaped area; Standard H5.6.12(A1) Outlook space; ~~Standard H5.6.13 Daylight~~; Standard H5.6.14 Outdoor living space(A1) and (B1); Standard H5.6.15 Front, side and rear fences and walls; Standard H5.6.18(1) Windows to street and private vehicle and pedestrian accessways; Standard H5.6.19 Deep soil area and canopy tree; Standard H5.6.20 Safety and privacy buffer from private pedestrian vehicle accessways; Standard H5.6.21 Residential waste management.				
21.	(A4) Four or more dwellings per site H5.6.3B Dwellings within the Infrastructure – Combined Wastewater Network Control as identified on the planning maps; H5.6.3C Dwellings within the Infrastructure – Stormwater Disposal Constraints Control as identified on the planning maps; Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.6 Alternative height in relation to boundary Standard H5.6.8 Yards; Standard H5.6.9 Maximum impervious areas; Standard H5.6.10(1) Building coverage; Standard H5.6.11(5), (6) and (7) Landscaped Area; H5.6.12(1) – (9) Outlook space; Standard H5.6.13 Daylight; H5.6.14(1) – (4) Outdoor living space; Standard H5.6.15 Front, side and rear fences and walls; Standard H5.6.16 Minimum Dwelling Size: Standard H5.6.18(2) Windows to street and private vehicle and pedestrian accessways; Standard H5.6.19 Deep soil area and canopy tree; Standard H5.6.20 Safety and privacy buffer from private pedestrian vehicle accessways; Standard H5.6.21 Residential waste management.	Oppose	The additional standards for: - Infrastructure standards: - Deep soil area and canopy tree; - Safety and privacy buffer - Residential waste management Shall be deleted as identified below. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Delete standards that are not identified within the MDRS.	2033.28
H5.5. Notification					
22.	(5) 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 resource consent is precluded if the application is for the construction and use of four or more dwellings that comply with the following standards: (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 H5.6.9 Maximum impervious area; (v) Standard H5.6.10 Building coverage; (vi) Standard H5.6.11 (5), (6) and (7) Landscaped area; (vii)Standard H5.6.12 (1) – (9) Outlook space; (viii) Standard H5.6.13 Daylight;5 (ix) Standard H5.6.14(1) – (4) Outdoor living space; (x) Standard H5.6.15 Front, side and rear fences and walls; (xi) Standard H5.6.16 Minimum dwelling size; (xii)Standard H5.6.18(2) Windows to street and private vehicle and pedestrian accessways; (xiii) Standard H5.6.19 Deep soil area and canopy tree; (xiv) Standard H5.6.20 Safety and privacy buffer from private vehicle and pedestrian accessways (xv) Standard H5.6.21 Residential waste management.	Oppose	Compliance should only be for the bulk and form and adjacent site amenity standards being: (i) Standard H5.6.4 Building height; (ii) Standard H5.6.5 Height in relation to boundary; (iii) Standard H5.6.8(1) Yards; (v) Standard H5.6.10 Building coverage; (vii)Standard H5.6.12 (1) – (9) Outlook space; The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards Amend notification standard to make it clear that restricted discretionary matters such as earthworks, contamination flood plains and technical parking infringements do not remove the notification exclusions. The notifications effects of this technical elements of an application will be considered in accordance with their restricted discretionary status.	Delete standards that are not identified within the MDRS. Amend the notification standard to make it clear that restricted discretionary matters such as earthworks, contamination, flood plains and technical parking infringements do not remove the notification exclusions. In terms of notification, those effects outside the zone standards that form part of a bundled application will be considered in accordance with their particularly restricted discretionary status and the associated matters for discretion for those particular consent matters.	2033.29 2033.30
23.	(6) Any application for a resource consent which is listed in H5.5(4) or H5.5(5) 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.	Oppose	All developments will likely trigger additional AUP reasons for consent. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete.	2033.31
24.	H5.6.3B Dwellings within the Infrastructure – Combined Wastewater Network Control as identified on the planning maps	Oppose	These effects are already managed by Chapter E8. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Delete.	2033.32
25.	H5.6.3C Dwellings within the Infrastructure – Stormwater Disposal Constraints Control	Oppose	These effects are already managed by Chapter E8. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Delete.	2033.33
26.	**H5.6.5. 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.	Oppose	Oppose addition of 'privacy' not required by the MDRS wording within Schedule 3A.	Delete wording and retain existing purpose.	2033.34
27.	**H5.6.5. Height in relation to boundary** (1) Buildings must not project beyond a ~~45~~ 60 degree recession plane measured from a point ~~3~~ 4m vertically above ground level alongside and rear boundaries, as shown in Figure H5.6.5.1 Height in relation to boundary below.	Support	The proposed wording will be efficient and effective in achieving the outcomes sought by the MDRS standards	Accept the proposed text changes	2033.35
28.	~~(b)~~ [Deleted] ~~sites within the Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or the Open Space – Community Zone:~~ ~~(i) that are greater than 2000m^2;~~ ~~(ii) where that part of the site in (i) is greater than 20 metres in width, when measured perpendicular to the shared boundary; and~~ ~~(iii) Where an open space comprises multiple sites but has a common open space zoning, the entire zone will be treated as a single site for the purpose of applying the standards listed below.~~	Oppose	The exclusions should be retained, as they deal with minor protrusions and they are helpful on sloping sites. It is beneficial to provide activation to Open Space zones.	Retain the existing minor protrusions HIRB is excluded from applying where the site adjoins open space more than 2,000m^2 area in accordance with the current standard.	2033.36

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	~~(5)~~ [Deleted] ~~A gable end, dormer or roof may project beyond the recession plane where that portion beyond the recession plan is: (a) no greater than 1.5m2 in area and no greater than 1m in height; and (b) no greater than 2.5m cumulatively in length measured along the edge of the roof as shown in Figure H5.6.5.2 Exceptions for gable ends and dormers and roof projections below.~~ ~~(6) No more than two gable end, dormer or roof projections are allowed for every 6m length of site boundary.~~				
29.	**H5.6.9. Maximum impervious area** (1) The maximum impervious area must not exceed 60 per cent of site area	Oppose	The retention of this standard is not an efficient use of land and is not demonstrated by an adverse effect. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Amend standard to 70%.	2033.37
30.	**H5.6.10. 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.	Oppose	It is considered that effects of development in proximity to an SEA are already suitably dealt with via Chapter D9 and E15. The inclusion is not necessary and undermines the existing AUP framework and the efficient use of land.	Delete the additional wording.	2033.38
31.	(1) The maximum building coverage must not exceed ~~45~~ 50 per cent of the net site area.	Support	The proposed wording will be efficient and effective in achieving the outcomes sought by the MDRS standards	Accept the proposed text changes.	2033.39
32.	H5.6.10. Building coverage (2) On a site subject to a Significant Ecological Areas Overlay: (a) the maximum building coverage must not exceed 50 per cent of the net site area; and (b) building coverage must not be located in any area within 3m of vegetation within a significant ecological area, including following the alteration or removal of up to 300m2 of vegetation for a dwelling per site provided for under E15.3.2(A29) and E15.6.5; and (c) other than provided for in H5.6.10(2)(b), building coverage must not be located within a significant ecological area.	Oppose	It is considered that effects of development in proximity to an SEA are already suitably dealt with via Chapter D9 and E15. The inclusion is not necessary and undermines the existing AUP framework and the efficient use of land. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Delete the proposed text changes relating to the SEA..	2033.40
33.	**H5.6.11. Landscaped area** **Development containing four or more dwellings and any other developments must comply with the following:** (5) The minimum landscaped area must be at least 20 per cent of the net site area and comprise natural grass, plants or trees and can include the canopy of existing trees regardless of the surface underneath provided the surface of the protected root zone is in natural grass, plants or natural mulch. (6) Any part of the landscaped area must have a minimum dimension of 1m and minimum area of 4m^2 as shown below in Figure H5.6.19.1 Example of Deep soil area requirements and the relationship with Landscaped area and the Safety and privacy buffer.	Oppose	The standard wording should match the MDRS standard that applies for 1-3 dwellings. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Amend the proposed text changes to match the MDRS standard.	2033.41
34.	**H5.6.12. Outlook space** Development containing four or more dwellings and any other development must comply with the following: Development containing four or more dwellings and any other development must comply with the following: (1) An outlook space must be provided from the face of a building containing windows **or balconies** to a habitable room. Where the room has two or more external faces with windows **or balconies** the outlook space must be provided from, **in order of priority,** the face with the largest **balcony or** area of glazing. (2) The minimum dimensions for a required outlook space are as follows: (a) a principal living room of a dwelling or main living and dining area within a boarding house or supported residential care must have a outlook space with a minimum dimension of: **i.** 6m in depth and 4m in width **as shown below in Figure H5.6.12.1 Outlook space from habitable room windows for four or more dwellings and any other development**; ~~and~~ **or** **ii. Where the principal living room outlook is on the ground floor and is defined by a boundary fence, outlook depth may be reduced to 5m.** (b) a principal bedroom of a dwelling or a bedroom within a boarding house or supported residential care unit must have an outlook space with a minimum dimension of 3m in depth and 3m in width; and (c) all other habitable rooms must have an outlook space with a minimum dimension of 1m in depth and 1m in width. (3) The depth of the outlook space is measured at right angles to and horizontal from the window to which it applies.	Oppose	The standard wording should match the MDRS standard that applies for 1-3 dwellings. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Amend the proposed text changes to match the MDRS standard.	2033.42

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	(4) The width of the outlook space is measured from: (a) the centre point of the largest window on the building face to which it applies **where outlook depth is reduced to 5m as provided for under H5.6.12A(2)(ii) above; or** **(b) the centre line of the facade of the largest window or balcony edge whichever is closer to the boundary or opposing building.** (5) The height of the outlook space is the same as the floor height, measured from floor to ceiling, of the building face to which the standard applies. (6) Outlook spaces may be within the site, over a public street, or other public open space. (7) Outlook spaces required from different rooms within the same building may overlap. (8) Outlook spaces may overlap where they are on the same wall plane. (9) Outlook spaces must: (a) be clear and unobstructed by buildings **and servicing area;** and (b) not extend over adjacent sites, except for where the outlook space is over a public street or public open space as outlined in H5.6.12(15) above; and (c) not extend over an outlook spaces or outdoor living space required by another dwelling; **and** (d) **must align with private outdoor living space, except for where the outlook space is over a public street or public open space as outlined in H6.6.12(15) above.**				
35.	**H5.6.13. Daylight**	Oppose	It is not a method retained in the MDRS. The proposed standard will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete the daylight standard.	2033.43
36.	**H5.6.14. Outdoor living space** Purpose: to provide dwellings, integrated residential development, supported residential care and boarding houses 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:** ~~is accessible from the dwelling.7~~ • 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.	Oppose	The addition of communal outdoor living space requirements is opposed. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Amend the proposed text changes to match the MDRS standard	2033.44
37.	**H5.6.14. Outdoor living space** (4) In addition to H5.6.14(1) and H5.6.14(2) above, developments of 20 or more dwellings, including integrated residential development of 20 or more dwellings, must provide a communal outdoor living space that: (a) is located in a communally accessible location; (b) is at least 10m2 for every five dwellings it serves; (c) is a minimum dimension of 4m; (d) free of buildings, parking spaces and servicing and manoeuvring areas; (e) for at least 20m2 of the communal living space must receive a minimum of 3 hours of sunlight per day between the hours of 9am – 4pm on 21 June; (f) has a gradient not exceeding 1 in 20; and (g) may be split into no more than two outdoor communal living spaces per development.	Oppose	This additional standard is unnecessary, with the private open space requirements sufficient. The provision for wider public open space is the responsibility of Council not developers. A specific open space development contribution is already payable for each dwelling.	Amend the proposed text changes to match the match the MDRS standard and delete the communal outdoor living space requirements.	2033.45
38.	**H5.6.18 Windows to street and private vehicle and pedestrian accessways** Development contained four or more dwellings and any other development must comply with the following: 2) Any dwelling, integrated residential development, supported residential care, boarding house and visitor accommodation facing the street or private vehicle accessway or private pedestrian accessway, must have a minimum of 20 per cent of the relevant façade in glazing. This can be in the form of windows or doors.	Oppose	Any additional text beyond MDRS wording should be captured via assessment criteria not as a standard.	Delete standard and rely on MDRS wording.	2033.46 2033.47
39.	**H5.6.19 Deep soil area and canopy tree** Purpose: To build resilience to climate change effects through provision of deep soil areas that support canopy trees, which assist in removing carbon, reducing urban heat island effects and enabling the infiltration of stormwater. (1) Any site greater than 200m2 must provide a deep soil area that must comply with the following: (a) 10 per cent of the site area must be provided as 1 contiguous deep soil area with minimum 3m dimensions; (b) Except that sites 1,200m2 or greater may have more than 1 deep soil area provided that: (i) each deep soil area is a minimum of 60m2 with 3m dimensions; and	Oppose	It is not a method retained in the MDRS. The proposed standard will not be efficient or effective in achieving the outcomes sought by the MDRS standards. The proposed Deep Soil Area and Canopy Tree standards (and allied Special Information requirements) will result in disparate landscaping outcomes and do not foster sustainable landscape design solutions. The Deep Soil Area and Canopy Tree requirements as proposed are generic and do not reflect an understanding of landscaping and	Delete the proposed new standard.	2033.48

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	(ii) the combined total deep soil area is a minimum 10 per cent of the site area; (c) Deep soil areas must not be provided in private outdoor living spaces but can be provided as part of communal outdoor living spaces and landscape areas as shown below in Figure H5.6.19.1 Example of Deep soil; area requirements and the relationship with Landscaped Area and the Safety and privacy buffer; and (d) The deep soil area(s) must contain a canopy tree(s) that meets the minimum requirements as set out in Table H5.6.9.1 Minimum requirements for canopy trees; and (2) Trees required by H5.6.19(1) can be existing canopy trees or new canopy trees in accordance with Table H5.9(3). **Table H5.6.19.1 Minimum requirements for canopy trees** **Site Area (prior to development or re-development)** / **Minimum canopy tree requirements** 200m² – 600m² / 1 small canopy tree per 200m² of site 601m² – 1,500m² / 1 medium canopy tree per 300m² of site 1,501m² or more / 1 large canopy tree or 2 medium canopy trees per 500m² of site **Figure H5.6.19.1 Example of the Deep soil area requirements and the relationship with Landscaped area and the Safety and privacy buffer** 		arboricultural/horticultural techniques and the different abilities of a range of canopy trees to exist successfully in varied conditions. Also using a formula relating the number of trees to site area is inappropriate as the number, size and location of trees is driven by building location and size, the shape of buildings and the location and spatial context of land areas available for plantings. The Deep Soil Area and Canopy Tree provisions are unnecessary and go to a level of detail that is better addressed through detailed landscape design which is already covered in the Plan provisions.		
40.	**H5.6.20 Safety and privacy buffer from private pedestrian and vehicle accessways** Purpose: to provide a reasonable standard of safety and privacy for ground floor dwellings located adjacent to pedestrian and vehicle accessways. (1) A minimum 1m buffer areas must be provided between a dwelling and private pedestrian and/or vehicle accessways as shown in Figure H5.6.19.1 Example of Deep soil area requirements and the relationship with Landscape area and the Safety and privacy buffer above. (2) The buffer area must be: (a) free of buildings, parking spaces, servicing and manoeuvring areas. (b) Planted with shrubs or ground cover plants.	Oppose	It is not a method retained in the MDRS. This matter would be better placed as assessment criteria rather than as standards. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete the proposed new standard.	2033.49 2033.50
41.	**H5.6.21 Residential waste management** Purpose: To provide accessible on-site storage space for waste bins and safe vehicle access for the collection of waste (refuse, recyclables and food scraps) for dwellings. (1) On-site waste storage using individual or communal waste bins must be provided as follows: (a) Where individual bins are used, a total storage space of 1.4m2 per dwelling. (b) Where communal bins are used, the total storage space provided must be calculated in accordance with the Auckland Council's Solid Waste Calculator. (c) The location of bins must: (i) be visually screened from within the site, from the street and/or adjacent sites. (ii) not require bins to be transported through dwellings, across unpaved surfaces or up and down stairs or steep gradients (refer to Transport E27.6.6.2) (iii) be accessible for collectors and residents with a minimum on-site footpath width of 1.35m; and (v) provide lighting (refer to Lighting E24.6.2) between storage locations and collection points. (2) Where kerbside collection is used, there must be kerbside space of at least 1m per dwelling, contained within the road frontage of the site without impeding the public footpath. Developments that cannot comply with this will instead need to comply with H5.6.21(3) and either H5.6.21(4) or (5). (3) Four or more dwellings using a private collection service must provide a waste management and minimisation plan.	Oppose	It is not a method retained in the MDRS. This matter would be better placed as a broader assessment criteria rather than as standards. The new information requirement for a waste minimisation plan for 10+ dwellings is an additional cost that is not warranted and would not be monitored following grant of consent. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete the proposed new standard.	2033.51 2033.52 2033.53

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	(4) Where on-site collection of individual waste bins is used, there must be a space of at least 1m2 per dwelling in an accessible location for the collection vehicle for collection of individual bins from shared driveways within the site. (5) Where on-site collection of communal waste bins is used, there must be an accessible location for collection of communal bins by a collection vehicle within the site. (6) A waste management and minimisation plan must be provided and implemented for 10 or more dwellings.				
42.	**H5.7. Assessment – controlled activities** ~~There are no controlled activities in this zone.~~ H5.7.1. Matters of control The Council will restrict its control to all of the following matters when assessing a controlled activity resource consent application: (1) For one dwelling per site subject to a Significant Ecological Area Overlay: (a) The extent to which the built development is designed to minimise or mitigate adverse effects on the ecological values of the relevant significant ecological area; (b) The location, bulk and scale of built development relative to the surrounding ecological values H5.7.2 Assessment criteria The Council will consider the assessment criteria below for controlled activities to the extent relevant to the proposal: (1) For one or more dwellings per site subject to a Significant Ecological Area Overlay: (a) refer to Policy H5.3(15)	Oppose	It is considered that effects of development in proximity to an SEA are already suitably dealt with via Chapter D9 and E15. The inclusion is not necessary and undermines the existing AUP framework and the efficient use of land.	Delete the proposed new assessment criteria	2033.54
H5.8. Assessment – restricted discretionary activities					
43.	**H5.8. Assessment – restricted discretionary activities** H5.8.1. Matters of discretion The Council will restrict its discretion to all of the following matters when assessing a restricted discretionary activity resource consent application: (1) (c) the effects of the development on the safe access for pedestrians on the adjacent road network.	Oppose	This does not correspond to an effect from the activities identified in H5(1) on the wider adjacent network. The existing matters for discretion already include traffic and access (Chapter E27 Transportation). The development contributions already include a component for local transport upgrades. It is inequitable and inefficient to target one developer to upgrade infrastructure that will likely benefit a wider area.	Delete the proposed new assessment criteria	2033.55
44.	**H5.8. Assessment – restricted discretionary activities** **H5.8.1. Matters of discretion** (2) for four or more dwellings per site: (a) the effects on the neighbourhood character, residential amenity, safety, and the surrounding residential area from all of the following: (i) building ~~intensity~~, scale and location, including: A. the way in which buildings are orientated to the street and adjoining sites, and B. the extent to which the height, roof form and design of buildings respond to the local streetscape and the planned urban built character of the surrounding area, (ia) building form and appearance including: A. use of built elements such as materials, surface and architectural detailing and roof design to create visual interest; B. use of deep soil and/or outdoor living areas, modulation, architectural features, windows, doors and breaks in building length to minimise bulk and visual dominance; C. whether design provides for the balance between resident's privacy and opportunities for passive surveillance; D. whether the design provides for privacy, and sunlight and daylight access for adjoining sites; E. the interface with an identified special character area or a scheduled historic heritage place; (ib) the extent to which the functional, day to day needs of residents are provided for in terms of: A. the size and dimensions of living areas relative to the likely occupancy levels of the dwellings; B. internal storage; C. residential waste management, including the kerbside and/or on-site capacity for residential waste management (ii) traffic; and	Oppose in part	Oppose the inclusion of: - deep soil within B; - introduction of interfaces with identified special character area or a scheduled historic heritage place; and - references to wider upgrades of the adjacent road network under (d) do not correspond to the quantum of effects from the activities this is triggered by i.e. 4 dwellings. There are already matters for pedestrian access under (iii). The development contributions already include a component for local transport upgrades. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete the proposed new assessment criteria (ia) building form and appearance including: A. use of built elements such as materials, surface and architectural detailing and roof design to create visual interest; B. ~~use of deep soil and~~/or outdoor living areas, modulation, architectural features, windows, doors and breaks in building length to minimise bulk and visual dominance; C. whether design provides for the balance between resident's privacy and opportunities for passive surveillance; D. whether the design provides for privacy, and sunlight and daylight access for adjoining sites; ~~E. the interface with an identified special character area or a scheduled historic heritage place;~~ (ib) the extent to which the functional, day to day needs of residents are provided for in terms of: ~~A. the size and dimensions of living areas relative to the likely occupancy levels of the dwellings;~~ ~~B. internal storage;~~ C. residential waste management, including the kerbside and/or on-site capacity for residential waste management. …	2033.56

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	(iii) location and design of ~~parking and~~ access (including pedestrian access) and parking (if provided). b) [deleted] ~~all of the following standards:~~ ~~(i) Standard H5.6.9 Maximum impervious areas;~~ ~~(ii) Standard H5.6.10 Building coverage;~~ ~~(iii) Standard H5.6.11 Landscaped area;~~ ~~(iv) Standard H5.6.12 Outlook space;~~ ~~(v) Standard H5.6.13 Daylight; (vi) Standard H5.6.14 Outdoor living space;~~ ~~(vii) Standard H5.6.15 Front, side and rear fences and walls; and~~ ~~(viii) Standard H5.6.16 Minimum dwelling size~~ (c)~~I~~ the effects on infrastructure and servicing including: (i) Existing infrastructure capacity. (d) the effects of the development on the safe access for pedestrians on the adjacent road network.			~~(d) the effects of the development on the safe access for pedestrians on the adjacent road network.~~	
45.	**H5.8. Assessment – restricted discretionary activities** **H5.8.1. Matters of discretion** (3) for integrated residential development: (a) the effects on the neighbourhood character, residential amenity, safety, and the surrounding residential area from all of the following: (i) building ~~intensity,~~ scale, location, form and appearance including the extent to which buildings as viewed from the street or public places are designed to minimise visual dominance effects taking into account: A. the planned urban built character of the zone; B. the location, orientation and design of development; and C. the effect of the proposed height on the surrounding and neighbouring development. (ii) traffic; (iii) location and design of parking and access (including pedestrian access) and parking (if provided); and (iv) noise, lighting and hours of operation. (b) [deleted] ~~all of the following standards:~~ ~~(i) Standard H5.6.9 Maximum impervious areas;~~ ~~(ii) Standard H5.6.10 Building coverage;~~ ~~(iii) Standard H5.6.11 Landscaped area;~~ ~~(iv) Standard H5.6.12 Outlook space;~~ ~~(v) Standard H5.6.13 Daylight;~~ ~~(vi) Standard H5.6.14 Outdoor living space;~~ ~~(vii) Standard H5.6.15 Front, side and rear fences and walls; and~~ ~~(viii) Standard H5.6.16 Minimum dwelling size.~~ (c) Infrastructure and servicing (d) the effects of the development on the safe access for pedestrians on the adjacent road network.	Oppose in part	the effect of the proposed height on the surrounding and neighbouring development should only be required in terms of additional height over and above the zone standard.	Amend the proposed new assessment criteria to refer to "C. the effect of the proposed additional height above the zone standards on the surrounding and neighbouring development." ~~(d) the effects of the development on the safe access for pedestrians on the adjacent road network.~~	2033.57
46.	**H5.8. Assessment – restricted discretionary activities** **H5.8.1. Matters of discretion** (6) For more than one dwelling per site in areas identified on the planning maps as being subject to the Infrastructure –Combined Wastewater Network Control or the Infrastructure – Water and Wastewater Constraints Control. (a) Infrastructure and servicing. (7) For more than one dwelling per site in areas identified on the planning maps as being subject to the Infrastructure –Stormwater Disposal Constraints Control. (a) Stormwater disposal.	Oppose	These effects are already managed by Chapter E8 for 1 dwellings and additions and alternations to. Furthermore, **H5.8. Assessment – restricted discretionary activities** for four or more dwellings per site deals with infrastructure capacity.	Delete the proposed new assessment criteria	2033.58
47.	**H5.8.2. Assessment criteria** (1) for supported residential care accommodating greater than 10 people per site inclusive of staff and residents; boarding houses accommodating greater than 10 people per site inclusive of staff and residents; visitor accommodation accommodating greater than 10 people per site inclusive of staff and visitors; dairies up to 100m2 gross floor area per site; care centres accommodating greater than 10 people per site excluding staff; community facilities; and healthcare facilities up to 200m2 gross floor area per site: (a) infrastructure and servicing:	Support in part	Support removal of 'intensity' though ensure remove from (1)(b)(i) for consistency. Remove requirement for off-site roading or pedestrian upgrades	Amend and retain text as identified in reasons for submission. ~~(f) The extent to which the adjacent road network provides safe pedestrian movements~~.	2033.59

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:
	(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. (b) building ~~intensity~~, scale, location, form and appearance: (i) whether the intensity and scale of the activity, the building location, form and appearance is of a high-quality and compatible with the character and residential amenity provided for within the zone and compatible with the surrounding residential area. (c) traffic: (i) whether the activity avoids or mitigates high levels of additional non-residential traffic on local roads. (d) location and design ~~of parking~~ and access (including pedestrian access) and parking (if provided): (i) whether adequate ~~parking and~~ access is provided or required. (ii) whether car parking and accessways are integrated into the overall design of the development (iii) whether parking is located away from street frontages and screened from the street by buildings or landscaping (iv) Whether safe, well-lit pedestrian access is provided and integrated into the design of the development. (e) noise, lighting and hours of operation: (i) whether noise and lighting and the hours of operation of the activity avoids, remedies or mitigates adverse effects on the residential amenity of surrounding properties, by: • locating noisy activities away from neighbouring residential boundaries; • screening or other design features; and • controlling the hours of operation and operational measures (f) The extent to which the adjacent road network provides safe pedestrian movements.			
48.	**H5.8.2. Assessment criteria** The Council will consider the assessment criteria below for restricted discretionary activities to the extent relevant to the proposal: (2) for four or more dwellings on a site: (a) the extent to which or whether the development achieves the purpose outlined in the ~~following~~ relevant standards identified in Table 5.4.1 or what alternatives are provided that result in the same or a better outcome.~~:~~ (i) [deleted]~~Standard H5.6.9 Maximum impervious areas;~~ (ii) [deleted]~~Standard H5.6.10 Building coverage;~~ (iii) [deleted]~~Standard H5.6.11 Landscaped area;~~ (iv) [deleted]~~Standard H5.6.12 Outlook space;~~ (v) [deleted]~~Standard H5.6.13 Daylight;~~ (vi) [deleted]~~Standard H5.6.14 Outdoor living space;~~ (vii) [deleted]~~Standard H5.6.15 Front, side and rear fences and walls; and~~ (viii) [deleted]~~Standard H5.6.16 Minimum dwelling size.~~ (aa) the extent to which the scale of the activity, the building location, form and appearance is of a high-quality and compatible with the planned urban built character and residential amenity of the surrounding residential area provided for within the zone. (ab) the extent to which buildings are designed to manage building length and bulk and visual dominance by: (i) placing taller buildings on the street front (ii) varying roof form and building height (iii) using modulation and architectural features to break up the mass of buildings into visually distinct elements (iv) using the proportions and arrangement of windows and doors to provide relief to building length and bulk (v) using other building elements including materials, surface detailing, architectural detail and roof design to provide visual interest along building facades including blank side/party walls (vi) providing adequate breaks in long continuous buildings to minimise the appearance of length (vii) locating deep soil areas and/or communal outdoor spaces around and between buildings to provide space and soften the built form (viii) designing balconies as an integral part of the building (ac) the extent to which buildings use quality, durable and easily maintainable materials. (ad) the extent to which buildings adjoining or across the street from an identified special character area or a scheduled historic heritage place are designed to respect the prevailing character of the area or key historic heritage design and location elements of that place. New and contemporary interpretations in form and detail may be used.	Oppose in part	Oppose the references to: - Deep soil and communal open space in (ab)(vii) and (fe). - References to the need for wider upgrades of the adjacent road network under (d) and (gd). For the latter it is not considered that the quantum of effects corresponds to the activities it triggers. There are already matters for pedestrian access under (iii). The development contributions already include a component for local transport upgrades. - The additional assessment criteria under (ad) for the interface with an identified special character area or a scheduled historic heritage place is not considered an effective method nor warranted by an effect.	Delete the relevant assessment criteria wording as noted: (aa) the extent to which the scale of the activity, the building location, form and appearance ~~is of a high-quality and~~ compatible with the planned urban built character and residential amenity of the surrounding residential area provided for within the zone. … (ab) ~~(vii) locating deep soil areas and/or communal outdoor spaces around and between buildings to provide space and soften the built form~~ … ~~(ac) the extent to which buildings use quality, durable and easily maintainable materials.~~ ~~(ad) the extent to which buildings adjoining or across the street from an identified special character area or a scheduled historic heritage place are designed to respect the prevailing character of the area or key historic heritage design and location elements of that place. New and contemporary interpretations in form and detail may be used.~~ … ~~(i) The extent to which the adjacent road network enables safe pedestrian movements.~~

2033.60

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:
	(ae) the extent to which building frontage contribute positively to the visual amenity and safety of public streets, public open spaces, and private vehicle and pedestrian accessways by: (i) having clearly defined fronts that provide passive surveillance from windows and balconies . (ii) maximising doors, windows and balconies over all levels on the front façades whilst not impacting on privacy. (iii) maximising the number of dwellings on the site that directly front, align and orientate to public streets . (iv) ground level dwellings closest to the street each have direct and clearly defined pedestrian access from the street in preference to a single building entrance. (v) where a site adjoins public open space, buildings include entrances, windows of habitable rooms and balconies facing the open space. (af) the extent to which site layout creates legible, visible attractive, safe and well-lit connections between dwellings and the street. (b) [deleted]~~The extent to which the development contributes to a variety of housing types at higher densities in the zone and is in keeping with the neighbourhood's planned urban built character of predominantly three storey buildings (attached or detached) by limiting the height, bulk and form of the development and managing the design and appearance as well as providing sufficient setbacks and landscaped areas.~~ (c) [deleted]~~The extent to which development achieves attractive and safe streets and public open space by:~~ ~~(i) providing doors, windows and/or balconies facing the street and public open spaces~~ ~~(ii) minimising tall, visually impermeable fences~~ ~~(iii) designing large scale development (generally more than 15 dwellings) to provide for variations in building form and/or façade design as viewed from streets and public open spaces.~~ ~~(iv) optimising front yard landscaping (v) providing safe pedestrian access to buildings from the street~~ ~~(vi) minimising the visual dominance of garage doors, walkways or staircases to upper level dwellings, and carparking within buildings a viewed from streets or public open spaces~~ (d) [deleted]~~The extent to which the height, bulk and location of the development maintains a reasonable standard of sunlight access and privacy and minimises visual dominance to adjoining sites;~~ (e) [deleted]~~The extent to which dwellings:~~ ~~(i) Orientate and locate windows to optimise privacy and encourage natural cross ventilation within the dwelling~~ ~~(ii) Optimise sunlight and daylight access based on orientation, function, window design and location, and depth of the dwelling floor space~~ ~~(iii) Provide secure and conveniently accessible storage for the number and type of occupants the dwelling is designed to accommodate.~~ ~~(iv) Provide the necessary waste collection and recycling facilities in locations conveniently accessible and screens from streets and public open spaces.~~ (f) [deleted]~~The extent to which outdoor living space:~~ ~~(i) Provides for access to sunlight~~ ~~(ii) Provides privacy between the outdoor living space of adjacent dwellings on the same site and between outdoor living space and the street.~~ ~~(iii) When provided at ground level, is located on generally flat land or otherwise functional~~ (fa) refer to Policy H5.3(A1); (fb) refer to Policy H5.3(C1); (fc) refer to Policy H5.3(D1); (fd) refer to Policy H5.3(E1); (fe) refer to Policy H5.3(6A) (g) [deleted]~~refer to Policy H5.3(7); and~~ (ga) refer to Policy H5.3(10); (gb) refer to Policy H5.3(11); (gc) refer to Policy H5.3(12); (gd) refer to Policy H5.3(14); (h) infrastructure and servicing: (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. (i) The extent to which the adjacent road network enables safe pedestrian movements.			
49.	**H5.8.2. Assessment criteria** (3) for integrated residential development: (a) the extent to which or whether the development achieves the purpose outlined in the following relevant standards and identified in Table H5.4.1 or what alternatives are provided that result in the same or a better outcome: (i) [deleted] ~~Standard H5.6.9 Maximum impervious areas;~~ (ii) [deleted] ~~Standard H5.6.10 Building coverage;~~	Oppose in part	Oppose the references to: - deep soil and communal open space in 3(g). - references to the need for wider upgrades of the adjacent road network under (l). It is not considered that the quantum of effects corresponds to the activities it triggers. The level of service within the existing road reserve is the responsibility of Auckland Transport. The	Delete the relevant assessment criteria. ~~(l) The extent to which the adjacent road network enable safe pedestrian movements, including:~~ ~~i. Footpaths of at least 1.8m in width~~ ~~ii. Facilities to safely and conveniently cross the road including pram crossings, and tactile paving,~~ ~~iii. Narrowed pedestrian crossing distances of vehicle carriageways~~

2033.61

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:
	(iii) [deleted] ~~Standard H5.6.11 Landscaped area;~~ (iv) [deleted] ~~Standard H5.6.12 Outlook space;~~ (v) [deleted] ~~Standard H5.6.13 Daylight;~~ (vi) [deleted] ~~Standard H5.6.14 Outdoor living space;~~ (vii)[deleted] ~~Standard H5.6.15 Front, side and rear fences and walls; and~~ (viii) [deleted] ~~Standard H5.6.16 Minimum dwelling size (excluding retirement villages).~~ (aa) refer to Policy H5.3(C1) (ab) refer to Policy H5.3(D1) (ac) refer to Policy H5.3(E1) (b) [deleted] ~~refer to Policy H5.3(1);~~ (c) [deleted] ~~refer to Policy H5.3(2);~~ (d) [deleted] ~~refer to Policy H5.3(3);~~ (e) [deleted] ~~refer to Policy H5.3(4);~~ (f) [deleted] ~~refer to Policy H5.3(5);~~ (g) refer to Policy H5.3(6A); (h) [deleted] ~~refer to Policy H5.3(7);13~~ (i) refer to Policy H5.3(8); (j) refer to Policy H5.3(9); ~~and~~ (ja) refer to Policy H5.3(11); (jb) refer to Policy H5.3(12); (ic) refer to Policy H5.3(14); and (k) infrastructure and servicing: (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. (l) The extent to which the adjacent road network enable safe pedestrian movements, including: i. Footpaths of at least 1.8m in width ii. Facilities to safely and conveniently cross the road including pram crossings, and tactile paving, iii. Narrowed pedestrian crossing distances of vehicle carriageways iv. Front berms to separate pedestrians from traffic.		development contributions already include a component for local transport upgrades. - Infrastructure provision is already included within existing assessment criteria (k) the cross reference under 3(jb) is unnecessary.	~~iv. Front berms to separate pedestrians from traffic.~~
50.	**H5.8.2. Assessment criteria** (4) for building height: (aa) refer to Policy H5.3(A1); (ba) refer to Policy H5.3(B1); (ca) refer to Policy H5.3(E1); (da) refer to Policy H5.3(6A); (a) ~~refer to Policy H5.3(2~~); (b) ~~refer to Policy H5.3(4).;~~ and **Visual dominance** (4) 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: (i) the planned urban built character of the zone; and (ii) the location, orientation and design of development. (iii) the effect of the proposed height on the surrounding and neighbouring development.	Oppose in part	Consideration of the effect of the proposed height on the surrounding and neighbouring development should only be required in terms of additional height over and above the zone standard.	Amend the proposed new assessment criteria to refer to: "iii. the effect of the proposed additional height above the zone standards on the surrounding and neighbouring development."
51.	**H5.8.2. Assessment criteria** (6) for height in relation to boundary: (aa) refer to Policy H5.3(A1); (ba) refer to Policy H5.3(E1); (ba) refer to Policy H5.3(6A) and (a) ~~refer to Policy H5.3(2);~~ (b) ~~refer to Policy H5.3(4); and~~ (c) ~~refer to Policy H5.3(5).~~ **Sunlight access** (d) Whether sunlight access to the outdoor living space of an existing dwelling on a neighbouring site satisfies the following criterion:13	Oppose in part	Consideration of the effect of the proposed height in relation to boundary infringement on the surrounding and neighbouring development should only be required in terms of additional bulk over and above the zone standard.	Amend the proposed new assessment criteria to refer to additional HIRB infringements over the standard.

2033.62

2033.63

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	Four hours of sunlight is retained between the hours of 9am – 4pm during the Equinox (22 September): (i) over 75% of the existing outdoor living space where the area of the space is greater than the minimum required by Standard H5.6.4: or (ii) over 100% of existing outdoor living space where the area of this space is equal to or less than the minimum required by Standard H5.6.14. (e) 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 (a): (i) 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 Height in relation to boundary control; and (ii) 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. **Visual dominance** (f) 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: (i) the planned urban built character of the zone; (ii) the location, orientation and design of development; and (iii) the physical characteristics of the site and the neighbouring site. (iv) the design of side and rear walls, including appearance and dominance; and (v) providing adequate visual and/or physical break up of long continuous building forms. **Overlooking and privacy** (g) 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.				
52.	**H5.8.2. Assessment criteria** (12) for landscaped area: (aa) refer to Policy H5.3(A1); (ba) refer to Policy H5.3(C1); (ca) refer to Policy H5.3(6A); (da) refer to Policy H5.3(10); and (a) [deleted] ~~refer to Policy H5.3(2);~~ (b) [deleted] ~~refer to Policy H5.3(4); and~~ (c) [deleted] ~~refer to Policy H5.3(5).~~ (d) the extent to which existing trees are retained.	Oppose	The are no general tree protection controls.	Delete the additional assessment criteria.	2033.64
53.	**H5.8.2. Assessment criteria** (14) for daylight: (aa) refer to Policy H5.3(D1); (ab) refer to Policy H5.3(6A); and (a) [deleted] ~~refer to Policy H5.3(2);~~ (b) [deleted] ~~refer to Policy H5.3(4); and~~ (c) [deleted] ~~refer to Policy H5.3(5).~~	Oppose	It is not a method retained in the MDRS.	Delete H5.8.2. in its entirety	2033.65
54.	**H5.8.2. Assessment criteria** (15) for outdoor living space: (aa) refer to Policy H5.3(A1); (ba) refer to Policy H5.3(D1); and (a) [deleted] ~~refer to Policy H5.3(2);~~ (b) [deleted] ~~refer to Policy H5.3(4);~~ (c) [deleted] ~~refer to Policy H5.3(5); and~~ (d) [deleted] ~~refer to Policy H5.3(6). and;~~ (e) The extent to which dwellings provide private open space and communal open space that is useable, accessible from each dwelling and attractive for occupants.	Oppose in part	The inclusion of 'communal' open space is unnecessary with the private open space requirements sufficient. The provision for wider public open is the responsibility of Council not developers. A specific open space development contribution is already payable for each dwelling. The use of the term attractive can be ambiguous and open to interpretation.	Deletion of this text. (e) The extent to which dwellings provide private open space ~~and communal open space~~ that is useable, and accessible from each dwelling ~~and attractive~~ for occupants.	2033.66
55.	**H5.8.2. Assessment criteria** (15A) For windows to street and private vehicle and pedestrian accessways	Oppose in part	The text goes beyond MDRS in terms of referencing private vehicle and pedestrian accessways.	Deletion of the following text. H5.8.2. Assessment criteria	2033.67

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	(a) refer to Policy H5.3(C1) (b) refer to Policy H5.3(6A); and (c) The extent to which the glazing: (i) allows views to the street and/or accessways to ensure passive surveillance; and (ii) provides a good standard of privacy for occupants.			(15A) For windows to street ~~and private vehicle and pedestrian accessways~~ (a) refer to Policy H5.3(C1) (b) refer to Policy H5.3(6A); and (c) The extent to which the glazing: (i) allows views to the street ~~and/or accessways~~ to ensure passive surveillance; and (ii) provides a good standard of privacy for occupants.	
56.	**H5.8.2. Assessment criteria** (18) for deep soil area and canopy tree (a) refer to Policy H5.3(6A); (b) The extent to which the proposed deep soil area uses or adds to existing deep soil areas to support canopy trees; and	Oppose	It is not a method retained in the MDRS. It is not efficient use of land, and is neither effective or efficient.	Delete entire assessment criteria.	2033.68
57.	**H5.8.2. Assessment criteria** (19) for safety and privacy buffer from private pedestrian and vehicle accessways: (a) refer to Policy H5.3(6A); and (b) the extent to which the buffer is: (i) free of buildings, parking spaces, structures, servicing facilities and manoeuvring areas; (ii) planted with suitable and low level plants.	Oppose	It is not a method retained in the MDRS. This matter would be better placed as assessment criteria rather than as standards.	Delete entire assessment criteria.	2033.69
58.	**H5.8.2. Assessment criteria** (20) For residential waste management: (a) refer to Policy H5.3(D1) (b) refer to Policy H5.3(6A); (c) refer to Policy H5.3(10); (d) The extent to which sufficient space is provided for residential waste management that is suitably located for ease of movement to collection points; (e) The extent to which the waste management area is designed to minimise visibility; (f) How the development intends to ensure the on-going management and maintenance of any communal residential waste management area; (g) Whether waste storage areas are located outside windows or doors to bedrooms, living areas and outdoor living areas to avoid effects of odour and noise; and (h) Whether waste management vehicle can safely undertake collection.	Oppose in part	Consider matters related to waste should be included in the assessment criteria for 4+ dwellings and integrated residential development.	Delete section (20) and move necessary criteria to H5.8.2. (1), (2) and (3).	2033.70
59.	**H5.8.2. Assessment criteria** (21) For more than one dwelling per site in areas identified on the planning maps as being subject to the Infrastructure – Combined Wastewater Network Control or the Infrastructure – Water and Wastewater Constraints Control: (a) Whether there is adequate capacity in the existing public reticulated water supply and / or wastewater network to service the proposed dwelling(s). (b) Whether sufficient water supply and access to water supplies for firefighting purposes in accordance with the NZ Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 is available. (c) Whether there is the ability to connect the dwelling(s) to a reticulated water supply and / or wastewater network in the future.	Oppose	These effects are already managed by Chapter E8 and the assessment criteria under H5.8.2.(1), (2) and (3).	Delete proposed text.	2033.71
60.	**H5.8.2. Assessment criteria** (22) For more than one dwelling per site in areas identified on the planning maps as being subject to the Infrastructure – Stormwater Disposal Constraints Control. (a) Whether stormwater can be disposed via a connection to the public stormwater network. (b) Whether stormwater from the site can be disposed of in accordance with the current version of Guideline Document 007 Stormwater Soakage and Groundwater Recharge in the Auckland Region, and the Auckland Stormwater Code of Practice.	Oppose	These effects are already managed by Chapter E8 and the assessment criteria under H5.8.2.(1), (2) and (3).	Delete proposed text.	2033.72
H5.9. Special information requirements					
61.	**Landscaped Plan as required by H5.6.11 Landscape area** (1) A scaled landscape plan must be provided that contains landscaped areas and includes: (a) Plant and tree species, number of each species to be planted and planting grades; (b) Canopy of existing trees to be retained; (c) Any area of grass; and15 (d) Any paths included in landscaped area.	Oppose	Chapter C1.2.(1) already addresses this matter - no need for a specific information requirement.	Delete proposed text.	2033.73

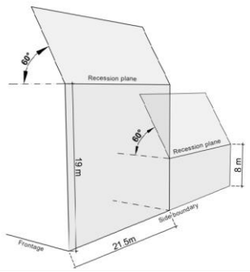
	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
62.	**Deep Soil Area and Canopy Tree** (2) The deep soil area provided must be demonstrated on a scaled landscape plan that at a minimum identifies the following: (a) plant and tree species, number of each species to be planted and planting grades; (b) location of existing trees to be retained; (c) dimensions of individual mature tree canopy; (d) any areas of grass; and (e) Minimum tree canopy dimensions are specified in Table H5.9(3) below. **Table H5.9(3) Minimum tree canopy dimension** | | Minimum mature tree height | Minimum mature canopy diameter | Minimum tree height above ground when planted | Indicative tree planting grade | |---|---|---|---|---| | Small | 8m | 6m | 2m | 120L | | Medium | 10m | 8m | 2.5m | 160L | | Large | 15m | 12m | 3m | 200L |	Oppose	It is not a method retained in the MDRS. It is not efficient use of land, and is neither effective or efficient.	Delete proposed text.	2033.74
63.	**Residential waste management** (3) Applications for where communal bins are proposed, must include calculations for required storage space as determined using the Auckland Council's Solid Waste Calculator (Standard H5.6.21(1)(b)). (4) When preparing the waste management and minimisation plan, applicants should refer to the Waste Management and Minimisation Bylaw 2019. The following information must be provided at a minimum: a) the estimate of the volume of waste by the type of waste created, collected, received, stored or disposed of; b) the frequency, location, access and on-site route of waste collection or transportation; and c) the method of waste collection, transportation or disposal.	Neutral	Needs to be clear that it only relates to communal collection.	Clarify that this is only related to communal collection.	2033.75
	H6. Residential – Terrace Housing and Apartment Buildings Zone				
64.	**H6.1. Zone Description** The Residential – Terrace Housing and Apartment Buildings Zone is a high-intensity zone enabling a ~~greater~~ high - intensity of residential development ~~than previously provided for~~. This zone provides for urban residential living in a range of ~~the~~ forms ~~of~~ including terrace housing and apartments. The zone is predominantly located around metropolitan, town and local centres and the public transport network to support the highest levels of intensification. The purpose of the zone is to make efficient use of land and infrastructure, increase the capacity of housing and ensure that residents have convenient access to services, employment, education facilities, retail and entertainment opportunities, public open space and public transport. This will promote walkable neighbourhoods and increase the vitality of centres. The zone provides for the greatest density, height and scale of development of all the residential zones. Within walkable catchments, as identified on the planning maps, development of at least six storeys is enabled unless qualifying matters apply. Outside the walkable catchments, ~~B~~buildings are enabled up to at least five storeys ~~six or seven storeys in~~. In identified Height Variation Control areas buildings of seven or more storeys are enabled. Permitted height standards vary depending on the scale of the adjoining centre, to achieve a transition in height from the centre to adjoining ~~lower scale~~ residential zones. ~~This form of development will, o~~The zone anticipates the greater intensity of development will transition neighbourhoods ~~and over time~~, ~~result in a change~~ from a suburban character to urban built character with a corresponding ~~a high~~ degree of visual change. The zone enables a mix of housing types including three-storey attached and detached dwellings, terraced housing and apartment buildings and integrated residential developments such as retirement villages and Papakāinga. The Residential – Terrace Housing and Apartment Buildings Zone is a relevant residential zone as defined in the RMA. The zone incorporates Medium Density Residential Standards (MDRS). The development outcomes anticipated by the RMA are enabled in the zone and are less enabling of development where one or more qualifying matters apply. Standards are applied to all buildings and resource consent is required for ~~all~~ developments with four or more dwellings and for other specified buildings and activities in order to: • achieve the planned urban built character of the zone;	Support in part	The suitability of a walkable catchment can vary depending on a number of factors, including topography, connectivity and access to a regular public transport network. In some cases, there may be sites that are located outside a 'walkable catchment' that are suitable for additional intensification and building height. Such sites should be considered on their merits having regard to their context and their ability to provide additional housing choice in an area that is well served by a range of amenities, including public transport.	Amend the zone description as follows: The zone provides for the greatest density, height and scale of development of all the residential zones. Within walkable catchments, as identified on the planning maps, development of at least six storeys is enabled unless qualifying matters apply. Outside the walkable catchments, ~~B~~buildings are enabled up to at least five storeys ~~six or seven storeys in~~. In identified Height Variation Control areas buildings of seven or more storeys are enabled or where appropriate, additional height, having regard to the context of the site and the ability to provide additional housing choice in an area that is well served by a range of amenities, including public transport. Permitted height standards vary depending on the scale of the adjoining centre, to achieve a transition in height from the centre to adjoining ~~lower scale~~ residential zones. Any other consequential changes that would give effect to the relief sought in this submission	2033.76

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	• achieve attractive and safe streets and public open spaces; • manage the effects of development on adjoining sites, including visual amenity, privacy and access to daylight and sunlight; and • achieve high quality on-site living environments. The resource consent requirements for four or more dwellings enable the design and layout of the development to be assessed; recognising that the need to achieve a quality design is increasingly important as the scale of development increases. This zone also provides for a range of non-residential activities so that residents have convenient access to these activities and services while maintaining the urban residential character of these areas.				
H6.2. Objectives					
65.	(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 three-storey buildings.	Support in part	Additional wording proposed to clarify the objectives of the zone.	Amend the text as follows: ii The neighbourhood's planned urban built character, including three-storey attached and detached dwellings, terraced housing and apartment buildings and integrated residential developments such as retirement villages and Papakāinga; and iii Walkable catchments and/or other accessibility to frequent public transport to enable multilevel apartment typologies featuring a range of building heights that respond to the context of the site.	2033.77
66.	(1A) Development of at least six storeys is enabled within walkable catchments, with seven or more storey buildings in identified areas, while also achieving a high-quality built environment.	Oppose in part	The term 'high-quality built environment' is open to subjectivity and will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete the proposed wording or reword to delete reference to high quality building.	2033.78
67.	(2) Development outside walkable catchments is in keeping with the areas' changing planned urban built character of predominantly five storeys or six or seven storey buildings where specified in identified areas, in a variety of forms.	Oppose in part	The suitability of a walkable catchment can vary depending on a number of factors, including topography, connectivity and access to a regular public transport network. In some cases, there may be sites that are located outside a 'walkable catchment' that are suitable for additional intensification and building height. Such sites should be considered on their merits having regard to their context and their ability to provide additional housing choice in an area that is well served by a range of amenities, including public transport.	(2) Development outside walkable catchments is in keeping with the areas' changing planned urban built character of predominantly five storeys or six or seven storey buildings where specified in identified areas, or where appropriate, having regard to the context of the site and the ability to provide additional housing choice in an area that is well served by a range of amenities, including public transport.~~in a variety of forms.~~	2033.79
68.	(3) Development provides high-quality amenity: a. on-site ~~residential amenity~~ for residents; b. to adjoining sites; and c. to the street.	Oppose	The inclusion of 'high' and 'amenity' does not reconcile with the outcomes of the MDRS standards of the zone as they exist or are proposed. The term 'high-quality amenity' is open to subjectivity and will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Retain existing wording.	2033.80
69.	(4) Non-residential activities provide for the community's social, economic and cultural well-being, while being compatible with the scale and intensity of development anticipated by the zone so as to contribute to the amenity of the neighbourhood.	Support	Providing for non-residential activities will provide for the community's social, economic and cultural well-being of the community and support the MDRS outcomes.	Retain existing wording.	2033.81
70.	(5) Development contributes to a high-quality built environment that is resilient to the effects of climate change.	Oppose	The term 'high-quality built environment' is open to subjectivity and will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete the proposed wording or reword to delete reference to high quality building.	2033.82
71.	(8) (Enable safer pedestrian movement within the immediate locality of higher density developments to ensure ease of pedestrian movement to the rapid transport stops.	Oppose	The policy addresses aspects of a site that are located outside the zone boundary. Chapter 27 Transportation addresses pedestrian safety for developments that adjoin the road.	Delete the proposed wording	2033.83
72.	(9) Development is enabled on sites subject to significant ecological areas where it provides for the protection and management of the significant ecological values.	Oppose	It is considered that effects of development on SEA are already suitably dealt with via Chapter D9 and E15. The inclusion in the zone is not necessary and undermines the existing AUP framework and the efficient use of land.	Delete the proposed wording	2033.84
H6.3. Policies					
73.	(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.	Support in part	Will generally give effect to the MDRS and the NPSUD	Retain proposed Policy	2033.85

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	(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.				
74.	(1) Enable a variety of housing types at high densities including terrace housing and low to mid-rise and higher rise apartments within walkable catchments and integrated residential development such as retirement villages.	Oppose in part	Additional wording proposed to recognise that some sites located outside the walkable catchment may still be suitable for additional intensity.	(1) Enable a variety of housing types at high densities including terrace housing and low to mid-rise and higher rise apartments within walkable catchments and integrated residential development such as retirement villages or where appropriate, having regard to the context of the site and the ability to provide additional housing choice in an area that is well served by a range of amenities, including public transport.	2033.86
75.	(2) Require the height, bulk, form and appearance of multi-unit development ~~and the provision of setbacks and landscaped areas~~ to achieve a high-quality built environment: (a) with a high-density urban built character of predominantly five, six or seven storey buildings in identified areas; and (b) through building and site design which locates bulk and mass towards the street and provides for setbacks, outlook spaces, private and communal outdoor spaces and landscaped areas~~., in a variety of forms.~~	Oppose	The term 'high-quality built environment' is open to subjectivity and will not be efficient or effective in achieving the outcomes sought by the MDRS standards. Additional wording proposed to recognise that some sites located outside the walkable catchment may still be suitable for additional intensity.	Reword the policy as follows: (2) Require the height, bulk, form and appearance of multi-unit development ~~and the provision of setbacks and landscaped areas~~ to achieve a reasonable ~~high~~-quality built environment: (a) with a high-density urban built character of predominantly five, six or seven storey buildings in identified areas or where appropriate, having regard to the context of the site and the ability to provide additional housing choice in an area that is well served by a range of amenities, including public transport.; and (b) through building and site design which locates bulk and mass towards the street and provides for setbacks, outlook spaces, private and communal outdoor spaces and landscaped areas~~., in a variety of forms.~~	2033.87
76.	(A4) 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 resident's' safety and privacy while enabling passive surveillance on the street; (c) minimising visual dominance effects on 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; (f) minimising the maximum impervious area on a site in order to manage 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; and (h) designing practical, sufficient space for residential waste management; and (i) designing practical, sufficient space for internal storage and living areas.	Oppose	The term 'high-quality built environment' is open to subjectivity and will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	(A4) Require development to achieve a ~~built~~ planned urban form that contributes to reasonable ~~high~~-quality built environment outcomes by: (a) maintaining a reasonable level of 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 on adjoining sites; (d) maintaining a reasonable 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; (f) minimising the maximum impervious area on a site in order to manage 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~~	2033.88

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
				~~climate change, by providing deep soil areas that enable the growth of canopy trees~~; and (h) designing practical, sufficient space for residential waste management; and (ii) designing practical, sufficient space for internal storage and living areas.	
77.	(4) In identified locations adjacent to centres, enable greater building height ~~through the~~ of five storey's outside walkable catchments, at least six storeys within walkable catchments and the application of the Height Variation Control where additional development potential is enabled and which: (a) provides an appropriate transition in building scale from the adjoining higher density business zone to neighbouring lower intensity residential zones, and; (b) supports public transport networks, social infrastructure and the vitality of the adjoining centre.	Support in part	Additional wording proposed to recognise that some sites located outside the walkable catchment may still be suitable for additional intensity.	(4) In identified locations adjacent to centres, enable greater building height ~~through the~~ of five storey's outside walkable catchments, at least six storeys within walkable catchments and the application of the Height Variation Control where additional development potential is enabled or where appropriate, having regard to the context of the site and the ability to provide additional housing choice in an area that is well served by a range of amenities, including public transport and which: (a) provides an appropriate transition in building scale from the adjoining higher density business zone to neighbouring lower intensity residential zones, and; (b) supports public transport networks, social infrastructure and the vitality of the adjoining centre.	2033.89
78.	(9) Provide for non-residential activities that: (a) support the social and economic well-being of the community; (b) are in keeping with the with the scale and intensity of development anticipated within the zone; (c) avoid, remedy or mitigate adverse effects on residential amenity; and (d) will not detract from the vitality of the Business – City Centre Zone, Business – Metropolitan Centre Zone and Business – Town Centre Zone.	Support	Providing small scale non-residential activities will support the social and economic wellbeing of the community	Retain the wording	2033.90
79.	(12) Require dwellings to be provided with access to safe and reliable drinking water and wastewater services.	Oppose	Infers that the quality of the drinking water is able to be influenced by the applicant. This is the responsibility of Watercare. Any wording should be similar to that already identified in the existing assessment criteria.	Delete the policy in its entirety.	2033.91
80.	(13) Require development of new dwellings in areas identified on the planning maps as subject to water, wastewater or stormwater infrastructure constraints, to be provided with appropriate infrastructure.	Oppose	Matters of infrastructure already addressed by Chapter E8 and assessment criteria.	Delete the policy in its entirety.	2033.92
81.	(14) Require development to contribute to safety improvements of the immediate urban road environment to achieve pedestrian connectivity to public transport.	Oppose	Requirement for the need for wider upgrades of the adjacent road network needs to be linked to an effect. The level of service within the existing road reserve is the responsibility of Auckland Transport. The development contributions already include a component for local transport upgrades.	Delete the policy in its entirety.	2033.93
82.	(15) Require buildings on sites subject to significant ecological areas to be of a scale that protects and maintains the significant ecological values of those	Oppose	It is considered that effects of development on SEA are already suitably dealt with via Chapter D9 and E15. The inclusion in the zone is not necessary and undermines the existing AUP framework and the efficient use of land.	Delete the policy in its entirety.	2033.94
H6.4 Activity Table					
83.	(A1) activities not provided for.	Oppose	It is considered activities not provided for should be DA as per Chapter C.	Amend A1 to be a Discretionary Activity	2033.95
84.	Commercial Activities	Oppose	In order to create sustainable local communities and in doing so support the intrinsic principle imbedded in the purposes of PC 78 there needs to be greater flexibility in the THAB provisions to enable a range of small-scale commercial activities to occur as permitted activities at ground level in residential developments in the walkable catchment of the THAB zone.	The submitter seeks that a wider range of commercial activities (at a small scale) are provided for in the walkable catchment of the THAB Zone as permitted activities. New Standards to be introduced to reflect the relief sought by the submitter to give effect to all commercial activities at ground level and/or street level up to 100m2 GFA per premises to be provided for as a Permitted	2033.96

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
				Activity in Table H6.4.1 with consequential amendments	
85.	**(A2A) <u>One dwelling per site subject to a Significant Ecological Area Overlay which complies with Standards E15.4.2(A29) and E15.6.5</u>**	Oppose	It is considered that effects of development on SEA are already suitably dealt with via Chapter D9 and E15. The inclusion in the zone is not necessary and undermines the existing AUP framework and the efficient use of land. Additional standards should not be added beyond the MDRS requirement. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Delete the activity from the table.	2033.97
86.	**<u>(A2B) Two or more dwellings per site subject to a Significant Ecological Area Overlay (refer to Vegetation management and biodiversity E15.4.2(A43) and E15.6.5)</u> <u>(A32B) New buildings and additions and alterations to buildings in a Significant Ecological Area Overlay which do not comply with H5.6.10(2) Building coverage.</u>**	Oppose	It is considered that effects of development on SEA are already suitably dealt with via Chapter D9 and E15. The inclusion in the zone is not necessary and undermines the existing AUP framework and the efficient use of land. Additional standards should not be added beyond the MDRS requirement for activity (A2B). The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Delete the activities from the table.	2033.98
87.	**Activity Table - Standards to be complied with (multiple activities)** <u>Standard H6.6.4A.(1) Number of dwellings per site; Standard H6.6.4B Dwellings within the Infrastructure – Combined Wastewater Network Control as identified on the planning maps; Standard H6.6.4C Dwellings within the Infrastructure – Stormwater Disposal Constraints Controls; Standard H6.6.5(1)(a) Building height; Standard H6.6.6(1) Height in relation to boundary; Standard H6.6.9 Yards; Standard H6.6.10(3) Maximum impervious area; Standard H6.6.11(2) Building coverage; Standard H6.6.12(A1), (A2) and (4) Landscaped area; Standard H6.6. 13(A1) Outlook space; Standard H6.6.15(A1) – (B1) Outdoor living space; Standard H6.6.19(1) Windows to street and private vehicle and pedestrian accessways; Standard H6.6.20 Deep soil area and canopy tree; Standard H6.6.21 Safety and privacy buffer to private pedestrian and vehicle accessways; and Standard H6.6.20 Residential waste management.</u>	Oppose	Additional standards beyond the MDRS are not required as directed by government. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Delete standards that are not identified within the MDRS.	2033.99
88.	**H6.5. Notification**	Oppose	Compliance should only be for the bulk and form and adjacent site amenity standards. Amend notification standard to make it clear that restricted discretionary matters such as earthworks, contamination, flood plains, and technical parking infringements do not remove the notification exclusions. The notification effects of these technical elements of an application will be considered in accordance with their restricted discretionary status.	Delete standards that are not identified within the MDRS. Amend the notification standard to make it clear that restricted discretionary matters such as earthworks, contamination, flood plains, and technical parking infringements do not remove the notification exclusions. In terms of notification, those effects outside the zone standards that form part of a bundled application will be considered in accordance with their particular restricted discretionary status and the associated matters for discretion for those consent matters.	2033.100
89.	**<u>H6.6.4B Dwellings within the Infrastructure – Combined Wastewater Network Control as identified on the planning maps</u>** <u>Purpose: to restrict development in any area served by a combined sewer network where public sewer separation has not occurred while enabling new dwellings where separation is in progress and the new dwelling can connect to a separated local stormwater pipe that is part of the public stormwater network.</u> <u>(1) A new dwelling in an area served by the combined sewer network must be able to connect to an existing separated local stormwater pipe that is part of the public stormwater network.</u>	Oppose	The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Delete standard.	2033.101
90.	**<u>H6.6.4C Dwellings within the Infrastructure - Stormwater Disposal Constraints Control</u>** <u>Purpose: to manage development in any area where stormwater disposal is constrained by the lack of any connection or ability to connect to a public stormwater network and where on-site soakage capacity is insufficient to ensure adequate provision for stormwater disposal from the site.</u> (1) <u>A new dwelling in an area identified as having no current connection to the public stormwater network and poor on-site soakage capacity must either be able to connect to the public stormwater network or provide sufficient stormwater disposal capacity on-site.</u>	Oppose	These effects are already managed by Chapter E8. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Delete standard.	2033.102

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
91.	**H6.6.6. Height in relation to boundary** ~~(b)~~ [Deleted] ~~sites within the Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or the Open Space – Community Zone:~~ ~~(i) that are greater than 2000m^2;~~ ~~(ii) where that part of the site in (i) is greater than 20 metres in width, when measured perpendicular to the shared boundary; and~~ ~~(iii) Where an open space comprises multiple sites but has a common open space zoning, the entire zone will be treated as a single site for the purpose of applying the standards listed below.~~ ~~(5)~~ [Deleted] ~~A gable end, dormer or roof may project beyond the recession plane where that portion beyond the recession plan is: (a) no greater than 1.5m2 in area and no greater than 1m in height; and (b) no greater than 2.5m cumulatively in length measured along the edge of the roof as shown in Figure H5.6.5.2 Exceptions for gable ends and dormers and roof projections below.~~ ~~(6) No more than two gable end, dormer or roof projections are allowed for every 6m length of site boundary.~~	Oppose	The exclusions should be retained, as they deal with minor protrusions and they are helpful on sloping sites. It is beneficial to provide activation to Open Space zones.	Retain the existing minor protrusion exclusions HIRB is excluded from applying where the site adjoins open space greater than 2,000m^2 in accordance with the current standard.	2033.103
92.	**H6.6.6. Height in relation to boundary** **Figure H6.6.6.1B Height in relation to boundary for four or more dwellings and any other development within walkable catchments**  	Support in part	Support new HIRB control within Walkable catchments. New HIRB will give effect to the NPS-UD. However, the recession plane standard for the first 21.5m of site from the frontage, and corresponding limitation applied for any part of the site, farther than 21.5m from the frontage of any site is not justifiable in respect to apartment building typologies, configurations/floor layouts and dimensions, also having regard to lot sizes and shapes. Based on design experience a 25m offset as applied to this standard is a more realistic and pragmatic method to achieve the intended outcomes of the THAB Zone.	Amend the proposed new HIRB standard of 19 metres and 60 degrees for the first 25 metres of the site.	2033.104
93.	**H6.6.11. Building coverage** (1) the maximum building coverage must not exceed 50 per cent of the net site area (2) On a site subject to a Significant Ecological Areas Overlay: (a) the maximum building coverage must not exceed 50 per cent of the net site area; and (b) building coverage must not be located in any area within 3m of vegetation within a significant ecological area, including following the alteration or removal of up to 300m2 of vegetation for a dwelling per site provided for under E15.3.2(A29) and E15.6.5; and (c) other than provided for in H5.6.10(2)(b), building coverage must not be located within a significant ecological area.	Oppose	In order to enable greater intensification, building coverage should be increased to 60% within the walkable catchment. It is considered that effects of development in proximity to an SEA are already suitably dealt with via Chapter D9 and E15. The inclusion is not necessary and undermines the existing AUP framework and the efficient use of land. The SEA proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Amend the proposed text changes. (1) the maximum building coverage must not exceed 50 per cent of the net site area outside the walkable catchment and 60% inside a walkable catchment. ~~(2) On a site subject to a Significant Ecological Areas Overlay:~~ ~~(a) the maximum building coverage must not exceed 50 per cent of the net site area; and~~ ~~(b) building coverage must not be located in any area within 3m of vegetation within a significant ecological area, including following the alteration or removal of up to 300m2 of vegetation for a dwelling per site provided for under E15.3.2(A29) and E15.6.5; and~~ ~~(c) other than provided for in H5.6.10(2)(b), building coverage must not be located within a significant ecological area.~~	2033.105
94.	**H6.6.12. Landscaped area**	Oppose	The standard wording should match the MDRS standard that applies for 1-3 dwellings. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Amend the proposed text changes to match the MDRS standard.	2033.106
95.	**H6.6.13. Outlook space**	Oppose	The proposed outlook space standard for four or more dwellings and in relation to buildings over 3 levels as set out in H6.6.13(2)(a)(ii) as proposed require an 8m outlook depth from main living spaces for dwellings at 4 levels and above. The new THAB Zone outlook standard will also introduce a test for where the outlook standard is applied, adding the 'external face of a balcony' where provided closer to an external boundary as the start point for outlook depth. In combination both of these amendments	In the THAB Zone, the relevant outlook standards should be amended so that the proposed residential dwellings main outlook area, for level 4 and above, should be for a 6m depth x 4m width and the depth (at whichever level it is applied) should be measured from the largest portion of glazing as opposed to from the edge of any balcony.	2033.107

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
			proposed to the THAB Zone outlook standard will unfairly alienate and impact on overall building design when considered in relation to lot size and shape variations across the Isthmus. While the intent of the prescription of the amendments to the outlook standards, is acknowledged, the actual application of the amended standards has not been justified by Auckland Council or tested with any basis on achieving good design outcomes, protecting amenity and/or any improvement in creating attractive streetscape. There is no evidential basis for shifting to an 8m outlook depth above 3 levels nor is there a sound rationale for testing this depth from the edge of a balcony as opposed to the main glazing from a living space. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS.		
96.	**H6.6.14. Daylight**	Oppose	It is not a method retained in the MDRS. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete the standard.	2033.108
97.	**H6.6.15. Outdoor living space**	Oppose	The addition of communal outdoor living space requirements is opposed. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Amend the proposed text changes to match the MDRS standard and delete the communal outdoor living space requirements.	2033.109
98.	**H6.6.19 Windows to street and private vehicle and pedestrian accessways** Development contained four or more dwellings and any other development must comply with the following: 2) Any dwelling, integrated residential development, supported residential care, boarding house and visitor accommodation facing the street or private vehicle accessway or private pedestrian accessway, must have a minimum of 20 per cent of the relevant façade in glazing. This can be in the form of windows or doors.	Oppose	Any additional text beyond MDRS wording should be captured via assessment criteria not as a standard.	Delete standard and rely on MDRS wording.	2033.110
99.	**H6.6.20 Deep soil area and canopy tree**	Oppose	It is not a method retained in the MDRS. The proposed standard will not be efficient or effective in achieving the outcomes sought by the MDRS standards. The proposed Deep Soil Area and Canopy Tree standards (and allied Special Information requirements) will result in disparate landscaping outcomes and do not foster sustainable landscape design solutions. The Deep Soil Area and Canopy Tree requirements as proposed are generic and do not reflect an understanding of landscaping and arboricultural/horticultural techniques and the different abilities of a range of canopy trees to exist successfully in varied conditions. Also using a formula relating the number of trees to site area is inappropriate as the number, size and location of trees is driven by building location and size, the shape of buildings and the location and spatial context of land areas available for plantings. The Deep Soil Area and Canopy Tree provisions are unnecessary and go to a level of detail that is better addressed through detailed landscape design which is already enshrined in the Plan provisions.	Delete the proposed new standard.	2033.111
100.	**H6.6.21 Safety and privacy buffer from private pedestrian and vehicle accessways** Purpose: to provide a reasonable standard of safety and privacy for ground floor dwellings located adjacent to pedestrian and vehicle accessways. (3) A minimum 1m buffer areas must be provided between a dwelling and private pedestrian and/or vehicle accessways as shown in Figure H5.6.19.1 Example of Deep soil area requirements and the relationship with Landscape area and the Safety and privacy buffer above. (4) The buffer area must be:	Oppose	It is not a method retained in the MDRS. This matter would be better placed as assessment criteria rather than as standards. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete the proposed new standard.	2033.112

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	(c) free of buildings, parking spaces, servicing and manoeuvring areas. (d) Planted with shrubs or ground cover plants.				
101.	**H6.6.22 Residential waste management**	Oppose	It is not a method retained in the MDRS. This matter would be better placed as assessment criteria rather than as standards. The new information requirement for a waste minimisation plan for 10+ dwellings is an additional cost that is not warranted and would not be monitored following grant of consent. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete the proposed new standard.	2033.113
102.	**H6 Residential – Terrace Housing and Apartment Buildings Zone - Assessment matters**	Oppose in part	SEA assessment criteria It is considered that effects of development in proximity to an SEA are already suitably dealt with via Chapter D9 and E15. The inclusion is not necessary and undermines the existing AUP framework and the efficient use of land. The pedestrian network This does not correspond to an effect from the activities identified in H5(1) on the wider adjacent network. The existing matters for discretion already include traffic and access (Chapter E27 Transportation). The development contributions already include a component for local transport upgrades. It is inequitable and inefficient to target one developer to upgrade infrastructure that will likely benefit a wider area. Reference to - deep soil within B; - introduction of interfaces with an identified special character area or a scheduled historic heritage place; and	Delete the proposed new assessment criteria	2033.114
103.	**H6.7. Assessment – controlled activities** ~~There are no controlled activities in this zone.~~ H6.7.1. Matters of control The Council will restrict its control to all of the following matters when assessing a controlled activity resource consent application: (1) For one dwelling per site subject to a Significant Ecological Area Overlay: (a) The extent to which the built development is designed to minimise or mitigate adverse effects on the ecological values of the relevant significant ecological area; (b) The location, bulk and scale of built development relative to the surrounding ecological values H6.7.2 Assessment criteria The Council will consider the assessment criteria below for controlled activities to the extent relevant to the proposal: (1) For one or more dwellings per site subject to a Significant Ecological Area Overlay: (a) refer to Policy H5.3(15)	Oppose	It is considered that effects of development in proximity to an SEA are already suitably dealt with via Chapter D9 and E15. The inclusion is not necessary and undermines the existing AUP framework and the efficient use of land.	Delete the proposed new assessment criteria	2033.115
104.	**H6.8. Assessment – restricted discretionary activities** H6.8.1. Matters of discretion The Council will restrict its discretion to all of the following matters when assessing a restricted discretionary activity resource consent application:	Oppose	This does not correspond to an effect from the activities identified in H5(1) on the wider adjacent network. The existing matters for discretion already include traffic and access (Chapter E27 Transportation).	Delete the proposed new assessment criteria	2033.116

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	(1) (c) the effects of the development on the safe access for pedestrians on the adjacent road network.		The development contributions already include a component for local transport upgrades. It is inequitable and inefficient to target one developer to upgrade infrastructure that will likely benefit a wider area.		
105.	**H6.8. Assessment – restricted discretionary activities** **H6.8.1. Matters of discretion** (2) for four or more dwellings per site: (a) the effects on the neighbourhood character, residential amenity, safety, and the surrounding residential area from all of the following: (i) building ~~intensity~~, scale and location, including: A. the way in which buildings are orientated to the street and adjoining sites, and B. the extent to which the height, roof form and design of buildings respond to the local streetscape and the planned urban built character of the surrounding area, (ia) building form and appearance including: A. use of built elements such as materials, surface and architectural detailing and roof design to create visual interest; B. use of deep soil and/or outdoor living areas, modulation, architectural features, windows, doors and breaks in building length to minimise bulk and visual dominance; C. whether design provides for the balance between resident's privacy and opportunities for passive surveillance; D. whether the design provides for privacy, and sunlight and daylight access for adjoining sites; E. the interface with an identified special character area or a scheduled historic heritage place; (ib) the extent to which the functional, day to day needs of residents are provided for in terms of: A. the size and dimensions of living areas relative to the likely occupancy levels of the dwellings; B. internal storage; C. residential waste management, including the kerbside and/or on-site capacity for residential waste management (ii) traffic; and (iii) location and design of ~~parking and~~ access (including pedestrian access) and parking (if provided). b) [deleted] ~~all of the following standards:~~ ~~(i) Standard H6.6.10 Maximum impervious areas;~~ ~~(ii) Standard H6.6.11 Building coverage;~~ ~~(iii) Standard H6.6.12 Landscaped area;~~ ~~(iv) Standard H6.6.13 Outlook space;~~ ~~(vi) Standard H6.6.14 Daylight;~~ ~~(vii) Standard H5.6.15 Outdoor living space;~~ ~~(vii) Standard H6.6.16 Front, side and rear fences and walls; and~~ ~~(viii) Standard H6.6.17 Minimum dwelling size~~ (c)~~I~~ the effects on infrastructure and servicing including: (i) Existing infrastructure capacity. (d) the effects of the development on the safe access for pedestrians on the adjacent road network.	Oppose in part	Oppose the inclusion of: - deep soil within B; - introduction of interfaces identified special character area or a scheduled historic heritage place; and - references to wider upgrades of the adjacent road network under (d) do not correspond to the quantum of effects from the activities this is triggered by i.e. 4 dwellings. There are already matters for pedestrian access under (iii). The development contributions already include a component for local transport upgrades. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete the proposed new assessment criteria (ia) building form and appearance including: A. use of built elements such as materials, surface and architectural detailing and roof design to create visual interest; B. ~~use of deep soil and~~/or outdoor living areas, modulation, architectural features, windows, doors and breaks in building length to minimise bulk and visual dominance; C. whether design provides for the balance between resident's privacy and opportunities for passive surveillance; D. whether the design provides for privacy, and sunlight and daylight access for adjoining sites; ~~E. the interface with an identified special character area or a scheduled historic heritage place;~~ (ib) the extent to which the functional, day to day needs of residents are provided for in terms of: ~~A. the size and dimensions of living areas relative to the likely occupancy levels of the dwellings;~~ ~~B. internal storage;~~ C. residential waste management, including the kerbside and/or on-site capacity for residential waste management. … ~~(d) the effects of the development on the safe access for pedestrians on the adjacent road network.~~	2033.117
106.	**H6.8. Assessment – restricted discretionary activities** **H6.8.1. Matters of discretion** (3) for integrated residential development: (a) the effects on the neighbourhood character, residential amenity, safety, and the surrounding residential area from all of the following: (i) building ~~intensity,~~ scale, location, form and appearance including the extent to which buildings as viewed from the street or public places are designed to minimise visual dominance effects taking into account: A. the planned urban built character of the zone; B. the location, orientation and design of development; and C. the effect of the proposed height on the surrounding and neighbouring development. (ii) traffic;	Oppose	The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Amend the proposed new assessment criteria as follows: "C. the effect of the proposed additional height above the zone standards on the surrounding and neighbouring development." ~~(d) the effects of the development on the safe access for pedestrians on the adjacent road network.~~ ~~(d) the effects of the development on the safe access for pedestrians on the adjacent road network.~~	2033.118

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	(iii) location and design of parking and access (including pedestrian access) and parking (if provided); and (iv) noise, lighting and hours of operation. (b) [deleted] ~~all of the following standards:~~ ~~(i) Standard H6.6.10 Maximum impervious areas;~~ ~~(ii) Standard H6.6.11 Building coverage;~~ ~~(iii) Standard H6.6.12 Landscaped area;~~ ~~(iv) Standard H6.6.13 Outlook space;~~ ~~(v) Standard H6.6.14 Daylight;~~ ~~(vi) Standard H6.6.15 Outdoor living space;~~ ~~(viii) Standard H6.6.16 Front, side and rear fences and walls; and~~ ~~(ix) Standard H5.6.17 Minimum dwelling size.~~ (c) Infrastructure and servicing (d) the effects of the development on the safe access for pedestrians on the adjacent road network.				
107.	**H6.8. Assessment – restricted discretionary activities** **H6.8.1. Matters of discretion** (6) For more than one dwelling per site in areas identified on the planning maps as being subject to the Infrastructure –Combined Wastewater Network Control or the Infrastructure – Water and Wastewater Constraints Control. (a) Infrastructure and servicing. (7) For more than one dwelling per site in areas identified on the planning maps as being subject to the Infrastructure –Stormwater Disposal Constraints Control. (a) Stormwater disposal.	Oppose	These effects are already managed by Chapter E8 for 1 dwellings and additions and alternations to. **H5.8. Assessment – restricted discretionary activities** for four or more dwellings per site deals with infrastructure capacity.	Delete the proposed new assessment criteria	2033.119
108.	**H6.8.2. Assessment criteria** (1) for supported residential care accommodating greater than 10 people per site inclusive of staff and residents; boarding houses accommodating greater than 10 people per site inclusive of staff and residents; visitor accommodation accommodating greater than 10 people per site inclusive of staff and visitors; dairies up to 100m2 gross floor area per site; care centres accommodating greater than 10 people per site excluding staff; community facilities; and healthcare facilities up to 200m2 gross floor area per site: (a) infrastructure and servicing: (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. (b) building ~~intensity~~, scale, location, form and appearance: (i) whether the intensity and scale of the activity, the building location, form and appearance is of a high-quality and compatible with the character and residential amenity provided for within the zone and compatible with the surrounding residential area. (c) traffic: (i) whether the activity avoids or mitigates high levels of additional non-residential traffic on local roads. (d) location and design ~~of parking~~ and access (including pedestrian access) and parking (if provided): (i) whether adequate ~~parking and~~ access is provided or required. (ii) whether car parking and accessways are integrated into the overall design of the development (iii) whether parking is located away from street frontages and screened from the street by buildings or landscaping (iv) Whether safe, well-lit pedestrian access is provided and integrated into the design of the development. (e) noise, lighting and hours of operation: (i) whether noise and lighting and the hours of operation of the activity avoids, remedies or mitigates adverse effects on the residential amenity of surrounding properties, by: • locating noisy activities away from neighbouring residential boundaries; • screening or other design features; and • controlling the hours of operation and operational measures (f) Safe access and walkability of routes to frequent public transport:	Oppose in part	Support removal of 'intensity' though ensure remove from (1)(b)(i) for consistency. Remove requirement for off-site roading or pedestrian upgrades	Amend and retain text as identified in reasons for submission. ~~(f) Safe access and walkability of routes to frequent public transport:~~ ~~(i) the extent to which the immediate urban road environment allows for safe pedestrian movement from the development to the nearest frequent public transport stop (refer to the Regional Public Transport Plan) by a combination of the following:~~ ~~• Footpaths of at least 1.8m in width;~~ ~~• Facilities to safely and conveniently cross the road including pram crossings, and tactile paving;~~ ~~• Narrowed pedestrian crossing distances of vehicle carriageways;~~ ~~• Front berms to separate pedestrians from traffic; and~~ ~~• Other traffic management measures as relevant to improve the safety of pedestrians.~~	2033.120

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:
	(i) the extent to which the immediate urban road environment allows for safe pedestrian movement from the development to the nearest frequent public transport stop (refer to the Regional Public Transport Plan) by a combination of the following: • Footpaths of at least 1.8m in width; • Facilities to safely and conveniently cross the road including pram crossings, and tactile paving; • Narrowed pedestrian crossing distances of vehicle carriageways; • Front berms to separate pedestrians from traffic; and • Other traffic management measures as relevant to improve the safety of pedestrians.			
109.	**H6.8.2. Assessment criteria** The Council will consider the assessment criteria below for restricted discretionary activities to the extent relevant to the proposal: (2) for four or more dwellings on a site: (a) the extent to which ~~or whether~~ the development achieves the purpose outlined in the ~~following~~ relevant standards specifies and identified in Table 6.4.1 or what alternatives are provided that result in the same or a better outcome.~~:~~ (i) [deleted]~~Standard H6.6.10 Maximum impervious areas;~~ (ii) [deleted]~~Standard H6.6.11 Building coverage;~~ (iii) [deleted]~~Standard H6.6.12 Landscaped area;~~ (iv) [deleted]~~Standard H6.6.13 Outlook space;~~ (v) [deleted]~~Standard H6.6.14 Daylight;~~ (vi) [deleted]~~Standard H6.6.15 Outdoor living space;~~ (vii) [deleted]~~Standard H6.6.16 Front, side and rear fences and walls; and~~ (viii) [deleted]~~Standard H6.6.17 Minimum dwelling size.~~ (aa) the extent to which the scale of the activity, the building location, form and appearance is of a high-quality and compatible with the planned urban built character and residential amenity of the surrounding residential area provided for within the zone. (ab) the extent to which buildings are designed to manage building length and bulk and visual dominance by: (i) placing taller buildings on the street front (ii) varying roof form and building height (iii) using modulation and architectural features to break up the mass of buildings into visually distinct elements (iv) using the proportions and arrangement of windows and doors to provide relief to building length and bulk (v) using other building elements including materials, surface detailing, architectural detail and roof design to provide visual interest along building facades including blank side/party walls (vi) providing adequate breaks in long continuous buildings to minimise the appearance of length (vii) locating deep soil areas and/or communal outdoor spaces around and between buildings to provide space and soften the built form (viii) designing balconies as an integral part of the building (ac) the extent to which buildings use quality, durable and easily maintainable materials. (ad) the extent to which buildings adjoining or across the street from an identified special character area or a scheduled historic heritage place are designed to respect the prevailing character of the area or key historic heritage design and location elements of that place. New and contemporary interpretations in form and detail may be used. (ae) the extent to which building frontage contribute positively to the visual amenity and safety of public streets, public open spaces, and private vehicle and pedestrian accessways by: (i) having clearly defined fronts that provide passive surveillance from windows and balconies . (ii) maximising doors, windows and balconies over all levels on the front façades whilst not impacting on privacy. (iii) maximising the number of dwellings on the site that directly front, align and orientate to public streets . ground level dwellings closest to the street each have direct and clearly defined pedestrian access from the street in preference to a single building entrance. (iv) where a site adjoins public open space, buildings include entrances, windows of habitable rooms and balconies facing the open space. (af) the extent to which site layout creates legible, visible attractive, safe and well-lit connections between dwellings and the street. .... (h) infrastructure and servicing: (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. (i) The extent to which the adjacent road network enables safe pedestrian movements. ... (m) Safe access and walkability of routes to frequent public transport:	Oppose in part	Oppose the references to: - Deep soil and communal open space in (ab)(vii) and (fe). - References to the need for wider upgrades of the adjacent road network under (d) and (gd). For the latter it is not considered that the quantum of effects corresponds to the activities it triggers. There are already matters for pedestrian access under (iii). The development contributions already include a component for local transport upgrades. - The additional assessment criteria under (ad) for the interface with an identified special character area or a scheduled historic heritage place is not considered an effective method nor warranted by an effect. The use of "quality, durable and easily maintainable materials" is a matter for the Building Act	Delete the relevant assessment criteria wording as noted: (aa) the extent to which the scale of the activity, the building location, form and appearance ~~is of a high-quality and~~ compatible with the planned urban built character and residential amenity of the surrounding residential area provided for within the zone. ... (ab) ~~(vii) locating deep soil areas and/or communal outdoor spaces around and between buildings to provide space and soften the built form~~ ... ~~(ac) the extent to which buildings use quality, durable and easily maintainable materials.~~ ~~(ad) the extent to which buildings adjoining or across the street from an identified special character area or a scheduled historic heritage place are designed to respect the prevailing character of the area or key historic heritage design and location elements of that place. New and contemporary interpretations in form and detail may be used.~~ ... ~~(i) The extent to which the adjacent road network enables safe pedestrian movements.~~ ~~(m) Safe access and walkability of routes to frequent public transport:~~ ~~(i) the extent to which the immediate urban road environment allows for safe pedestrian movement from the development to the nearest frequent public transport stop (refer to the Regional Public Transport Plan) by a combination of the following:~~ ~~• Footpaths of at least 1.8m in width;~~ ~~• Facilities to safely and conveniently cross the road including pram crossings, and tactile paving;~~ ~~• Narrowed pedestrian crossing distances of vehicle carriageways;~~ ~~• Front berms to separate pedestrians from traffic; and~~ ~~• Other traffic management measures as relevant to improve the safety of pedestrians.~~

2033.121

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	(i) the extent to which the immediate urban road environment allows for safe pedestrian movement from the development to the nearest frequent public transport stop (refer to the Regional Public Transport Plan) by a combination of the following: • Footpaths of at least 1.8m in width; • Facilities to safely and conveniently cross the road including pram crossings, and tactile paving; • Narrowed pedestrian crossing distances of vehicle carriageways; • Front berms to separate pedestrians from traffic; and • Other traffic management measures as relevant to improve the safety of pedestrians.				
110.	**H6.8.2. Assessment criteria** (3) for integrated residential development: … (l) Safe access and walkability of routes to frequent public transport: (i) the extent to which the immediate urban road environment allows for safe pedestrian movement from the development to the nearest frequent public transport stop (refer to the Regional Public Transport Plan) by a combination of the following: • Footpaths of at least 1.8m in width; • Facilities to safely and conveniently cross the road including pram crossings, and tactile paving; • Narrowed pedestrian crossing distances of vehicle carriageways; • Front berms to separate pedestrians from traffic; and • Other traffic management measures as relevant to improve the safety of pedestrians.	Oppose in part	Oppose the references to: - deep soil and communal open space in 3(g). - references to the need for wider upgrades of the adjacent road network under (l). It is not considered that the quantum of effects corresponds to the activities it triggers. The level of service within the existing road reserve is the responsibility of Auckland Transport. The development contributions already include a component for local transport upgrades. - Infrastructure provision is already included within existing assessment criteria (k) the cross reference under 3(jb) is unnecessary.	Delete the relevant assessment criteria. ~~(l) Safe access and walkability of routes to frequent public transport:~~ ~~(i) the extent to which the immediate urban road environment allows for safe pedestrian movement from the development to the nearest frequent public transport stop (refer to the Regional Public Transport Plan) by a combination of the following:~~ ~~• Footpaths of at least 1.8m in width;~~ ~~• Facilities to safely and conveniently cross the road including pram crossings, and tactile paving;~~ ~~• Narrowed pedestrian crossing distances of vehicle carriageways;~~ ~~• Front berms to separate pedestrians from traffic; and~~ ~~• Other traffic management measures as relevant to improve the safety of pedestrians.~~	2033.122
111.	**H6.8.2. Assessment criteria** (5) for building height: (aa) refer to Policy H6.3(1); (ba) refer to Policy H6.3(B1); (ca) refer to Policy H6.3(E1); (da) refer to Policy H6.3(6A); (a) ~~refer to Policy H6.3(2~~); (b) ~~refer to Policy H6.3(4).;~~ and **Visual dominance** (f) 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: (i) the planned urban built character of the zone; and (ii) the location, orientation and design of development. (iii) the effect of the proposed height on the surrounding and neighbouring development.	Oppose in part	Consideration of the effect of the proposed height on the surrounding and neighbouring development should only be required in terms of additional height over and above the zone standard.	Amend the proposed new assessment criteria to refer to: "iii. the effect of the proposed additional height above the zone standards on the surrounding and neighbouring development."	2033.123
112.	**H6.8.2. Assessment criteria** (6) for height in relation to boundary:	Oppose in part	Consideration of the effect of the proposed height in relation to boundary infringement on the surrounding and neighbouring development should only be required in terms of additional bulk over and above the zone standard.	Amend the proposed new assessment criteria to refer to additional HIRB infringements over the standard.	2033.124
113.	**H6.8.2. Assessment criteria** (12) for landscaped area: (e) the extent to which existing trees are retained; and	Oppose	The are no general tree protection controls.	Delete the additional assessment criteria.	2033.125
114.	**H6.8.2. Assessment criteria** (15) for outdoor living space: … (f) The extent to which dwellings provide private open space and communal open space that is useable, accessible from each dwelling and attractive for occupants.	Oppose in part	The inclusion of 'communal' open space is unnecessary with the private open space requirements sufficient. The provision for wider public open space is the responsibility of Council not developers. A specific open space development contribution is already payable for each dwelling.	Deletion of this text. (f) The extent to which dwellings provide private open space ~~and communal open space~~ that is useable, and accessible from each dwelling ~~and attractive~~ for occupants.	2033.126

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
			The use of the term attractive can be ambiguous and open to interpretation.		2033.127
115.	**H6.8.2. Assessment criteria** (15A) For windows to street and private vehicle and pedestrian accessways (a) refer to Policy H6.3(C1) (a) refer to Policy H6.3(6A); and (b) The extent to which the glazing: (i) allows views to the street and/or accessways to ensure passive surveillance; and (ii) provides a good standard of privacy for occupants.	Oppose in part	The text highlighted goes beyond MDRS in terms of referencing private vehicle and pedestrian accessways.	Deletion of the following text. H6.8.2. Assessment criteria (15A) For windows to street ~~and private vehicle and pedestrian accessways~~ (a) refer to Policy H5.3(C1) (b) refer to Policy H5.3(6A); and (c) The extent to which the glazing: (i) allows views to the street ~~and/or accessways~~ to ensure passive surveillance; and (ii) provides a good standard of privacy for occupants.	2033.128
116.	**H6.8.2. Assessment criteria** (18) for deep soil area and canopy tree (a) refer to Policy H5.3(6A); (b) The extent to which the proposed deep soil area uses or adds to existing deep soil areas to support canopy trees; and	Oppose	It is not a method retained in the MDRS. It is not efficient use of land and is neither effective or efficient.	Delete assessment entire criteria.	2033.129
117.	**H6.8.2. Assessment criteria** (19) for safety and privacy buffer from private pedestrian and vehicle accessways: (a) refer to Policy H5.3(6A); and (b) the extent to which the buffer is: (i) free of buildings, parking spaces, structures, servicing facilities and manoeuvring areas; (ii) planted with suitable and low level plants.	Oppose	It is not a method retained in the MDRS. This matter would be better placed as assessment criteria rather than as standards.	Delete entire assessment criteria.	2033.130
118.	**H6.8.2. Assessment criteria** (20) For residential waste management: (a) refer to Policy H6.3(A4) (b) refer to Policy H6.3(6A); (c) refer to Policy H6.3(10); (d) The extent to which sufficient space is provided for residential waste management that is suitably located for ease of movement to collection points; (e) The extent to which the waste management area is designed to minimise visibility; (f) How the development intends to ensure the on-going management and maintenance of any communal residential waste management area; (g) Whether waste storage areas are located outside windows or doors to bedrooms, living areas and outdoor living areas to avoid effects of odour and noise; and (h) Whether waste management vehicle can safely undertake collection.	Oppose in part	Consideration of matters related to waste should be included in the assessment criteria for 4+ dwellings and integrated residential development.	Delete section (20) and move necessary criteria to H6.8.2. (1), (2) and (3).	2033.131
119.	**H6.8.2. Assessment criteria** (21) For more than one dwelling per site in areas identified on the planning maps as being subject to the Infrastructure – Combined Wastewater Network Control or the Infrastructure – Water and Wastewater Constraints Control: (a) Whether there is adequate capacity in the existing public reticulated water supply and / or wastewater network to service the proposed dwelling(s). (b) Whether sufficient water supply and access to water supplies for firefighting purposes in accordance with the NZ Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 is available. (c) Whether there is the ability to connect the dwelling(s) to a reticulated water supply and / or wastewater network in the future.	Oppose	These effects are already managed by Chapter E8 and the assessment criteria under H5.8.2.(1), (2) and (3).	Delete proposed text.	2033.132
H5.9. Special information requirements					
120.	**Landscaped Plan as required by H6.6.12 Landscape area** (1) A scaled landscape plan must be provided that contains landscaped areas and includes: (a) Plant and tree species, number of each species to be planted and planting grades; (b) Canopy of existing trees to be retained; (c) Any area of grass; and (d) Any paths included in landscaped area.	Oppose	Chapter C1.2.(1) addresses this matter already - no need for a specific information requirement.	Delete proposed text.	2033.133

<table>
<tr><th></th><th>Issue / Provision</th><th>Position (Support / Oppose)</th><th>Reasons for submission</th><th>Relief sought:</th><th></th></tr>
<tr><td></td><td></td><td></td><td></td><td></td><td></td></tr>
<tr><td>121.</td><td><u>Deep Soil Area and Canopy Tree</u>

<u>(2) The deep soil area provided must be demonstrated on a scaled landscape plan that at a minimum identifies the following:</u>

<u>(a) plant and tree species, number of each species to be planted and planting grades;</u>
<u>(b) location of existing trees to be retained;</u>
<u>(c) dimensions of individual mature tree canopy;</u>
<u>(d) any areas of grass; and</u>
<u>(e) Minimum tree canopy dimensions are specified in Table H5.9(3) below.</u>

<u>Table H5.9(3) Minimum tree canopy dimension</u>

<table><tr><th></th><th><u>Minimum mature tree height</u></th><th><u>Minimum mature canopy diameter</u></th><th><u>Minimum tree height above ground when planted</u></th><th><u>Indicative tree planting grade</u></th></tr><tr><td><u>Small</u></td><td><u>8m</u></td><td><u>6m</u></td><td><u>2m</u></td><td><u>120L</u></td></tr><tr><td><u>Medium</u></td><td><u>10m</u></td><td><u>8m</u></td><td><u>2.5m</u></td><td><u>160L</u></td></tr><tr><td><u>Large</u></td><td><u>15m</u></td><td><u>12m</u></td><td><u>3m</u></td><td><u>200L</u></td></tr></table></td><td>Oppose</td><td>It is not a method retained in the MDRS.

It is not efficient use of land, and is neither effective or efficient.</td><td>Delete proposed text.</td><td>2033.134</td></tr>
<tr><td>122.</td><td>Residential waste management

<u>(3) Applications for where communal bins are proposed, must include calculations for required storage space as determined using the Auckland Council’s Solid Waste Calculator (Standard H5.6.21(1)(b)).</u>

<u>(4) When preparing the waste management and minimisation plan, applicants should refer to the Waste Management and Minimisation Bylaw 2019. The following information must be provided at a minimum:</u>

<u>a) the estimate of the volume of waste by the type of waste created, collected, received, stored or disposed of;</u>

<u>b) the frequency, location, access and on-site route of waste collection or transportation; and</u>

<u>c) the method of waste collection, transportation or disposal.</u></td><td>Neutral</td><td>Needs to be clear that provisions are only related to communal collection.</td><td>Clarify that this is only related to communal collection.</td><td>2033.135</td></tr>
<tr><td></td><td>H8. Business – City Centre Zone</td><td></td><td></td><td></td><td></td></tr>
<tr><td>123.</td><td>H8.6.10. <u>[Deleted]</u> ~~Basic floor area ratio~~</td><td>Support</td><td>Will give effect to NPS-UD</td><td>Confirm deletion of standard</td><td>2033.136</td></tr>
<tr><td>124.</td><td>H8.6.12. <u>[Deleted]</u> ~~Bonus floor area ratio – light and outlook~~</td><td>Support</td><td>Will give effect to NPS-UD</td><td>Confirm deletion of standard</td><td>2033.137</td></tr>
<tr><td>125.</td><td>H8.6.13. <u>[Deleted]</u> ~~Bonus floor area - use or transfer of historic heritage and special character floor space bonus~~</td><td>Support</td><td>Will give effect to NPS-UD</td><td>Confirm deletion of standard</td><td>2033.138</td></tr>
<tr><td>126.</td><td>H8.6.14. <u>[Deleted]</u> ~~Bonus floor area - securing historic heritage and special character floor space bonus~~</td><td>Support</td><td>Will give effect to NPS-UD</td><td>Confirm deletion of standard</td><td>2033.139</td></tr>
<tr><td>127.</td><td>H8.6.15. <u>[Deleted]</u> ~~Bonus floor area - bonus floor space calculation for scheduled heritage buildings~~</td><td>Support</td><td>Will give effect to NPS-UD</td><td>Confirm deletion of standard</td><td>2033.140</td></tr>
<tr><td>128.</td><td>H8.6.16. <u>[Deleted]</u> ~~Bonus floor area - bonus floor space calculation for identified special character buildings~~</td><td>Support</td><td>Will give effect to NPS-UD</td><td>Confirm deletion of standard</td><td>2033.141</td></tr>
<tr><td>129.</td><td>H8.6.17. <u>[Deleted]</u> ~~Bonus floor area - public open space~~</td><td>Support</td><td>Will give effect to NPS-UD</td><td>Confirm deletion of standard</td><td>2033.142</td></tr>
<tr><td>130.</td><td>H8.6.18. <u>[Deleted]</u> ~~Bonus floor area - through-site link~~</td><td>Support</td><td>Will give effect to NPS-UD</td><td>Confirm deletion of standard</td><td>2033.143</td></tr>
<tr><td>131.</td><td>H8.6.19. <u>[Deleted]</u> ~~Bonus floor area - through-site links through identified blocks~~</td><td>Support</td><td>Will give effect to NPS-UD</td><td>Confirm deletion of standard</td><td>2033.144</td></tr>
<tr><td>132.</td><td>H8.6.20. <u>[Deleted]</u> ~~Bonus floor area - works of art~~</td><td>Support</td><td>Will give effect to NPS-UD</td><td>Confirm deletion of standard</td><td>2033.145</td></tr>
<tr><td>133.</td><td>H8.6.21. <u>[Deleted]</u> ~~Maximum total floor area ratio~~</td><td>Support</td><td>Will give effect to NPS-UD</td><td>Confirm deletion of standard</td><td>2033.146</td></tr>
<tr><td>134.</td><td><u>Chapter H8. City Centre H8.6.24. Maximum tower dimension, setback from the street and tower separation in special height area (shown on Map H8.11.3) Chapter H8.6.24A Maximum east-west tower dimension and Chapter H8.6.25. Building frontage alignment and height and Chapter H8.6.25A Building setback from boundaries.</u></td><td>Oppose</td><td>The submitter is concerned that the proposed suite of tower standards have not be tested to ensure that they do not act as a defacto FAR or height restriction for the City Centre Zone.

The submitter is concerned that the proposed new standards fail to recognise gradient and solar orientation of the street frontages. The submitter considers that if the term ‘human scale’ is to be used, it should have a measurable and consistent benchmark. Changing this term based on the height of a street is considered arbitrary and it will compromise use of a site.

The submitter is concerned that the proposed requirement to manage development to “Ensure</td><td>That Chapter H8. City Centre H8.6.24. Maximum tower dimension, setback from the street and tower separation in special height area (shown on Map H8.11.3), Chapter H8.6.24A Maximum east-west tower dimension, Chapter H8.6.25. Building frontage alignment and height and Chapter H8.6.25A Building setback from boundaries are all deleted and the tower standards revert to the operative AUP standards.</td><td>2033.147</td></tr>
</table>

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
			adequate sun*light,* ***daylight****, and outlook around buildings"* will be very difficult to meet given the high intensity nature of the Centre zone. At the very least the provisions should allow for ***adequate sun****light,* ***or daylight***. This is to recognise the fact that not all buildings in the City Centre zone will get direct sun. The proposed 6% height setback is arbitrary and is considered irrelevant and also creates a de facto FAR control. As height increases, so do the side setbacks around the building and its max tower dimension, which requires a larger site. In this respect, the rule actually also creates a de fact maximum height restriction. It is considered that the degree of setbacks proposed has not been appropriately justified and should be reduced. The submitter opposes the East West Tower dimension for similar reasons. Overall, the submitter considers that the proposed Plan Change provisions should revert back to the operative tower controls until such time as further modelling and analysis has been completed to determine suitability of these tower controls. This is to ensure that do not unduly restrict sites in the City Centre Zone from being developed to the maximum extent possible as directed by the NPS-UD.		
135.	H8.6.34. Through-site links.	Oppose	The submitter is concerned that application of this standard is not clear. This standards applies to through site link shown on Map H8.11.9 but applies to any though site link, even if not identified on the map. It is unclear how and when this standard will be applied to sites. Given the uncertainty of this rule, it is considered that the rule should either be deleted or clarified. It is considered that it would be more appropriate to include consideration of the need for a through-site link as an assessment criteria when considering new buildings.	Chapter H8. City Centre H8.6.34. Through Site Links is deleted and replaced with assessment criteria for new buildings	2033.148
	H9. Business – Metropolitan Centre Zone				
136.	**H9.6.1. Building height** Purpose: • manage the effects of building height; • manage shadowing effects of building height on public open space, excluding streets; • manage visual dominance effects; • enable greater height in areas identified for intensification including within walkable catchments; and • provide for variations to the standard zone height through the Height Variation Control, to recognise the character and amenity of particular areas and provide a transition in building scale to lower density zones. (1) Buildings must not exceed 72.5m, unless otherwise specified in the Height Variation Control on the planning maps. (2) If the site is subject to the Height Variation Control, buildings must not exceed the height in metres, as shown in Table H9.6.1.1 below and for the site on the planning maps. (3) Any part of a building greater than the occupiable building height is to be used only for roof form, roof terraces, plant and other mechanical and electrical equipment.	Support in Part	It is considered appropriate to provide for unlimited height within the Metropolitan Centre The proposed HIRB controls will manage the effects at the edge of the Metropolitan Centre. Increasing the maximum building height is in line with the Policy directives of the NPS UD, Policy 3(c), which states that areas located within the walkable catchment must enable building heights of at least 6 storeys within the Metropolitan Centre. While the zone provides for 72.5 metres, there is no reason why the zone cannot facilitate even taller buildings. It is noted that some parts of the Metropolitan Centres are subject to the Volcanic Cone overlays or other height overlays. These are qualifying matters that would remain in place and would provide an additional height overlay that would continue to apply to the Metropolitan Centre. Outside of these areas, it is considered appropriate to maximise the height opportunities within the Metropolitan Centre Zone. It is noted that all new buildings are subject to a resource consent requirement to ensure that buildings are designed to a high standard, which enhances the quality of streets within the area and public open spaces.	Amend H9.6.1. Building height to provide for unlimited height within the Metropolitan Centre Zone.	2033.149

<table>
<tr><th></th><th>Issue / Provision</th><th>Position (Support / Oppose)</th><th>Reasons for submission</th><th>Relief sought:</th></tr>
<tr><td>137.</td><td>H11.6.1. Building height in relation to boundary</td><td>Support in part</td><td>The submitter supports the 19metre, plus 60 degree HIRB control</td><td>Retain the 19metre, plus 60 degree HIRB control.</td></tr>
<tr><td></td><td>H10. Business – Town Centre Zone</td><td></td><td></td><td></td></tr>
<tr><td>138.</td><td>H10.6.1. Building height
Purpose:
• manage the effects of building height;
• manage shadowing effects of building height on public open space, excluding streets;
• manage visual dominance effects;
• allow an occupiable height component to the height limit, and an additional height for roof forms that enables design flexibility, to provide variation and interest in building form when viewed from the street;
• enable greater height in areas identified for intensification including within walkable catchments; and
• provide for variations to the standard zone height through the Height Variation Control, to recognise the character and amenity of particular areas, including Special Character Areas – Business, and provide a transition in building scale to lower density zones

(1) Buildings must not exceed the height in metres as shown in Table H10.6.1.1 below for sites subject to the Height Variation Control on the planning maps.

(1A) In walkable catchments, buildings must not exceed 21m (6 storeys) in height, unless otherwise specified in the Height Variation Control on the planning maps.

(2) Any part of a building greater than the occupiable building height is to be used only for roof form, roof terraces, plant and other mechanical and electrical equipment.</td><td>Support in Part</td><td>It is considered appropriate to provide for greater height within the Town Centre Zones

The proposed HIRB controls will manage the effect at the edge of the Town Centre Zones.

Increasing the maximum building height is in line with the Policy directives of the NPS UD, Policy 3(c), which states that areas located within the walkable catchment must enable building heights of at least 6 storeys within the Town Centre Zones

While the zone provides for a range of heights, it is considered that the Town Centre Zones can facilitate even taller buildings.

It is noted that some parts of these Town Centre Zones are subject to the Volcanic Cone overlays or other height overlays. These are qualifying matters that would remain in place and would provide an additional height overlay that would continue to apply to the Town Centre Zones. Outside of these areas, it is considered appropriate to maximise the height opportunities within the Town Centre Zones

It is noted that all new buildings are subject to a resource consent requirement to ensure that buildings are designed to a high standard, which enhances the quality of streets within the area and public open spaces</td><td>Amend H10.6.1. Building height to provide for a height of 32.5 metres within <u>all</u> Town Centre Zones.</td></tr>
<tr><td>139.</td><td>H10.6.2. Building height in relation to boundary</td><td>Support</td><td>The submitter supports the 19 metre, plus 60 degree HIRB control as this will give effect to the NPS-UD</td><td>Retain the 19 metres, plus 60 degree HIRB control.</td></tr>
<tr><td></td><td>H11. Business – Local Centre Zone</td><td></td><td></td><td></td></tr>
<tr><td>140.</td><td>H11.6.1. Building height
Purpose:
• manage the effects of building height;
• manage shadowing effects of building height on public open space, excluding streets;
• manage visual dominance effects;
• allow an occupiable height component to the height limit, and an additional height for roof forms that enables design flexibility, to provide variation and interest in building form when viewed from the street;
• enable greater height in areas identified for intensification including within walkable catchments; and
• provide for variations to the standard zone height through the Height Variation Control, to recognise the character and amenity of particular areas, including Special Character Areas – Business, and provide a transition in building scale to lower density zones.

(1) Buildings must not exceed the height in metres specified in Table H11.6.1.1, unless otherwise specified in the Height Variation Control on the planning maps.

Table H11.6.1.1 Building height
<table><tr><th><u>Location</u></th><th>Occupiable building height</th><th>Height for roof form</th><th>Total building height</th></tr><tr><td><u>Buildings outside a walkable catchment</u></td><td>16m</td><td>2m</td><td>18m</td></tr><tr><td><u>Buildings in a walkable catchment</u></td><td><u>NA</u></td><td><u>NA</u></td><td><u>21m (6 storeys)</u></td></tr></table></td><td>Support in Part</td><td>It is considered appropriate to provide for greater height within the Local Centre Zones

The proposed HIRB controls will manage the effect at the edge of the Local Centre Zones.

Increasing the maximum building height is in line with the Policy directives of the NPS UD, Policy 3(c), which states that areas located within the walkable catchment must enable building heights of at least 6 storeys within the Local Centre Zones

While the zone provides for a range of heights, it is considered that that Local Centre Zones can facilitate even taller buildings.

It is noted that some parts of these Local Centre Zones are subject to the Volcanic Cone overlays or other height overlays. These are qualifying matters that would remain in place and would provide an additional height overlay that would continue to apply to the Local Centre Zones. Outside of these areas, it is considered appropriate to maximise the height opportunities within the Local Centre Zones

It is noted that all new buildings are subject to a resource consent requirement to ensure that buildings are designed to a high standard, which enhances the quality of streets within the area and public open spaces</td><td>Amend H10.6.1. Building height to provide for a height of 24 metres within <u>all</u> Local Centre Zones.</td></tr>
<tr><td>141.</td><td>H11.6.2. Building height in relation to boundary</td><td>Support</td><td>The submitter supports the 19 metre, plus 60 degree HIRB control as this will give effect to the NPS-UD</td><td>Retain the 19 metres, plus 60 degree HIRB control.</td></tr>
<tr><td>142.</td><td>Local Centre Zone Walkable Catchment
The walkable catchment for Local Centres is set at 200 metres.</td><td>Oppose</td><td>The walkable catchment for Local Centres is set at 200 metres. This is considered to be very restricted and limits</td><td>Increase the walkable catchment of the Local Centres Zone to 400 metres and up zone those sites</td></tr>
</table>

2033.150
2033.151
2033.152
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2033.154
2033.155
2033.156

<table>
<tr><th></th><th>Issue / Provision</th><th>Position (Support / Oppose)</th><th>Reasons for submission</th><th>Relief sought:</th></tr>
<tr><td></td><td></td><td></td><td>the opportunities for further intensification around areas that generally have good access to a range of amenities.</td><td>within the walkable catchment to provide for at least six storeys.</td></tr>
<tr><td></td><td>H12 Business – Neighbourhood Centre Zone</td><td></td><td></td><td></td></tr>
<tr><td>143.</td><td>H12.6.2. Building height in relation to boundary</td><td>Support</td><td>The submitter supports the 19 metre, plus 60 degree HIRB control as this will give effect to the NPS-UD</td><td>Retain the 19 metre, plus 60 degree HIRB control.</td></tr>
<tr><td></td><td>H13. Business – Mixed Use Zone</td><td></td><td></td><td></td></tr>
<tr><td>144.</td><td>H13.6.1. Building height
Purpose:
• manage the effects of building height;
• manage shadowing effects of building height on public open space, excluding streets;
• manage visual dominance effects;
• allow an occupiable height component to the height limit, and an additional height for roof forms that enables design flexibility, to provide variation and interest in building form when viewed from the street;
• enable greater height in areas identified for intensification <u>including within walkable catchments, unless a qualifying matter applies</u>; and
• provide for variations to the standard zone height through the Height Variation Control, to recognise the character and amenity of particular areas and provide a transition in building scale to lower density zones.
(1) Buildings must not exceed the height in metres specified in Table H13.6.1.1 below, unless otherwise specified in the Height Variation Control on the planning maps.
Table H13.6.1.1 Building height
<table><tr><th><u>Location</u></th><th>Occupiable building height</th><th>Height for roof form</th><th>Total building height</th></tr><tr><td><u>Buildings outside a walkable catchment</u></td><td>16m</td><td>2m</td><td>18m</td></tr><tr><td><u>Buildings in a walkable catchment</u></td><td><u>NA</u></td><td><u>NA</u></td><td><u>21m (6 storeys)</u></td></tr></table></td><td>Support in Part</td><td>It is considered appropriate to provide for greater height within the Mixed Use

The proposed HIRB controls will manage the effect at the edge of the Mixed Use Zones

Increasing the maximum building height is in line with the Policy directives of the NPS UD, Policy 3(c), which states that areas located within the walkable catchment must enable building heights of at least 6 storeys within the Mixed Use Zones

While the zone provides for a range of heights, it is considered that that Mixed Use Zones can facilitate even taller buildings.

It is noted that some parts of these Mixed Use Zones are subject to the Volcanic Cone overlays or other height overlays. These are qualifying matters that would remain in place and would provide an additional height overlay that would continue to apply to the Mixed Use Zones. Outside of these areas, it is considered appropriate to maximise the height opportunities within the Mixed Use Zones

It is noted that all new buildings are subject to a resource consent requirement to ensure that buildings are designed to a high standard, which enhances the quality of streets within the area and public open spaces</td><td>Amend H10.6.1. Building height to provide for a height of 24 metres within <u>all</u> Mixed Use Zones.</td></tr>
<tr><td>145.</td><td>H13.6.2. Building height in relation to boundary</td><td>Support</td><td>The submitter supports the 19 metre, plus 60 degree HIRB control as this will give effect to the NPS-UD</td><td>Retain the 19 metre, plus 60 degree HIRB control.</td></tr>
<tr><td></td><td>J1 Definitions</td><td></td><td></td><td></td></tr>
<tr><td>146.</td><td><u>Canopy tree</u>
<u>A tree that that has a minimum mature height of 8 metres and canopy diameter of 6 metres.</u></td><td>Oppose</td><td>The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.</td><td>Delete the definition</td></tr>
<tr><td>147.</td><td><u>Deep soil area</u>
<u>A vegetated or mulched area which supports tree growth and promotes infiltration of stormwater with no obstructing structure above or below ground level.</u>
<u>Deep soil areas must be free of buildings, parking spaces, servicing and manoeuvring areas below or above them.</u>
<u>The surface of deep soil areas must be either vegetated in natural grass, trees or plants or in a natural mulch. Artificial grass and pavers are excluded from the deep soil area.</u></td><td>Oppose</td><td>The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.</td><td>Delete the definition</td></tr>
<tr><td>148.</td><td><u>Landscaped area</u>
In relation to any site, means <u>an area that is in natural grass, plants or trees. The canopy of trees that are existing at the time of consent lodgement can be included in the landscaped area provided the trunks are surrounded by an area of grass, plants or mulch that extends to the diameter of the critical root zone. The critical root zone being a circular area extending from the base of the canopy tree with a diameter equal to twelve times the trunk diameter measured at 1.4m above ground level.</u>
<u>Landscaped area can include pervious paths with a maximum width of 1.5m provided they do not make up more than 10 per cent of the landscaped area.</u>
<u>Buildings, artificial grass, and structures including pools, paving (except for pervious paths), pergolas, decks and servicing area is excluded from the landscaped area.</u>
<u>This definition does not apply to any development of up to 3 dwellings in accordance with the MDRS.</u>

<s>any part of that site not less than 5m² in area which is grassed and planted in trees, shrubs, or ground cover plants and may include:</s>
<s>(1) One or more of the features in (a) (b) or (c) where the total land area occupied does not collectively cover more than 25 per cent of the landscaped area:</s>
<s>(a) ornamental pools;</s>
<s>(b) areas paved with open jointed slabs, bricks or gobi or similar blocks where the maximum dimension of any one paver does not exceed 650mm;</s>
<s>(c) terraces or uncovered timber decks where no part of such terrace or deck exceeds more than 1m in height above the ground immediately below;</s>
<s>(2) non permeable pathways not exceeding 1.5m in width;</s>
<s>(3) permeable artificial lawn in the residential zones, except:</s>
<s>(a) that permeable artificial lawn must not cover more than 50 per cent of the landscaped area of the front yard;</s>
<s>(b) Permeable artificial lawn must:</s>
<s>• be permeable;</s>
<s>• resembles grass in colour including a mix of natural looking green tones;</s></td><td>Oppose in part</td><td>It is unclear what the intention of this definitions is, and what landscape definition will apply to any development of up to 3 dwellings in accordance with the MDRS</td><td>Clarify the definition and amended accordingly. In the alternative the existing definition is retained.</td></tr>
</table>

2033.157

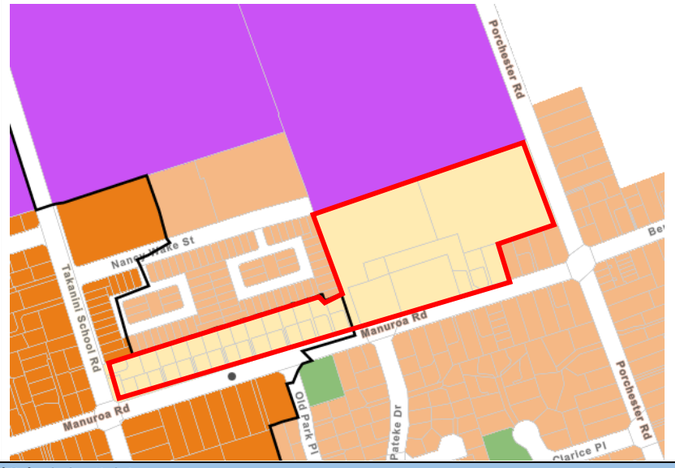
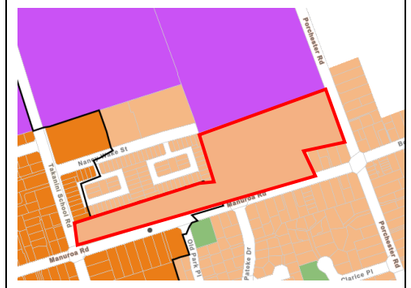
2033.158

2033.159

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2033.161

2033.162

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	~~• have piles that are a minimum 30mm pile height, straight cut (not looped pile), and of a density and form that resembles grass;~~ ~~• is resistant to ultra-violet degradation, weathering and ageing during its normal service life; and~~ ~~• is recyclable.~~ ~~(4) Any part of a landscaped area may be situated over an underground structure with adequate soil depth and drainage.~~ ~~Excludes any area which:~~ ~~• falls within the definition of building coverage;~~ ~~• is part of a non-permeable pathway that is greater than 1.5m in width;~~ ~~• is used for the parking, manoeuvring or loading of motor vehicles.~~				
Site Specific Zoning					
149.	**Manuroa Road, Takanini**  	Oppose	The submitter notes that a resource consent has been granted for a medium density development on 118 Manuroa Road. That development granted resource consent for 81 dwellings in terraced and duplex housing typologies. The surrounding areas located outside the precinct are proposed to be rezoned as Residential – Mixed Housing Urban Zone and Residential – Terrace Housing and Apartment Building Zone. The site has walkable access to public transport, local services, amenities and open space.	Rezone the identified land to Mixed Housing Urban  Any other consequential changes that would give effect to the relief sought in this submission, including changes to the Takanini Precinct Plan.	2033.163
General Submission Points					
150.	**The provision of six storeys at 21 metres**	Oppose	Proposed Plan Change 78 ascribes 21 metres to apply to six storeys. It is considered that 21 metres is unduly restrictive in delivering a 6 storey building. It is noted that in the Mixed Use zone, commercial developments are often encouraged on the ground floor. Such activities would typically be encouraged to have a floor to ceiling height in the order of 4.5 metres. A typical floor to floor height is in the order of 3.5 metres. Those would typically mean a total height of around 24 metres for 6 storey buildings (including two metres for roof form).	That six storeys is ascribed a 24 metre height allowance (as a minimum) as part of any walkable catchment provisions. In the alternative, this could be applied to the Mixed Use zone within a walkable catchment, or the plan could also note six storey in height in addition to 24 metres to limit applications that try to squeeze in a 7th floor.	2033.164
151.	**Light Rail Exclusion**	Oppose	The submitter opposes the exclusion of the Light Rail Study Area from Plan Change 78. The submitter is unsure of the legal basis to exclude these areas.	Include the Light Rail Study Area into Plan Change 78.	2033.165
152.	**Special Housing Exclusion**	Oppose	The submitter opposes the exclusion of the Special Housing Areas from the Plan Change. The submitter is unsure of the legal basis to exclude these areas.	Include the Special Housing Areas into Plan Change 78.	2033.166

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:
153.	**The definition of 'rapid transit service'**	Oppose	The NPS-UD Policy 3 defines a rapid transit service as "any existing or planned frequent, quick, reliable and high-capacity public transport service that operates on a permanent route (road or rail) that is largely separated from other traffic". In this Plan Change, Auckland Council has identified the following Rapid Transit Services: ● the three lines (Western, Southern, Eastern) of the heavy rail network between Swanson and Pukekohe, including the Central Rail Link ('CRL'). ● the Northern Busway (including the recent extension to Albany). ● the Eastern Busway. It is submitted that priority bus corridors should be considered Rapid Transit to enable more Walking Catchments and therefore more homes in accessible locations. The interpretation of what is a rapid transit service, as per NPS-UD Policy 3(d)), should include frequent bus services on the following key arterial corridors: - **Great North Road** (from Pt Chevalier to Ponsonby Road, served by the 18 Frequent Route and in future the 11 Frequent Route) - **Sandringham Road** (from Mt Albert Road to New North Road served by the 24 Frequent Route) - **Dominion Road** (from Denbigh Avenue to View Road, served by the 25 Frequent Route) - **Mt Eden Road** (from Mount Albert Road to Symonds Street, served by the 27 Frequent Route) - **Manukau Road** (from Onehunga to Broadway, served by the 30 Frequent Route) - **Great South Road** (from Ellerslie Main Highway to Broadway, served by the 70 Frequent Route)	Review definition of 'rapid transit service' to include frequent bus services on the identified key arterial corridors, and up zone those sites within the walkable catchment of the RTS to provide for at least six storeys.

2033.167

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

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

Auckland Council
Te Kaunihera o Tāmaki Makaurau

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

Attn: Planning Technician
Auckland Council
Level 24, 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) Submitter's Agent: Sukhi Singh (Babbage Consultants Limited)

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

Craigieburn Range Trust

Address for service of Submitter

Agent: Babbage Consultants Limited, Level 4, 68 Beach Road, Auckland 1010, Attention: Sukhi Singh

Telephone: 21801904 Fax/Email: sukhi.singh@babbage.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 78
Plan Change/Variation Name	Intensification

The specific provisions that my submission relates to are:
(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)	Oppose the entirety of PC78.
Or Property Address	
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:

The use of qualifying matters as proposed to reduce height and density of development is not supported. This approach contradicts the current AUP structure, which relies on overlays methodology to manage effects, reather then using these as a reason for reducing density. 2034.1

(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.	☐

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	☒



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

09/29/2022
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.

SUBMISSION ON PROPOSED PLAN CHANGE 78 TO THE AUCKLAND UNITARY PLAN

To: Auckland Council

Name of submitter: Evans Randall Investors Ltd.

This submission relates to Proposed Plan Change 78 to the Auckland Unitary Plan (AUP).

The specific Plan Change provisions that this submission relates to are listed within the table provide at **Attachment A.**

The reasons for the submitter's support, where relevant, are set out within the table attached as Attachment A. In general, where the submitter supports the provisions as notified the submitter considers that:

1. The applicable provisions will promote the sustainable management of natural and physical resources, contrary to Part 2 of the Resource Management Act 1991 ('the Act");

2. The applicable provisions are soundly based on evidence or an appropriate cost benefit analysis as required by section 32 of the Act;

3. The applicable objectives, policies and rules of the AUP, as they relate to the Submitter's sites:

    i) will promote the sustainable management of natural and physical resources;
    ii) are consistent with the purpose and principles of the Act;
    iii) will not give rise to adverse effects on the environment that are not avoided, remedied or mitigated;
    iv) are appropriate and justified in terms of Section 32 of the Act.

4. The applicable provisions that are supported will give effect to the National Policy Statement: Urban Development (NPS-UD), the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021, and the Medium Density Residential Standards (MDRS).

The specific reasons for the submitter's concerns, where relevant, are set out within the table attached as Attachment A. In general, where the submitter opposes the provisions as notified the submitter considers that:

1. The applicable provisions do not promote the sustainable management of natural and physical resources, contrary to Part 2 of the Resource Management Act 1991 ('the Act");

2. The provisions are not soundly based on evidence or an appropriate cost benefit analysis as required by section 32 of the Act;

3. The applicable objectives, policies and rules of the AUP, as they relate to the Submitter's sites:

   i) will not promote the sustainable management of natural and physical resources;
   ii) are inconsistent with the purpose and principles of the Act;
   iii) will give rise to adverse effects on the environment that are not avoided, remedied or mitigated;
   iv) are inappropriate and unjustified in terms of Section 32 of the Act.

4. The submitter is of the opinion that the intention of the NPS-UD and MDRS is to simplify the planning process, not complicate it, by ensuring planning decisions improve housing affordability through supporting competitive land and development markets, and by *enabling* development and intensification. This in turn is expected to increase the supply and affordability of housing.

5. In contrast, the submitter is of the view that the provisions as proposed would place significant additional (and unreasonable) cost on a resource consent application and add to unaffordability, as well as risk further limiting the supply of housing and development to meet demand. The proposed approach is overly onerous and would lead to numerous, overly complicated and costly resource consent applications, as well as potential interpretation issues. This is not consistent with the NPS-UD nor MDRS. 2036.1

6. Furthermore, while being both costly and inefficient, the submitter considers that the provisions as notified risk encouraging lower density and less challenging development by making intensification too difficult to be achieved. This would not achieve the intensification nor affordability objectives sought by the NPS-UD and MDRS, nor would it amount to an efficient use of land.

7. The submitter considers that the proposed changes should go further to give effect to the NPS-UD. Objective 3 of the NPS-UD requires district plans to enable more people to live in, and more businesses and community services to be located in, areas of Auckland that are in or near a centre zone or other area with many employment opportunities, or are well-serviced by public transport, or where there is high demand for housing or for business land in the area. This is supported by Policy 3 of the NPS-UD. The submitter is of the view that there are numerous additional locations where intensification is appropriate, where the market will deliver intensification, and consequently where significant intensification should be provided for. These include Town Centre Zones, wider walkable catchments and additional corridors serviced by frequent bus services. among others. The submitter also considers that provision in the policy framework should be made for a contextual analysis of the appropriateness of additional height and intensity outside of walkable catchments and centres to ensure these opportunities are not lost by an overly prescriptive planning framework. 2036.2

8. The submitter notes that Policy 6(b) of the NPSUD also states that the planned urban built form in those RMA planning documents may involve significant changes to an area, and those changes "*may detract from amenity values appreciated by some people but improve amenity values appreciated by other people, communities, and future generations, including by providing increased and varied housing densities and types and are not, of themselves, an adverse effect."* The submitter is concerned that a number of the changes ignore the intent of this policy. 2036.3

The submitter seeks the following decision from the Auckland Council, regarding the Proposed Plan Change 78:

a) That the relief sought within the table attached as **Attachment A** is provided; and

b) Any other consequential changes that would give effect to the relief sought in this submission.

The submitter wishes to be heard in support of their submission. If others make a similar submission, the submitter will consider presenting a joint case with them at a hearing.

The submitter is not a trade competitor, and could not gain an advantage in trade competition through this submission.



Michael Campbell
Campbell Brown Planning Limited
For and on behalf of Evans Randall Investors Ltd as its duly authorised agent.

Date: 29 September 2022

Address for service of submitter:

Evans Randall Investors Ltd
C/- Campbell Brown Planning Limited
PO Box 147001
Ponsonby
AUCKLAND 1144

Attention: Michael Campbell

Telephone: (09) 378 4936
Mobile: (021) 2789018
Email: michael@campbellbrown.co.nz

Attachment 1

Table 1: Identifies the specific proposed amendments or changes to the Auckland Unitary Plan under PC78 which the submitter either supports, seeks amendment to, or opposes.

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	Chapter C General Rules				
1.	**C1.6A Overlay and precinct rules** (1) Where an activity is subject to a rule in an overlay, the overlay may specify whether the overlay rule replaces a zone rule, a precinct rule or an Auckland-wide rule. (2) Where an activity is subject to a rule in a precinct, the precinct may specify whether the precinct rule replaces an overlay rule or a zone rule, or an Auckland-wide rule.	Support	The revised wording clarifies the status of precinct or Auckland Wide Rules.	Retain the proposed wording.	2036.4
	Chapter D Overlays - Natural Heritage				
2.	**D14. ~~Volcanic~~ Maunga Viewshafts and Height and Building Sensitive Areas Overlay** **D14.4. Activity table [rcp/dp]** **Buildings in a height and building sensitive area, excluding network utilities, electricity generation facilities, broadcasting facilities and road networks** (A7) Buildings up to 9m in height except as specified in Standard D14.6.3. — P (A7A) Buildings that do not comply with standard D14.6.5 Building coverage — RD (A7B) Buildings that do not comply with standard D14.6.6 Landscaped area — RD (A7C) Buildings not complying with underlying zone Yards standards — RD (A7D) Buildings that do not comply with standard D14.6.7 Earthworks — RD	Oppose	The submitter opposes the additional activities in activity Table D14.5, being A7A, A7B, A7C and A7D. The submitter also opposes Standards D14.6.5 – D14.6.8 The additional standards for buildings are unnecessary and will not be efficient or effective in managing the effects on the Maunga View Shafts. The standards will reduce the ability to achieve the outcomes sought by the MDRS standards.	Delete the additional activities in activity Table D14.5, being A7A, A7B, A7C and A7D. Delete proposed Standards D14.6.5 – D14.6.8 Any other consequential changes that would give effect to the relief sought in this submission.	2036.5 2036.6
	Chapter G RUB and Walkable Catchments				
3.	**G2. Walkable Catchments** Policy 3(c) of the National Policy Statement on Urban Development 2020, updated May 2022, requires regional policy statements and district plans in tier 1 urban environments to enable building heights of at least six storeys within at least a walkable catchment of the following: (i) existing and planned rapid transit stops (ii) the edge of city centre zones, and (iii) the edge of metropolitan centre zones. Auckland is a tier 1 urban environment. A walkable catchment of around 1,200m is applied from the edge of the Business – City Centre Zone. A walkable catchment of around 800m is applied from both the edge of the Business – Metropolitan Centre Zones and from the pedestrian access points to existing or planned rapid transit stops. Edge and route modifying factors such as property boundaries, road boundaries, severance, topography, block sizes, the walking environment and the mix of land use activities can affect these general walkable catchment distances. The depiction of walkable catchments in the planning maps is a district plan method pursuant to section 75(2) of the Resource Management Act 1991 for implementing the policies of the district and giving effect to the National Policy Statement on Urban Development 2020, updated May 2022. The planning maps show the location and extent of walkable catchment boundaries, many of which overlap with each other. The location or extent of a walkable catchment can only be amended by way of a plan change pursuant to Schedule 1 of the Resource Management Act 1991. Any amendment to the location or extent of a walkable catchment must give effect Policy 3(c) of the National Policy Statement on Urban Development 2020, updated May 2022.	Support in Part	The submitter considers that the explanation for walkable catchment should note that in some cases the RTN or centres (where slightly beyond an 800m or 1,200m walkable catchment distance) is connected by extensive cycleways that make micro mobility transportation a viable choice. 'Micro mobility' and 'active' transport modes (i.e., scooters, bikes etc) are expanding traditional 'walkable' distances and this is acknowledged by the MfE guidance on walkable catchments. The guidance notes that:[1] *…not all places are equal and different locations with different characteristics may often have different-sized walkable catchments […] a city or a metropolitan centre with a rapid transit stop located within or close by, is also likely to have a larger walkable catchment than a centre without a rapid transit stop.* The use of such alternative modes and their relationship to 'walkability' is also acknowledged within Auckland Transport's 'Urban Street and Road Design Guide' in which it is noted in relation to increased density of residential occupation:[2] Density (and a diversity of housing choices) gives people the opportunity to live in neighbourhoods that meet their lifestyle preferences and economic means. The goal should be to provide residents with the choice to live in amenity-rich neighbourhoods where they are a short walk *or* bike ride away from shopping, parks, schools and cafés, and take public transport or drive to work and regional destinations. Density allows for more options for more people. Prioritising investment in frequent, high-capacity public transport to support density is a mutually supportive strategy that can rapidly shift people from private cars to public transport and active modes [emphasis added].	That the following wording is added to G2: The suitability of a walkable catchment can vary depending on a number of factors, including topography, connectivity and access to a regular public transport network. In some cases, there may be sites that are located outside a 'walkable catchment' that are suitable for additional intensification and building height. Such sites should be considered on their merits having regard to their context and their ability to provide additional housing choice in an area that is well served by a range of amenities, including public transport. Any other consequential changes that would give effect to the relief sought in this submission.	2036.7

[1] Ministry for the Environment, *Understanding and implementing intensification provisions for NPS-UD*, clause 5.5.3 Different locations will have different-sized walkable catchments. https://environment.govt.nz/publications/understanding-and-implementing-intensification-provisions-for-the-national-policy-statement-on-urban-development/

[2] Auckland Transport 'Urban Street and Road Design Guide', page 51.

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
4.		Support in Part	The submitter considers that the walkable catchment should be amended to be 1200m from the edge of Metropolitan Centre Zones, as well as the City Centre Zone. The range of amenities, services, shops, cafés and the extent of employment within Business – Metropolitan Centre Zones is often comparable to that of the City Centre Zone. In fact, the edge of Business – Metropolitan Centre Zones is often more desirable to walk to than the edge of the City Centre zone from a destination and availability of services and amenity perspective. This availability of activities and amenities is acknowledged within the zone description of Chapter H9. Business – Metropolitan Centre Zone which states that the Business – City Centre Zones: *"act as focal points for community interaction and commercial growth and development and contain hubs serving high frequency transport. The zone provides for a wide range of activities including commercial, leisure, high density residential, tourist, cultural, community and civic services. Zone provisions, in conjunction with rules in the other business zones, reinforce metropolitan centres as locations for all scales of commercial activity. These centres are identified for growth and intensification."* Furthermore, taking into account the above points with respects to micro mobility (refer submission point 3 above), a 1200m 'walkable catchment' from Business – Metropolitan Centre zones is considered appropriate. Metropolitan Centre Zones are well serviced by micro mobility and also incorporate high frequency transport options (numerous bus services, train stations and bus ways, among others).	Amend the extent of a 'walkable catchment' to be 1200m from the edge of Business – Metropolitan Centre zones. Any other consequential changes that would give effect to the relief sought in this submission.	2036.8
	H3A. Residential – Low Density Residential Zone				
5.	**H3A.1. Zone description** In the urban environment, the Residential – Low Density Residential Zone is applied to identified sites within residential neighbourhoods, subject to relevant qualifying matters, with the purpose being to: • incorporate MDRS, and make development less enabling to the extent necessary to accommodate the qualifying matter(s) that are present; • protect significant ecological areas and outstanding natural features and landscapes and high natural landscapes; • protect areas of distinct cultural, historic and natural heritage; • protect areas subject to risks from natural hazards including coastal hazards, coastal erosion, overland flow paths and flood plains; • maintain and enhance special character residential areas; and • provide for low density residential activities and buildings consistent with a suburban scale and subdivision pattern, such as one to two storey houses. It is applied in the urban environment where the relevant qualifying matters have resulted in a lower intensity of development. Limiting levels of re-development is necessary to accommodate one or more qualifying matters while enabling residential development. The zone applies to: • the Waitakere Ranges Heritage Area; • neighbourhoods with special character based on past development patterns; • a coastal setting; • sites containing cultural values or substantial proportions of significant ecological areas; • sites that are subject to high natural character, outstanding natural features or landscapes; or, • other factors such as natural hazards risks in the coastal environment and from flooding. To respond to the identified purpose the Residential – Low Density Residential zone may also be applied in plan changes that rezone Future Urban zone land to a residential zone where relevant qualifying matters exist. Within the zone, MDRS are incorporated to the extent qualifying matters can be accommodated. The activities and standards are limited by Auckland-wide provisions and overlays as the Residential - Low Density Residential Zone works with other plan provisions to provide for dwellings while accommodating relevant qualifying matters. To support the purpose of the zone, development is managed with additional dwellings provided for only where dwellings and other buildings do not detract from the values of the identified qualifying matter. The zone is generally characterised by residential activities and buildings consistent with a suburban scale and subdivision pattern, such as one to two storey high buildings with yards and landscaping consistent with a low intensity built character, except where the zone exhibits high landscape or natural heritage values.	Oppose in Part	The submitter notes that the Low Density Residential Zone has been applied to a range of Qualifying Matters. Consistent with the current approach of the Auckland Unitary Plan, the submitter considers that rezoning should be based on land use principles and issues such as flooding or the presence of an SEA over part of the site should not determine the zoning, unless there is clear evidence of significant risk from natural hazards, or if the site is completely covered in an SEA. In its interim guidance on flooding and hazards as part of the hearings for the Auckland Unitary Plan, the Auckland Unitary Plan Independent Hearings Panel noted that it was not convinced about the degree of restriction on use and development in existing built up areas under the natural hazard and flooding provisions. The Panel considered that more consideration should be given to enabling design-led solutions using controlled or restricted discretionary activity status, with appropriately limited matters of control or discretion, and clear and succinct assessment criteria that assist with giving effect to the objectives and policies for natural hazards and flooding. It is noted that there are existing examples of high density residential and business zones that are presently featured in the current Unitary Plan that have a SEA, flood plain or OLFP restriction. In some cases, increases in heights can provide greater flexibility in terms of managing the effects of natural hazards, such as the provision of higher freeboard levels.	That the Auckland Council reviews **all** OLFP's, flood plain and SEA areas identified as Qualifying Matters on the planning maps within Plan Change 78, and any areas that have been downzoned to a Low Density Residential Zone due to the flood plain, OLFP or SEA overlay, are rezoned to a zoning that is based on the most appropriate zone based on accepted land use principles. Any other consequential changes that would give effect to the relief sought in this submission.	2036.9 2036.10 2036.11 2036.12

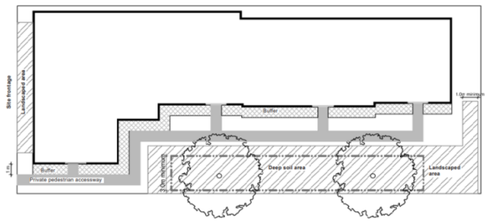
	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
			It is further noted that the SEA is currently located on some sites proposed within MHU and THAB zones. The current Unitary Plan includes objectives, policies and methods to manage the effects on these Qualifying Matters. It is considered more appropriate to manage the effects on these features through overlays or controls, rather than downzoning an area. It may well be that a special overlay reduces all or part of a site from being developed to the full extent of the underlying zoning, but the submitter considers that this is a more efficient and effective approach than downzoning an entire site, on the basis that part of the site is impacted by a particular overlay or control.		
H5. Residential – Mixed Housing Urban Zone					
H5.2. Objectives					
6.	(1) Land ~~near the Business – Metropolitan Centre Zone and the Business – Town Centre Zone, high-density residential areas and close to the public transport network~~ is efficiently used for higher density residential living and to provide urban living that increases housing capacity and choice and access to public transport.	Support	Consistent with the MDRS.	Retain the revised wording.	2036.13
7.	(3) Development provides **high-**quality **amenity**: **(a)** on-site ~~residential amenity~~ for residents and **(b) to** adjoining sites; and **(c) to** the street.	Oppose	The inclusion of 'high' and 'amenity' does not reconcile with the outcomes of the MDRS standards of the zone as they exist or are proposed. The term 'high-quality amenity' is open to subjectivity and will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Retain existing wording.	2036.14
8.	**(6) Development contributes to a high-quality built environment that is resilient to the effects of climate change.**	Oppose	The term 'high-quality built environment' is open to subjectivity and will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete the proposed wording or reword to delete reference to high quality built environment.	2036.15
9.	**(8) Enable a safe street environment for pedestrians.**	Oppose	The policy addresses aspects of a site that are located outside the zone boundary. Chapter 27 Transportation addresses pedestrian safety for developments that adjoin the road.	Delete the proposed wording.	2036.16
10.	**(9) Development is enabled on sites within significant ecological areas where it provides for the protection and management of the significant ecological values.**	Oppose	It is considered that effects of development on SEA are already suitably dealt with via Chapter D9 and E15. The inclusion in the zone is not necessary and undermines the existing AUP framework and the efficient use of land.	Delete the proposed wording.	2036.17
11.	**(10) Intensification is avoided in areas with significant transport infrastructure constraints.**	Oppose	Objective should clearly identify the Beachlands area identified in the mapping control for transport constraints.	Delete the proposed objective or amend to specifically refer to Beachlands only.	2036.18
H5.3. Policies					
12.	(6A) 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; (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.	Oppose in part	The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Amend the text of Policy 6A as follows (6A) Require development to achieve a built form that contributes to the planned outcomes of the zone ~~high-quality built environment outcomes~~ by: (a) maintaining reasonable 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, commensurate with the expectations of the zone; (e) minimising visual dominance effects of carparking and garage doors to streets ~~and private accessways~~; ~~(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~~;	2036.19

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
				(h) designing practical, sufficient space for residential waste management; and ~~(i) designing practical, sufficient space for internal storage and living areas~~. Any other consequential changes that would give effect to the relief sought in this submission.	
13.	(12) Require dwellings to be provided with access to safe and reliable drinking water, wastewater and stormwater disposal services.	Oppose	Infers that the quality of the drinking water is able to be influenced by the applicant. This is the responsibility of Watercare. Any wording should be similar to that already identified in the existing assessment criteria.	Delete the proposed wording	2036.20
14.	(14) Require development of four or more dwellings per site to contribute to a safe urban road environment for pedestrians through improvements to the adjacent road network.	Oppose	This does not correspond to an effect from the construction of four dwellings. The development contributions already include a component for local transport upgrades.	Delete the policy in its entirety.	2036.21
15.	(15) Require buildings on sites subject to significant ecological areas to be of a scale that protects and maintains the significant ecological values of those areas.	Oppose	It is considered that effects of development on an SEA are already suitably dealt with via Chapter D9 and E15. The inclusion in the zone is not necessary and undermines the existing AUP framework and the efficient use of land.	Delete the policy in its entirety.	2036.22
16.	(16) Avoid developments of more than one dwelling per site in areas identified on the planning maps as subject to significant transport infrastructure constraints.	Oppose in part	Policy should clearly identify the Beachlands area identified in the mapping control.	Delete the proposed objective or amend to specifically refer to Beachlands only.	2036.23
H5.4. Activity table					
17.	(A1) activities not provided for.	Oppose	It is considered activities not provided for should be DA as per Chapter C.	Amend A1 to be a Discretionary Activity	2036.24
18.	(A2A) One dwelling per site subject to a Significant Ecological Area Overlay which complies with Standards E15.4.2(A29) and E15.6.5	Oppose	It is considered that effects of development on SEA are already suitably dealt with via Chapter D9 and E15. The inclusion in the zone is not necessary and undermines the existing AUP framework and the efficient use of land. Additional Standards added beyond the MDRS requirement. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Delete the activity from the table.	2036.25
19.	(A2B) Two or more dwellings per site subject to a Significant Ecological Area Overlay (refer to Vegetation management and biodiversity E15.4.2(A43) and E15.6.5) (A33B) New buildings and additions and alterations to buildings in a Significant Ecological Area Overlay which do not comply with H5.6.10(2) Building coverage.	Oppose	It is considered that effects of development on SEA are already suitably dealt with via Chapter D9 and E15. The inclusion in the zone is not necessary and undermines the existing AUP framework and the efficient use of land. Additional Standards added beyond the MDRS requirement for activity (A2B). The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Delete the activities from the table.	2036.26
20.	Activity Table - Standards to be complied with (multiple activities) Standard H5.6.3A Number of dwellings per site; H5.6.3B Dwellings within the Infrastructure – Combined Wastewater Network Control as identified on the planning maps; H5.6.3C Dwellings within the Infrastructure – Stormwater Disposal Constraints Control as identified on the planning maps; Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; ~~Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones;~~ Standard H5.6.8 Yards; Standard H5.6.9 Maximum impervious areas; Standard H5.6.10(1) Building coverage; Standard H5.6.11(3) and (4) Landscaped area; Standard H5.6.12(A1) Outlook space; ~~Standard H5.6.13 Daylight~~; Standard H5.6.14 Outdoor living space(A1) and (B1); Standard H5.6.15 Front, side and rear fences and walls; Standard H5.6.18(1) Windows to street and private vehicle and pedestrian accessways; Standard H5.6.19 Deep soil area and canopy tree; Standard H5.6.20 Safety and privacy buffer from private pedestrian vehicle accessways; Standard H5.6.21 Residential waste management.	Oppose	Additional standards beyond the MDRS are not required as directed by government. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Delete all standards that are not identified within the MDRS.	2036.27
21.	(A4) Four or more dwellings per site H5.6.3B Dwellings within the Infrastructure – Combined Wastewater Network Control as identified on the planning maps; H5.6.3C Dwellings within the Infrastructure – Stormwater Disposal Constraints Control as identified on the planning maps; Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.6 Alternative height in relation to boundary Standard H5.6.8 Yards; Standard H5.6.9 Maximum impervious areas; Standard H5.6.10(1) Building coverage; Standard	Oppose	The additional standards for: - Infrastructure standards: - Deep soil area and canopy tree; - Safety and privacy buffer	Delete standards that are not identified within the MDRS.	2036.28

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	H5.6.11(5), (6) and (7) Landscaped Area; H5.6.12(1) – (9) Outlook space; Standard H5.6.13 Daylight; H5.6.14(1) – (4) Outdoor living space; Standard H5.6.15 Front, side and rear fences and walls; Standard H5.6.16 Minimum Dwelling Size: Standard H5.6.18(2) Windows to street and private vehicle and pedestrian accessways; Standard H5.6.19 Deep soil area and canopy tree; Standard H5.6.20 Safety and privacy buffer from private pedestrian vehicle accessways; Standard H5.6.21 Residential waste management.		- Residential waste management Shall be deleted as identified below. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards		
H5.5. Notification					
22.	(5) 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 resource consent is precluded if the application is for the construction and use of four or more dwellings that comply with the following standards: (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 H5.6.9 Maximum impervious area; (v) Standard H5.6.10 Building coverage; (vi) Standard H5.6.11 (5), (6) and (7) Landscaped area; (vii)Standard H5.6.12 (1) – (9) Outlook space; (viii) Standard H5.6.13 Daylight;5 (ix) Standard H5.6.14(1) – (4) Outdoor living space; (x) Standard H5.6.15 Front, side and rear fences and walls; (xi) Standard H5.6.16 Minimum dwelling size; (xii)Standard H5.6.18(2) Windows to street and private vehicle and pedestrian accessways; (xiii) Standard H5.6.19 Deep soil area and canopy tree; (xiv) Standard H5.6.20 Safety and privacy buffer from private vehicle and pedestrian accessways (xv) Standard H5.6.21 Residential waste management.	Oppose	Compliance should only be for the bulk and form and adjacent site amenity standards being: (i) Standard H5.6.4 Building height; (ii) Standard H5.6.5 Height in relation to boundary; (iii) Standard H5.6.8(1) Yards; (v) Standard H5.6.10 Building coverage; (vii)Standard H5.6.12 (1) – (9) Outlook space; The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards Amend notification standard to make it clear that restricted discretionary matters such as earthworks, contamination flood plains and technical parking infringements do not remove the notification exclusions. The notifications effects of this technical elements of an application will be considered in accordance with their restricted discretionary status.	Delete standards that are not identified within the MDRS. Amend the notification standard to make it clear that restricted discretionary matters such as earthworks, contamination, flood plains and technical parking infringements do not remove the notification exclusions. In terms of notification, those effects outside the zone standards that form part of a bundled application will be considered in accordance with their particularly restricted discretionary status and the associated matters for discretion for those particular consent matters.	2036.29 2036.30
23.	(6) Any application for a resource consent which is listed in H5.5(4) or H5.5(5) 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.	Oppose	All developments will likely trigger additional AUP reasons for consent. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete.	2036.31
24.	H5.6.3B Dwellings within the Infrastructure – Combined Wastewater Network Control as identified on the planning maps	Oppose	These effects are already managed by Chapter E8. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Delete.	2036.32
25.	H5.6.3C Dwellings within the Infrastructure – Stormwater Disposal Constraints Control	Oppose	These effects are already managed by Chapter E8. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Delete.	2036.33
26.	**H5.6.5. 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.	Oppose	Oppose addition of 'privacy' not required by the MDRS wording within Schedule 3A.	Delete wording and retain existing purpose.	2036.34
27.	**H5.6.5. Height in relation to boundary** (1) Buildings must not project beyond a ~~45~~ 60 degree recession plane measured from a point ~~3~~ 4m vertically above ground level alongside and rear boundaries, as shown in Figure H5.6.5.1 Height in relation to boundary below.	Support	The proposed wording will be efficient and effective in achieving the outcomes sought by the MDRS standards	Accept the proposed text changes	2036.35
28.	~~(b)~~ [Deleted] ~~sites within the Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or the Open Space – Community Zone:~~ ~~(i) that are greater than 2000m²;~~ ~~(ii) where that part of the site in (i) is greater than 20 metres in width, when measured perpendicular to the shared boundary; and~~ ~~(iii) Where an open space comprises multiple sites but has a common open space zoning, the entire zone will be treated as a single site for the purpose of applying the standards listed below.~~ ~~(5)~~ [Deleted] ~~A gable end, dormer or roof may project beyond the recession plane where that portion beyond the recession plan is: (a) no greater than 1.5m2 in area and no greater than 1m in height; and (b) no greater than 2.5m cumulatively in length measured along the edge of the roof as shown in Figure H5.6.5.2 Exceptions for gable ends and dormers and roof projections below.~~ ~~(6) No more than two gable end, dormer or roof projections are allowed for every 6m length of site boundary.~~	Oppose	The exclusions should be retained, as they deal with minor protrusions and they are helpful on sloping sites. It is beneficial to provide activation to Open Space zones.	Retain the existing minor protrusions HIRB is excluded from applying where the site adjoins open space more than 2,000m² area in accordance with the current standard.	2036.36
29.	**H5.6.9. Maximum impervious area** (1) The maximum impervious area must not exceed 60 per cent of site area	Oppose	The retention of this standard is not an efficient use of land and is not demonstrated by an adverse effect. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Amend standard to 70%.	2036.37

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
30.	**H5.6.10. 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.	Oppose	It is considered that effects of development in proximity to an SEA are already suitably dealt with via Chapter D9 and E15. The inclusion is not necessary and undermines the existing AUP framework and the efficient use of land.	Delete the additional wording.	2036.38
31.	(1) The maximum building coverage must not exceed ~~45~~ 50 per cent of the net site area.	Support	The proposed wording will be efficient and effective in achieving the outcomes sought by the MDRS standards	Accept the proposed text changes.	2036.39
32.	H5.6.10. Building coverage (2) On a site subject to a Significant Ecological Areas Overlay: (a) the maximum building coverage must not exceed 50 per cent of the net site area; and (b) building coverage must not be located in any area within 3m of vegetation within a significant ecological area, including following the alteration or removal of up to 300m2 of vegetation for a dwelling per site provided for under E15.3.2(A29) and E15.6.5; and (c) other than provided for in H5.6.10(2)(b), building coverage must not be located within a significant ecological area.	Oppose	It is considered that effects of development in proximity to an SEA are already suitably dealt with via Chapter D9 and E15. The inclusion is not necessary and undermines the existing AUP framework and the efficient use of land. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Delete the proposed text changes relating to the SEA..	2036.40
33.	**H5.6.11. Landscaped area** **Development containing four or more dwellings and any other developments must comply with the following:** (5) The minimum landscaped area must be at least 20 per cent of the net site area and comprise natural grass, plants or trees and can include the canopy of existing trees regardless of the surface underneath provided the surface of the protected root zone is in natural grass, plants or natural mulch. (6) Any part of the landscaped area must have a minimum dimension of 1m and minimum area of 4m^2 as shown below in Figure H5.6.19.1 Example of Deep soil area requirements and the relationship with Landscaped area and the Safety and privacy buffer.	Oppose	The standard wording should match the MDRS standard that applies for 1-3 dwellings. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Amend the proposed text changes to match the MDRS standard.	2036.41
34.	**H5.6.12. Outlook space** Development containing four or more dwellings and any other development must comply with the following: Development containing four or more dwellings and any other development must comply with the following: (1) An outlook space must be provided from the face of a building containing windows **or balconies** to a habitable room. Where the room has two or more external faces with windows **or balconies** the outlook space must be provided from, **in order of priority,** the face with the largest **balcony or** area of glazing. (2) The minimum dimensions for a required outlook space are as follows: (a) a principal living room of a dwelling or main living and dining area within a boarding house or supported residential care must have a outlook space with a minimum dimension of: **i.** 6m in depth and 4m in width **as shown below in Figure H5.6.12.1 Outlook space from habitable room windows for four or more dwellings and any other development**; ~~and~~ **or** **ii. Where the principal living room outlook is on the ground floor and is defined by a boundary fence, outlook depth may be reduced to 5m.** (b) a principal bedroom of a dwelling or a bedroom within a boarding house or supported residential care unit must have an outlook space with a minimum dimension of 3m in depth and 3m in width; and (c) all other habitable rooms must have an outlook space with a minimum dimension of 1m in depth and 1m in width. (3) The depth of the outlook space is measured at right angles to and horizontal from the window to which it applies. (4) The width of the outlook space is measured from: (a) the centre point of the largest window on the building face to which it applies **where outlook depth is reduced to 5m as provided for under H5.6.12A(2)(ii) above; or** **(b) the centre line of the facade of the largest window or balcony edge whichever is closer to the boundary or opposing building.** (5) The height of the outlook space is the same as the floor height, measured from floor to ceiling, of the building face to which the standard applies. (6) Outlook spaces may be within the site, over a public street, or other public open space.	Oppose	The standard wording should match the MDRS standard that applies for 1-3 dwellings. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Amend the proposed text changes to match the MDRS standard.	2036.42

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	(7) Outlook spaces required from different rooms within the same building may overlap. (8) Outlook spaces may overlap where they are on the same wall plane. (9) Outlook spaces must: (a) be clear and unobstructed by buildings **and servicing area;** and (b) not extend over adjacent sites, except for where the outlook space is over a public street or public open space as outlined in H5.6.12(15) above; and (c) not extend over an outlook spaces or outdoor living space required by another dwelling; **and** (d) **must align with private outdoor living space, except for where the outlook space is over a public street or public open space as outlined in H6.6.12(15) above.**				
35.	**H5.6.13. Daylight**	Oppose	It is not a method retained in the MDRS. The proposed standard will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete the daylight standard.	2036.43
36.	**H5.6.14. Outdoor living space** Purpose: to provide dwellings, integrated residential development, supported residential care and boarding houses 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:** ~~is accessible from the dwelling.7~~ • 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.	Oppose	The addition of communal outdoor living space requirements is opposed. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Amend the proposed text changes to match the MDRS standard	2036.44
37.	**H5.6.14. Outdoor living space** (4) In addition to H5.6.14(1) and H5.6.14(2) above, developments of 20 or more dwellings, including integrated residential development of 20 or more dwellings, must provide a communal outdoor living space that: (a) is located in a communally accessible location; (b) is at least 10m2 for every five dwellings it serves; (c) is a minimum dimension of 4m; (d) free of buildings, parking spaces and servicing and manoeuvring areas; (e) for at least 20m2 of the communal living space must receive a minimum of 3 hours of sunlight per day between the hours of 9am – 4pm on 21 June; (f) has a gradient not exceeding 1 in 20; and (g) may be split into no more than two outdoor communal living spaces per development.	Oppose	This additional standard is unnecessary, with the private open space requirements sufficient. The provision for wider public open space is the responsibility of Council not developers. A specific open space development contribution is already payable for each dwelling.	Amend the proposed text changes to match the match the MDRS standard and delete the communal outdoor living space requirements.	2036.45
38.	**H5.6.18 Windows to street and private vehicle and pedestrian accessways** Development contained four or more dwellings and any other development must comply with the following: 2) Any dwelling, integrated residential development, supported residential care, boarding house and visitor accommodation facing the street or private vehicle accessway or private pedestrian accessway, must have a minimum of 20 per cent of the relevant façade in glazing. This can be in the form of windows or doors.	Oppose	Any additional text beyond MDRS wording should be captured via assessment criteria not as a standard.	Delete standard and rely on MDRS wording.	2036.46 2036.47
39.	**H5.6.19 Deep soil area and canopy tree** Purpose: To build resilience to climate change effects through provision of deep soil areas that support canopy trees, which assist in removing carbon, reducing urban heat island effects and enabling the infiltration of stormwater. (1) Any site greater than 200m2 must provide a deep soil area that must comply with the following: (a) 10 per cent of the site area must be provided as 1 contiguous deep soil area with minimum 3m dimensions; (b) Except that sites 1,200m2 or greater may have more than 1 deep soil area provided that: (i) each deep soil area is a minimum of 60m2 with 3m dimensions; and (ii) the combined total deep soil area is a minimum 10 per cent of the site area; (c) Deep soil areas must not be provided in private outdoor living spaces but can be provided as part of communal outdoor living spaces and landscape areas as shown below in Figure H5.6.19.1 Example of Deep soil; area requirements and the relationship with Landscaped Area and the Safety and privacy buffer; and (d) The deep soil area(s) must contain a canopy tree(s) that meets the minimum requirements as set out in Table H5.6.9.1 Minimum requirements for canopy trees; and (2) Trees required by H5.6.19(1) can be existing canopy trees or new canopy trees in accordance with Table H5.9(3).	Oppose	It is not a method retained in the MDRS. The proposed standard will not be efficient or effective in achieving the outcomes sought by the MDRS standards. The proposed Deep Soil Area and Canopy Tree standards (and allied Special Information requirements) will result in disparate landscaping outcomes and do not foster sustainable landscape design solutions. The Deep Soil Area and Canopy Tree requirements as proposed are generic and do not reflect an understanding of landscaping and arboricultural/horticultural techniques and the different abilities of a range of canopy trees to exist successfully in varied conditions. Also using a formula relating the number of trees to site area is inappropriate as the number, size and location of trees is driven by building location and size, the shape of buildings and the location and spatial context of land areas available for plantings. The Deep Soil Area and Canopy Tree provisions are unnecessary and go to a level of detail that is better addressed through detailed landscape design which is already covered in the Plan provisions.	Delete the proposed new standard.	2036.48

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	Table H5.6.19.1 Minimum requirements for canopy trees **Site Area (prior to development or re-development)** / **Minimum canopy tree requirements** 200m² – 600m² / 1 small canopy tree per 200m² of site 601m² – 1,500m² / 1 medium canopy tree per 300m² of site 1,501m² or more / 1 large canopy tree or 2 medium canopy trees per 500m² of site **Figure H5.6.19.1 Example of the Deep soil area requirements and the relationship with Landscaped area and the Safety and privacy buffer** 				
40.	**H5.6.20 Safety and privacy buffer from private pedestrian and vehicle accessways** Purpose: to provide a reasonable standard of safety and privacy for ground floor dwellings located adjacent to pedestrian and vehicle accessways. (1) A minimum 1m buffer areas must be provided between a dwelling and private pedestrian and/or vehicle accessways as shown in Figure H5.6.19.1 Example of Deep soil area requirements and the relationship with Landscape area and the Safety and privacy buffer above. (2) The buffer area must be: (a) free of buildings, parking spaces, servicing and manoeuvring areas. (b) Planted with shrubs or ground cover plants.	Oppose	It is not a method retained in the MDRS. This matter would be better placed as assessment criteria rather than as standards. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete the proposed new standard.	2036.49 2036.50
41.	**H5.6.21 Residential waste management** Purpose: To provide accessible on-site storage space for waste bins and safe vehicle access for the collection of waste (refuse, recyclables and food scraps) for dwellings. (1) On-site waste storage using individual or communal waste bins must be provided as follows: (a) Where individual bins are used, a total storage space of 1.4m2 per dwelling. (b) Where communal bins are used, the total storage space provided must be calculated in accordance with the Auckland Council's Solid Waste Calculator. (c) The location of bins must: (i) be visually screened from within the site, from the street and/or adjacent sites. (ii) not require bins to be transported through dwellings, across unpaved surfaces or up and down stairs or steep gradients (refer to Transport E27.6.6.2) (iii) be accessible for collectors and residents with a minimum on-site footpath width of 1.35m; and (v) provide lighting (refer to Lighting E24.6.2) between storage locations and collection points. (2) Where kerbside collection is used, there must be kerbside space of at least 1m per dwelling, contained within the road frontage of the site without impeding the public footpath. Developments that cannot comply with this will instead need to comply with H5.6.21(3) and either H5.6.21(4) or (5). (3) Four or more dwellings using a private collection service must provide a waste management and minimisation plan. (4) Where on-site collection of individual waste bins is used, there must be a space of at least 1m2 per dwelling in an accessible location for the collection vehicle for collection of individual bins from shared driveways within the site. (5) Where on-site collection of communal waste bins is used, there must be an accessible location for collection of communal bins by a collection vehicle within the site. (6) A waste management and minimisation plan must be provided and implemented for 10 or more dwellings.	Oppose	It is not a method retained in the MDRS. This matter would be better placed as a broader assessment criteria rather than as standards. The new information requirement for a waste minimisation plan for 10+ dwellings is an additional cost that is not warranted and would not be monitored following grant of consent. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete the proposed new standard.	2036.51 2036.52 2036.53

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
42.	**H5.7. Assessment – controlled activities** ~~There are no controlled activities in this zone.~~ H5.7.1. Matters of control The Council will restrict its control to all of the following matters when assessing a controlled activity resource consent application: (1) For one dwelling per site subject to a Significant Ecological Area Overlay: (a) The extent to which the built development is designed to minimise or mitigate adverse effects on the ecological values of the relevant significant ecological area; (b) The location, bulk and scale of built development relative to the surrounding ecological values H5.7.2 Assessment criteria The Council will consider the assessment criteria below for controlled activities to the extent relevant to the proposal: (1) For one or more dwellings per site subject to a Significant Ecological Area Overlay: (a) refer to Policy H5.3(15)	Oppose	It is considered that effects of development in proximity to an SEA are already suitably dealt with via Chapter D9 and E15. The inclusion is not necessary and undermines the existing AUP framework and the efficient use of land.	Delete the proposed new assessment criteria	2036.54
H5.8. Assessment – restricted discretionary activities					
43.	**H5.8. Assessment – restricted discretionary activities** H5.8.1. Matters of discretion The Council will restrict its discretion to all of the following matters when assessing a restricted discretionary activity resource consent application: (1) (c) the effects of the development on the safe access for pedestrians on the adjacent road network.	Oppose	This does not correspond to an effect from the activities identified in H5(1) on the wider adjacent network. The existing matters for discretion already include traffic and access (Chapter E27 Transportation). The development contributions already include a component for local transport upgrades. It is inequitable and inefficient to target one developer to upgrade infrastructure that will likely benefit a wider area.	Delete the proposed new assessment criteria	2036.55
44.	**H5.8. Assessment – restricted discretionary activities** **H5.8.1. Matters of discretion** (2) for four or more dwellings per site: (a) the effects on the neighbourhood character, residential amenity, safety, and the surrounding residential area from all of the following: (i) building ~~intensity~~, scale and location, including: A. the way in which buildings are orientated to the street and adjoining sites, and B. the extent to which the height, roof form and design of buildings respond to the local streetscape and the planned urban built character of the surrounding area, (ia) building form and appearance including: A. use of built elements such as materials, surface and architectural detailing and roof design to create visual interest; B. use of deep soil and/or outdoor living areas, modulation, architectural features, windows, doors and breaks in building length to minimise bulk and visual dominance; C. whether design provides for the balance between resident's privacy and opportunities for passive surveillance; D. whether the design provides for privacy, and sunlight and daylight access for adjoining sites; E. the interface with an identified special character area or a scheduled historic heritage place; (ib) the extent to which the functional, day to day needs of residents are provided for in terms of: A. the size and dimensions of living areas relative to the likely occupancy levels of the dwellings; B. internal storage; C. residential waste management, including the kerbside and/or on-site capacity for residential waste management (ii) traffic; and (iii) location and design of ~~parking and~~ access (including pedestrian access) and parking (if provided). b) [deleted] ~~all of the following standards:~~ ~~(i) Standard H5.6.9 Maximum impervious areas;~~ ~~(ii) Standard H5.6.10 Building coverage;~~ ~~(iii) Standard H5.6.11 Landscaped area;~~ ~~(iv) Standard H5.6.12 Outlook space;~~	Oppose in part	Oppose the inclusion of: - deep soil within B; - introduction of interfaces with identified special character area or a scheduled historic heritage place; and - references to wider upgrades of the adjacent road network under (d) do not correspond to the quantum of effects from the activities this is triggered by i.e. 4 dwellings. There are already matters for pedestrian access under (iii). The development contributions already include a component for local transport upgrades. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete the proposed new assessment criteria (ia) building form and appearance including: A. use of built elements such as materials, surface and architectural detailing and roof design to create visual interest; B. ~~use of deep soil and~~/or outdoor living areas, modulation, architectural features, windows, doors and breaks in building length to minimise bulk and visual dominance; C. whether design provides for the balance between resident's privacy and opportunities for passive surveillance; D. whether the design provides for privacy, and sunlight and daylight access for adjoining sites; ~~E. the interface with an identified special character area or a scheduled historic heritage place;~~ (ib) the extent to which the functional, day to day needs of residents are provided for in terms of: ~~A. the size and dimensions of living areas relative to the likely occupancy levels of the dwellings;~~ ~~B. internal storage;~~ C. residential waste management, including the kerbside and/or on-site capacity for residential waste management. … ~~(d) the effects of the development on the safe access for pedestrians on the adjacent road network.~~	2036.56

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	~~(v) Standard H5.6.13 Daylight; (vi) Standard H5.6.14 Outdoor living space;~~ ~~(vii) Standard H5.6.15 Front, side and rear fences and walls; and~~ ~~(viii) Standard H5.6.16 Minimum dwelling size~~ (c)~~.~~ the effects on infrastructure and servicing including: (i) Existing infrastructure capacity. (d) the effects of the development on the safe access for pedestrians on the adjacent road network.				
45.	**H5.8. Assessment – restricted discretionary activities** **H5.8.1. Matters of discretion** (3) for integrated residential development: (a) the effects on the neighbourhood character, residential amenity, safety, and the surrounding residential area from all of the following: (i) building ~~intensity,~~ scale, location, form and appearance including the extent to which buildings as viewed from the street or public places are designed to minimise visual dominance effects taking into account: A. the planned urban built character of the zone; B. the location, orientation and design of development; and C. the effect of the proposed height on the surrounding and neighbouring development. (ii) traffic; (iii) location and design of parking and access (including pedestrian access) and parking (if provided); and (iv) noise, lighting and hours of operation. (b) [deleted] ~~all of the following standards:~~ ~~(i) Standard H5.6.9 Maximum impervious areas;~~ ~~(ii) Standard H5.6.10 Building coverage;~~ ~~(iii) Standard H5.6.11 Landscaped area;~~ ~~(iv) Standard H5.6.12 Outlook space;~~ ~~(v) Standard H5.6.13 Daylight;~~ ~~(vi) Standard H5.6.14 Outdoor living space;~~ ~~(vii) Standard H5.6.15 Front, side and rear fences and walls; and~~ ~~(viii) Standard H5.6.16 Minimum dwelling size.~~ (c) Infrastructure and servicing (d) the effects of the development on the safe access for pedestrians on the adjacent road network.	Oppose in part	the effect of the proposed height on the surrounding and neighbouring development should only be required in terms of additional height over and above the zone standard.	Amend the proposed new assessment criteria to refer to "C. the effect of the proposed additional height above the zone standards on the surrounding and neighbouring development." ~~(d) the effects of the development on the safe access for pedestrians on the adjacent road network.~~	2036.57
46.	**H5.8. Assessment – restricted discretionary activities** **H5.8.1. Matters of discretion** (6) For more than one dwelling per site in areas identified on the planning maps as being subject to the Infrastructure –Combined Wastewater Network Control or the Infrastructure – Water and Wastewater Constraints Control. (a) Infrastructure and servicing. (7) For more than one dwelling per site in areas identified on the planning maps as being subject to the Infrastructure –Stormwater Disposal Constraints Control. (a) Stormwater disposal.	Oppose	These effects are already managed by Chapter E8 for 1 dwellings and additions and alternations to. Furthermore, **H5.8. Assessment – restricted discretionary activities** for four or more dwellings per site deals with infrastructure capacity.	Delete the proposed new assessment criteria	2036.58
47.	**H5.8.2. Assessment criteria** (1) for supported residential care accommodating greater than 10 people per site inclusive of staff and residents; boarding houses accommodating greater than 10 people per site inclusive of staff and residents; visitor accommodation accommodating greater than 10 people per site inclusive of staff and visitors; dairies up to 100m2 gross floor area per site; care centres accommodating greater than 10 people per site excluding staff; community facilities; and healthcare facilities up to 200m2 gross floor area per site: (a) infrastructure and servicing: (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. (b) building ~~intensity~~, scale, location, form and appearance:	Support in part	Support removal of 'intensity' though ensure remove from (1)(b)(i) for consistency. Remove requirement for off-site roading or pedestrian upgrades	Amend and retain text as identified in reasons for submission. ~~(f) The extent to which the adjacent road network provides safe pedestrian movements~~.	2036.59

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:
	(i) whether the intensity and scale of the activity, the building location, form and appearance is of a high-quality and compatible with the character and residential amenity provided for within the zone and compatible with the surrounding residential area. (c) traffic: (i) whether the activity avoids or mitigates high levels of additional non-residential traffic on local roads. (d) location and design ~~of parking~~ and access (including pedestrian access) and parking (if provided): (i) whether adequate ~~parking and~~ access is provided or required. (ii) whether car parking and accessways are integrated into the overall design of the development (iii) whether parking is located away from street frontages and screened from the street by buildings or landscaping (iv) Whether safe, well-lit pedestrian access is provided and integrated into the design of the development. (e) noise, lighting and hours of operation: (i) whether noise and lighting and the hours of operation of the activity avoids, remedies or mitigates adverse effects on the residential amenity of surrounding properties, by: • locating noisy activities away from neighbouring residential boundaries; • screening or other design features; and • controlling the hours of operation and operational measures (f) The extent to which the adjacent road network provides safe pedestrian movements.			
48.	**H5.8.2. Assessment criteria** The Council will consider the assessment criteria below for restricted discretionary activities to the extent relevant to the proposal: (2) for four or more dwellings on a site: (a) the extent to which or whether the development achieves the purpose outlined in the ~~following~~ relevant standards identified in Table 5.4.1 or what alternatives are provided that result in the same or a better outcome.~~:~~ (i) [deleted]~~Standard H5.6.9 Maximum impervious areas;~~ (ii) [deleted]~~Standard H5.6.10 Building coverage;~~ (iii) [deleted]~~Standard H5.6.11 Landscaped area;~~ (iv) [deleted]~~Standard H5.6.12 Outlook space;~~ (v) [deleted]~~Standard H5.6.13 Daylight;~~ (vi) [deleted]~~Standard H5.6.14 Outdoor living space;~~ (vii) [deleted]~~Standard H5.6.15 Front, side and rear fences and walls; and~~ (viii) [deleted]~~Standard H5.6.16 Minimum dwelling size.~~ (aa) the extent to which the scale of the activity, the building location, form and appearance is of a high-quality and compatible with the planned urban built character and residential amenity of the surrounding residential area provided for within the zone. (ab) the extent to which buildings are designed to manage building length and bulk and visual dominance by: (i) placing taller buildings on the street front (ii) varying roof form and building height (iii) using modulation and architectural features to break up the mass of buildings into visually distinct elements (iv) using the proportions and arrangement of windows and doors to provide relief to building length and bulk (v) using other building elements including materials, surface detailing, architectural detail and roof design to provide visual interest along building facades including blank side/party walls (vi) providing adequate breaks in long continuous buildings to minimise the appearance of length (vii) locating deep soil areas and/or communal outdoor spaces around and between buildings to provide space and soften the built form (viii) designing balconies as an integral part of the building (ac) the extent to which buildings use quality, durable and easily maintainable materials. (ad) the extent to which buildings adjoining or across the street from an identified special character area or a scheduled historic heritage place are designed to respect the prevailing character of the area or key historic heritage design and location elements of that place. New and contemporary interpretations in form and detail may be used. (ae) the extent to which building frontage contribute positively to the visual amenity and safety of public streets, public open spaces, and private vehicle and pedestrian accessways by: (i) having clearly defined fronts that provide passive surveillance from windows and balconies .	Oppose in part	Oppose the references to: - Deep soil and communal open space in (ab)(vii) and (fe). - References to the need for wider upgrades of the adjacent road network under (d) and (gd). For the latter it is not considered that the quantum of effects corresponds to the activities it triggers. There are already matters for pedestrian access under (iii). The development contributions already include a component for local transport upgrades. - The additional assessment criteria under (ad) for the interface with an identified special character area or a scheduled historic heritage place is not considered an effective method nor warranted by an effect.	Delete the relevant assessment criteria wording as noted: (aa) the extent to which the scale of the activity, the building location, form and appearance ~~is of a high-quality and~~ compatible with the planned urban built character and residential amenity of the surrounding residential area provided for within the zone. … (ab) ~~(vii) locating deep soil areas and/or communal outdoor spaces around and between buildings to provide space and soften the built form~~ … ~~(ac) the extent to which buildings use quality, durable and easily maintainable materials.~~ ~~(ad) the extent to which buildings adjoining or across the street from an identified special character area or a scheduled historic heritage place are designed to respect the prevailing character of the area or key historic heritage design and location elements of that place. New and contemporary interpretations in form and detail may be used.~~ … ~~(i) The extent to which the adjacent road network enables safe pedestrian movements.~~

2036.60

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:
	(ii) maximising doors, windows and balconies over all levels on the front façades whilst not impacting on privacy. (iii) maximising the number of dwellings on the site that directly front, align and orientate to public streets . (iv) ground level dwellings closest to the street each have direct and clearly defined pedestrian access from the street in preference to a single building entrance. (v) where a site adjoins public open space, buildings include entrances, windows of habitable rooms and balconies facing the open space. (af) the extent to which site layout creates legible, visible attractive, safe and well-lit connections between dwellings and the street. (b) [deleted]~~The extent to which the development contributes to a variety of housing types at higher densities in the zone and is in keeping with the neighbourhood's planned urban built character of predominantly three storey buildings (attached or detached) by limiting the height, bulk and form of the development and managing the design and appearance as well as providing sufficient setbacks and landscaped areas.~~ (c) [deleted]~~The extent to which development achieves attractive and safe streets and public open space by:~~ ~~(i) providing doors, windows and/or balconies facing the street and public open spaces~~ ~~(ii) minimising tall, visually impermeable fences~~ ~~(iii) designing large scale development (generally more than 15 dwellings) to provide for variations in building form and/or façade design as viewed from streets and public open spaces.~~ ~~(iv) optimising front yard landscaping (v) providing safe pedestrian access to buildings from the street~~ ~~(vi) minimising the visual dominance of garage doors, walkways or staircases to upper level dwellings, and carparking within buildings a viewed from streets or public open spaces~~ (d) [deleted]~~The extent to which the height, bulk and location of the development maintains a reasonable standard of sunlight access and privacy and minimises visual dominance to adjoining sites;~~ (e) [deleted]~~The extent to which dwellings:~~ ~~(i) Orientate and locate windows to optimise privacy and encourage natural cross ventilation within the dwelling~~ ~~(ii) Optimise sunlight and daylight access based on orientation, function, window design and location, and depth of the dwelling floor space~~ ~~(iii) Provide secure and conveniently accessible storage for the number and type of occupants the dwelling is designed to accommodate.~~ ~~(iv) Provide the necessary waste collection and recycling facilities in locations conveniently accessible and screens from streets and public open spaces.~~ (f) [deleted]~~The extent to which outdoor living space:~~ ~~(i) Provides for access to sunlight~~ ~~(ii) Provides privacy between the outdoor living space of adjacent dwellings on the same site and between outdoor living space and the street.~~ ~~(iii) When provided at ground level, is located on generally flat land or otherwise functional~~ (fa) refer to Policy H5.3(A1); (fb) refer to Policy H5.3(C1); (fc) refer to Policy H5.3(D1); (fd) refer to Policy H5.3(E1); (fe) refer to Policy H5.3(6A) (g) [deleted]~~refer to Policy H5.3(7); and~~ (ga) refer to Policy H5.3(10); (gb) refer to Policy H5.3(11); (gc) refer to Policy H5.3(12); (gd) refer to Policy H5.3(14); (h) infrastructure and servicing: (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. (i) The extent to which the adjacent road network enables safe pedestrian movements.			
49.	**H5.8.2. Assessment criteria** (3) for integrated residential development: (a) the extent to which or whether the development achieves the purpose outlined in the following relevant standards and identified in Table H5.4.1 or what alternatives are provided that result in the same or a better outcome: (i) [deleted] ~~Standard H5.6.9 Maximum impervious areas;~~ (ii) [deleted] ~~Standard H5.6.10 Building coverage;~~ (iii) [deleted] ~~Standard H5.6.11 Landscaped area;~~ (iv) [deleted] ~~Standard H5.6.12 Outlook space;~~ (v) [deleted] ~~Standard H5.6.13 Daylight;~~ (vi) [deleted] ~~Standard H5.6.14 Outdoor living space;~~	Oppose in part	Oppose the references to: - deep soil and communal open space in 3(g). - references to the need for wider upgrades of the adjacent road network under (l). It is not considered that the quantum of effects corresponds to the activities it triggers. The level of service within the existing road reserve is the responsibility of Auckland Transport. The development contributions already include a component for local transport upgrades.	Delete the relevant assessment criteria. ~~(l) The extent to which the adjacent road network enable safe pedestrian movements, including:~~ ~~i. Footpaths of at least 1.8m in width~~ ~~ii. Facilities to safely and conveniently cross the road including pram crossings, and tactile paving,~~ ~~iii. Narrowed pedestrian crossing distances of vehicle carriageways~~ ~~iv. Front berms to separate pedestrians from traffic.~~

2036.61

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:
	(vii)[deleted] ~~Standard H5.6.15 Front, side and rear fences and walls; and~~ (viii) [deleted] ~~Standard H5.6.16 Minimum dwelling size (excluding retirement villages).~~ (aa) refer to Policy H5.3(C1) (ab) refer to Policy H5.3(D1) (ac) refer to Policy H5.3(E1) (b) [deleted] ~~refer to Policy H5.3(1);~~ (c) [deleted] ~~refer to Policy H5.3(2);~~ (d) [deleted] ~~refer to Policy H5.3(3);~~ (e) [deleted] ~~refer to Policy H5.3(4);~~ (f) [deleted] ~~refer to Policy H5.3(5);~~ (g) refer to Policy H5.3(6A); (h) [deleted] ~~refer to Policy H5.3(7);13~~ (i) refer to Policy H5.3(8); (j) refer to Policy H5.3(9); ~~and~~ (ja) refer to Policy H5.3(11); (jb) refer to Policy H5.3(12); (ic) refer to Policy H5.3(14); and (k) infrastructure and servicing: (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. (l) The extent to which the adjacent road network enable safe pedestrian movements, including: i. Footpaths of at least 1.8m in width ii. Facilities to safely and conveniently cross the road including pram crossings, and tactile paving, iii. Narrowed pedestrian crossing distances of vehicle carriageways iv. Front berms to separate pedestrians from traffic.		- Infrastructure provision is already included within existing assessment criteria (k) the cross reference under 3(jb) is unnecessary.	
50.	**H5.8.2. Assessment criteria** (4) for building height: (aa) refer to Policy H5.3(A1); (ba) refer to Policy H5.3(B1); (ca) refer to Policy H5.3(E1); (da) refer to Policy H5.3(6A); (a) ~~refer to Policy H5.3(2~~); (b) ~~refer to Policy H5.3(4).;~~ and **Visual dominance** (4) 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: (i) the planned urban built character of the zone; and (ii) the location, orientation and design of development. (iii) the effect of the proposed height on the surrounding and neighbouring development.	Oppose in part	Consideration of the effect of the proposed height on the surrounding and neighbouring development should only be required in terms of additional height over and above the zone standard.	Amend the proposed new assessment criteria to refer to: "iii. the effect of the proposed additional height above the zone standards on the surrounding and neighbouring development."
51.	**H5.8.2. Assessment criteria** (6) for height in relation to boundary: (aa) refer to Policy H5.3(A1); (ba) refer to Policy H5.3(E1); (ba) refer to Policy H5.3(6A) and (a) ~~refer to Policy H5.3(2);~~ (b) ~~refer to Policy H5.3(4); and~~ (c) ~~refer to Policy H5.3(5).~~ **Sunlight access** (d) Whether sunlight access to the outdoor living space of an existing dwelling on a neighbouring site satisfies the following criterion:13 Four hours of sunlight is retained between the hours of 9am – 4pm during the Equinox (22 September): (i) over 75% of the existing outdoor living space where the area of the space is greater than the minimum required by Standard H5.6.4: or	Oppose in part	Consideration of the effect of the proposed height in relation to boundary infringement on the surrounding and neighbouring development should only be required in terms of additional bulk over and above the zone standard.	Amend the proposed new assessment criteria to refer to additional HIRB infringements over the standard.

2036.62

2036.63

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	(ii) over 100% of existing outdoor living space where the area of this space is equal to or less than the minimum required by Standard H5.6.14. (e) 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 (a): (i) 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 Height in relation to boundary control; and (ii) 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. **Visual dominance** (f) 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: (i) the planned urban built character of the zone; (ii) the location, orientation and design of development; and (iii) the physical characteristics of the site and the neighbouring site. (iv) the design of side and rear walls, including appearance and dominance; and (v) providing adequate visual and/or physical break up of long continuous building forms. **Overlooking and privacy** (g) 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.				
52.	**H5.8.2. Assessment criteria** (12) for landscaped area: (aa) refer to Policy H5.3(A1); (ba) refer to Policy H5.3(C1); (ca) refer to Policy H5.3(6A); (da) refer to Policy H5.3(10); and (a) [deleted] ~~refer to Policy H5.3(2);~~ (b) [deleted] ~~refer to Policy H5.3(4); and~~ (c) [deleted] ~~refer to Policy H5.3(5).~~ (d) the extent to which existing trees are retained.	Oppose	The are no general tree protection controls.	Delete the additional assessment criteria.	2036.64
53.	**H5.8.2. Assessment criteria** (14) for daylight: (aa) refer to Policy H5.3(D1); (ab) refer to Policy H5.3(6A); and (a) [deleted] ~~refer to Policy H5.3(2);~~ (b) [deleted] ~~refer to Policy H5.3(4); and~~ (c) [deleted] ~~refer to Policy H5.3(5).~~	Oppose	It is not a method retained in the MDRS.	Delete H5.8.2. in its entirety	2036.65
54.	**H5.8.2. Assessment criteria** (15) for outdoor living space: (aa) refer to Policy H5.3(A1); (ba) refer to Policy H5.3(D1); and (a) [deleted] ~~refer to Policy H5.3(2);~~ (b) [deleted] ~~refer to Policy H5.3(4);~~ (c) [deleted] ~~refer to Policy H5.3(5); and~~ (d) [deleted] ~~refer to Policy H5.3(6). and;~~ (e) The extent to which dwellings provide private open space and communal open space that is useable, accessible from each dwelling and attractive for occupants.	Oppose in part	The inclusion of 'communal' open space is unnecessary with the private open space requirements sufficient. The provision for wider public open is the responsibility of Council not developers. A specific open space development contribution is already payable for each dwelling. The use of the term attractive can be ambiguous and open to interpretation.	Deletion of this text. (e) The extent to which dwellings provide private open space ~~and communal open space~~ that is useable, and accessible from each dwelling ~~and attractive~~ for occupants.	2036.66
55.	**H5.8.2. Assessment criteria** (15A) For windows to street and private vehicle and pedestrian accessways (a) refer to Policy H5.3(C1) (b) refer to Policy H5.3(6A); and	Oppose in part	The text goes beyond MDRS in terms of referencing private vehicle and pedestrian accessways.	Deletion of the following text. H5.8.2. Assessment criteria (15A) For windows to street ~~and private vehicle and pedestrian accessways~~	2036.67

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	(c) The extent to which the glazing: (i) allows views to the street and/or accessways to ensure passive surveillance; and (ii) provides a good standard of privacy for occupants.			(a) refer to Policy H5.3(C1) (b) refer to Policy H5.3(6A); and (c) The extent to which the glazing: (i) allows views to the street ~~and/or accessways~~ to ensure passive surveillance; and (ii) provides a good standard of privacy for occupants.	
56.	**H5.8.2. Assessment criteria** (18) for deep soil area and canopy tree (a) refer to Policy H5.3(6A); (b) The extent to which the proposed deep soil area uses or adds to existing deep soil areas to support canopy trees; and	Oppose	It is not a method retained in the MDRS. It is not efficient use of land, and is neither effective or efficient.	Delete entire assessment criteria.	2036.68
57.	**H5.8.2. Assessment criteria** (19) for safety and privacy buffer from private pedestrian and vehicle accessways: (a) refer to Policy H5.3(6A); and (b) the extent to which the buffer is: (i) free of buildings, parking spaces, structures, servicing facilities and manoeuvring areas; (ii) planted with suitable and low level plants.	Oppose	It is not a method retained in the MDRS. This matter would be better placed as assessment criteria rather than as standards.	Delete entire assessment criteria.	2036.69
58.	**H5.8.2. Assessment criteria** (20) For residential waste management: (a) refer to Policy H5.3(D1) (b) refer to Policy H5.3(6A); (c) refer to Policy H5.3(10); (d) The extent to which sufficient space is provided for residential waste management that is suitably located for ease of movement to collection points; (e) The extent to which the waste management area is designed to minimise visibility; (f) How the development intends to ensure the on-going management and maintenance of any communal residential waste management area; (g) Whether waste storage areas are located outside windows or doors to bedrooms, living areas and outdoor living areas to avoid effects of odour and noise; and (h) Whether waste management vehicle can safely undertake collection.	Oppose in part	Consider matters related to waste should be included in the assessment criteria for 4+ dwellings and integrated residential development.	Delete section (20) and move necessary criteria to H5.8.2. (1), (2) and (3).	2036.70
59.	**H5.8.2. Assessment criteria** (21) For more than one dwelling per site in areas identified on the planning maps as being subject to the Infrastructure – Combined Wastewater Network Control or the Infrastructure – Water and Wastewater Constraints Control: (a) Whether there is adequate capacity in the existing public reticulated water supply and / or wastewater network to service the proposed dwelling(s). (b) Whether sufficient water supply and access to water supplies for firefighting purposes in accordance with the NZ Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 is available. (c) Whether there is the ability to connect the dwelling(s) to a reticulated water supply and / or wastewater network in the future.	Oppose	These effects are already managed by Chapter E8 and the assessment criteria under H5.8.2.(1), (2) and (3).	Delete proposed text.	2036.71
60.	**H5.8.2. Assessment criteria** (22) For more than one dwelling per site in areas identified on the planning maps as being subject to the Infrastructure – Stormwater Disposal Constraints Control. (a) Whether stormwater can be disposed via a connection to the public stormwater network. (b) Whether stormwater from the site can be disposed of in accordance with the current version of Guideline Document 007 Stormwater Soakage and Groundwater Recharge in the Auckland Region, and the Auckland Stormwater Code of Practice.	Oppose	These effects are already managed by Chapter E8 and the assessment criteria under H5.8.2.(1), (2) and (3).	Delete proposed text.	2036.72
H5.9. Special information requirements					
61.	**Landscaped Plan as required by H5.6.11 Landscape area** (1) A scaled landscape plan must be provided that contains landscaped areas and includes: (a) Plant and tree species, number of each species to be planted and planting grades; (b) Canopy of existing trees to be retained; (c) Any area of grass; and15 (d) Any paths included in landscaped area.	Oppose	Chapter C1.2.(1) already addresses this matter - no need for a specific information requirement.	Delete proposed text.	2036.73

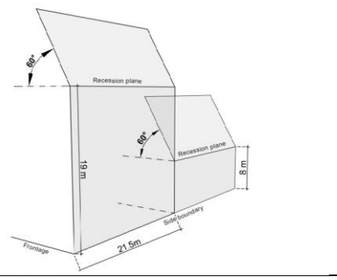
	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
62.	**Deep Soil Area and Canopy Tree** (2) The deep soil area provided must be demonstrated on a scaled landscape plan that at a minimum identifies the following: (a) plant and tree species, number of each species to be planted and planting grades; (b) location of existing trees to be retained; (c) dimensions of individual mature tree canopy; (d) any areas of grass; and (e) Minimum tree canopy dimensions are specified in Table H5.9(3) below. **Table H5.9(3) Minimum tree canopy dimension** | | Minimum mature tree height | Minimum mature canopy diameter | Minimum tree height above ground when planted | Indicative tree planting grade | | --- | --- | --- | --- | --- | | Small | 8m | 6m | 2m | 120L | | Medium | 10m | 8m | 2.5m | 160L | | Large | 15m | 12m | 3m | 200L |	Oppose	It is not a method retained in the MDRS. It is not efficient use of land, and is neither effective or efficient.	Delete proposed text.	2036.74
63.	**Residential waste management** (3) Applications for where communal bins are proposed, must include calculations for required storage space as determined using the Auckland Council's Solid Waste Calculator (Standard H5.6.21(1)(b)). (4) When preparing the waste management and minimisation plan, applicants should refer to the Waste Management and Minimisation Bylaw 2019. The following information must be provided at a minimum: a) the estimate of the volume of waste by the type of waste created, collected, received, stored or disposed of; b) the frequency, location, access and on-site route of waste collection or transportation; and c) the method of waste collection, transportation or disposal.	Neutral	Needs to be clear that it only relates to communal collection.	Clarify that this is only related to communal collection.	2036.75
	H6. Residential – Terrace Housing and Apartment Buildings Zone				
64.	**H6.1. Zone Description** The Residential – Terrace Housing and Apartment Buildings Zone is a high-intensity zone enabling a ~~greater~~ high ~~-~~ intensity of residential development ~~than previously provided for~~. This zone provides for urban residential living in a range of ~~the~~ forms ~~of~~ including terrace housing and apartments. The zone is predominantly located around metropolitan, town and local centres and the public transport network to support the highest levels of intensification. The purpose of the zone is to make efficient use of land and infrastructure, increase the capacity of housing and ensure that residents have convenient access to services, employment, education facilities, retail and entertainment opportunities, public open space and public transport. This will promote walkable neighbourhoods and increase the vitality of centres. The zone provides for the greatest density, height and scale of development of all the residential zones. Within walkable catchments, as identified on the planning maps, development of at least six storeys is enabled unless qualifying matters apply. Outside the walkable catchments, ~~B~~buildings are enabled up to at least five storeys ~~six or seven storeys in~~. In identified Height Variation Control areas buildings of seven or more storeys are enabled. Permitted height standards vary depending on the scale of the adjoining centre, to achieve a transition in height from the centre to adjoining ~~lower scale~~ residential zones. ~~This form of development will, o~~The zone anticipates the greater intensity of development will transition neighbourhoods ~~and over time~~, ~~result in a change~~ from a suburban character to urban built character with a corresponding ~~a high~~ degree of visual change. The zone enables a mix of housing types including three-storey attached and detached dwellings, terraced housing and apartment buildings and integrated residential developments such as retirement villages and Papakāinga. The Residential – Terrace Housing and Apartment Buildings Zone is a relevant residential zone as defined in the RMA. The zone incorporates Medium Density Residential Standards (MDRS). The development outcomes anticipated by the RMA are enabled in the zone and are less enabling of development where one or more qualifying matters apply. Standards are applied to all buildings and resource consent is required for ~~all~~ developments with four or more dwellings and for other specified buildings and activities in order to: • achieve the planned urban built character of the zone;	Support in part	The suitability of a walkable catchment can vary depending on a number of factors, including topography, connectivity and access to a regular public transport network. In some cases, there may be sites that are located outside a 'walkable catchment' that are suitable for additional intensification and building height. Such sites should be considered on their merits having regard to their context and their ability to provide additional housing choice in an area that is well served by a range of amenities, including public transport.	Amend the zone description as follows: The zone provides for the greatest density, height and scale of development of all the residential zones. Within walkable catchments, as identified on the planning maps, development of at least six storeys is enabled unless qualifying matters apply. Outside the walkable catchments, ~~B~~buildings are enabled up to at least five storeys ~~six or seven storeys in~~. In identified Height Variation Control areas buildings of seven or more storeys are enabled or where appropriate, additional height, having regard to the context of the site and the ability to provide additional housing choice in an area that is well served by a range of amenities, including public transport. Permitted height standards vary depending on the scale of the adjoining centre, to achieve a transition in height from the centre to adjoining ~~lower scale~~ residential zones. Any other consequential changes that would give effect to the relief sought in this submission	2036.76

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	• achieve attractive and safe streets and public open spaces; • manage the effects of development on adjoining sites, including visual amenity, privacy and access to daylight and sunlight; and • achieve high quality on-site living environments. The resource consent requirements for four or more dwellings enable the design and layout of the development to be assessed; recognising that the need to achieve a quality design is increasingly important as the scale of development increases. This zone also provides for a range of non-residential activities so that residents have convenient access to these activities and services while maintaining the urban residential character of these areas.				
H6.2. Objectives					
65.	(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 three-storey buildings.	Support in part	Additional wording proposed to clarify the objectives of the zone.	Amend the text as follows: ii The neighbourhood's planned urban built character, including three-storey attached and detached dwellings, terraced housing and apartment buildings and integrated residential developments such as retirement villages and Papakāinga; and iii Walkable catchments and/or other accessibility to frequent public transport to enable multilevel apartment typologies featuring a range of building heights that respond to the context of the site.	2036.77
66.	(1A) Development of at least six storeys is enabled within walkable catchments, with seven or more storey buildings in identified areas, while also achieving a high-quality built environment.	Oppose in part	The term 'high-quality built environment' is open to subjectivity and will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete the proposed wording or reword to delete reference to high quality building.	2036.78
67.	(2) Development outside walkable catchments is in keeping with the areas' changing planned urban built character of predominantly five storeys or six or seven storey buildings where specified in identified areas, in a variety of forms.	Oppose in part	The suitability of a walkable catchment can vary depending on a number of factors, including topography, connectivity and access to a regular public transport network. In some cases, there may be sites that are located outside a 'walkable catchment' that are suitable for additional intensification and building height. Such sites should be considered on their merits having regard to their context and their ability to provide additional housing choice in an area that is well served by a range of amenities, including public transport.	(2) Development outside walkable catchments is in keeping with the areas' changing planned urban built character of predominantly five storeys or six or seven storey buildings where specified in identified areas, or where appropriate, having regard to the context of the site and the ability to provide additional housing choice in an area that is well served by a range of amenities, including public transport. ~~in a variety of forms.~~	2036.79
68.	(3) Development provides high-quality amenity: a. on-site ~~residential amenity~~ for residents; b. to adjoining sites; and c. to the street.	Oppose	The inclusion of 'high' and 'amenity' does not reconcile with the outcomes of the MDRS standards of the zone as they exist or are proposed. The term 'high-quality amenity' is open to subjectivity and will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Retain existing wording.	2036.80
69.	(4) Non-residential activities provide for the community's social, economic and cultural well-being, while being compatible with the scale and intensity of development anticipated by the zone so as to contribute to the amenity of the neighbourhood.	Support	Providing for non-residential activities will provide for the community's social, economic and cultural well-being of the community and support the MDRS outcomes.	Retain existing wording.	2036.81
70.	(5) Development contributes to a high-quality built environment that is resilient to the effects of climate change.	Oppose	The term 'high-quality built environment' is open to subjectivity and will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete the proposed wording or reword to delete reference to high quality building.	2036.82
71.	(8) (Enable safer pedestrian movement within the immediate locality of higher density developments to ensure ease of pedestrian movement to the rapid transport stops.	Oppose	The policy addresses aspects of a site that are located outside the zone boundary. Chapter 27 Transportation addresses pedestrian safety for developments that adjoin the road.	Delete the proposed wording	2036.83
72.	(9) Development is enabled on sites subject to significant ecological areas where it provides for the protection and management of the significant ecological values.	Oppose	It is considered that effects of development on SEA are already suitably dealt with via Chapter D9 and E15. The inclusion in the zone is not necessary and undermines the existing AUP framework and the efficient use of land.	Delete the proposed wording	2036.84
H6.3. Policies					

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
73.	(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.	Support in part	Will generally give effect to the MDRS and the NPSUD	Retain proposed Policy	2036.85
74.	(1) Enable a variety of housing types at high densities including terrace housing and low to mid-rise and higher rise apartments within walkable catchments and integrated residential development such as retirement villages.	Oppose in part	Additional wording proposed to recognise that some sites located outside the walkable catchment may still be suitable for additional intensity.	(1) Enable a variety of housing types at high densities including terrace housing and low to mid-rise and higher rise apartments within walkable catchments and integrated residential development such as retirement villages or where appropriate, having regard to the context of the site and the ability to provide additional housing choice in an area that is well served by a range of amenities, including public transport.	2036.86
75.	(2) Require the height, bulk, form and appearance of multi-unit development ~~and the provision of setbacks and landscaped areas~~ to achieve a high-quality built environment: (a) with a high-density urban built character of predominantly five, six or seven storey buildings in identified areas; and (b) through building and site design which locates bulk and mass towards the street and provides for setbacks, outlook spaces, private and communal outdoor spaces and landscaped areas~~., in a variety of forms.~~	Oppose	The term 'high-quality built environment' is open to subjectivity and will not be efficient or effective in achieving the outcomes sought by the MDRS standards. Additional wording proposed to recognise that some sites located outside the walkable catchment may still be suitable for additional intensity.	Reword the policy as follows: (2) Require the height, bulk, form and appearance of multi-unit development ~~and the provision of setbacks and landscaped areas~~ to achieve a reasonable ~~high~~-quality built environment: (a) with a high-density urban built character of predominantly five, six or seven storey buildings in identified areas or where appropriate, having regard to the context of the site and the ability to provide additional housing choice in an area that is well served by a range of amenities, including public transport.; and (b) through building and site design which locates bulk and mass towards the street and provides for setbacks, outlook spaces, private and communal outdoor spaces and landscaped areas~~., in a variety of forms.~~	2036.87
76.	(A4) 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 resident's' safety and privacy while enabling passive surveillance on the street; (c) minimising visual dominance effects on 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; (f) minimising the maximum impervious area on a site in order to manage 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; and (h) designing practical, sufficient space for residential waste management; and (i) designing practical, sufficient space for internal storage and living areas.	Oppose	The term 'high-quality built environment' is open to subjectivity and will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	(A4) Require development to achieve a ~~built~~ planned urban form that contributes to reasonable ~~high~~-quality built environment outcomes by: (a) maintaining a reasonable level of 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 on adjoining sites; (d) maintaining a reasonable 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; (f) minimising the maximum impervious area on a site in order to manage 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;	2036.88

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
				(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~~; and (h) designing practical, sufficient space for residential waste management; and (ii) designing practical, sufficient space for internal storage and living areas.	
77.	(4) In identified locations adjacent to centres, enable greater building height ~~through~~ ~~the~~ of five storey's outside walkable catchments, at least six storeys within walkable catchments and the application of the Height Variation Control where additional development potential is enabled and which: (a) provides an appropriate transition in building scale from the adjoining higher density business zone to neighbouring lower intensity residential zones, and; (b) supports public transport networks, social infrastructure and the vitality of the adjoining centre.	Support in part	Additional wording proposed to recognise that some sites located outside the walkable catchment may still be suitable for additional intensity.	(4) In identified locations adjacent to centres, enable greater building height ~~through~~ ~~the~~ of five storey's outside walkable catchments, at least six storeys within walkable catchments and the application of the Height Variation Control where additional development potential is enabled or where appropriate, having regard to the context of the site and the ability to provide additional housing choice in an area that is well served by a range of amenities, including public transport and which: (a) provides an appropriate transition in building scale from the adjoining higher density business zone to neighbouring lower intensity residential zones, and; (b) supports public transport networks, social infrastructure and the vitality of the adjoining centre.	2036.89
78.	(9) Provide for non-residential activities that: (a) support the social and economic well-being of the community; (b) are in keeping with the with the scale and intensity of development anticipated within the zone; (c) avoid, remedy or mitigate adverse effects on residential amenity; and (d) will not detract from the vitality of the Business – City Centre Zone, Business – Metropolitan Centre Zone and Business – Town Centre Zone.	Support	Providing small scale non-residential activities will support the social and economic wellbeing of the community	Retain the wording	2036.90
79.	(12) Require dwellings to be provided with access to safe and reliable drinking water and wastewater services.	Oppose	Infers that the quality of the drinking water is able to be influenced by the applicant. This is the responsibility of Watercare. Any wording should be similar to that already identified in the existing assessment criteria.	Delete the policy in its entirety.	2036.91
80.	(13) Require development of new dwellings in areas identified on the planning maps as subject to water, wastewater or stormwater infrastructure constraints, to be provided with appropriate infrastructure.	Oppose	Matters of infrastructure already addressed by Chapter E8 and assessment criteria.	Delete the policy in its entirety.	2036.92
81.	(14) Require development to contribute to safety improvements of the immediate urban road environment to achieve pedestrian connectivity to public transport.	Oppose	Requirement for the need for wider upgrades of the adjacent road network needs to be linked to an effect. The level of service within the existing road reserve is the responsibility of Auckland Transport. The development contributions already include a component for local transport upgrades.	Delete the policy in its entirety.	2036.93
82.	(15) Require buildings on sites subject to significant ecological areas to be of a scale that protects and maintains the significant ecological values of those	Oppose	It is considered that effects of development on SEA are already suitably dealt with via Chapter D9 and E15. The inclusion in the zone is not necessary and undermines the existing AUP framework and the efficient use of land.	Delete the policy in its entirety.	2036.94
H6.4 Activity Table					
83.	(A1) activities not provided for.	Oppose	It is considered activities not provided for should be DA as per Chapter C.	Amend A1 to be a Discretionary Activity	2036.95
84.	Commercial Activities	Oppose	In order to create sustainable local communities and in doing so support the intrinsic principle imbedded in the purposes of PC 78 there needs to be greater flexibility in the THAB provisions to enable a range of small-scale commercial activities to occur as permitted activities at ground level in residential developments in the walkable catchment of the THAB zone.	The submitter seeks that a wider range of commercial activities (at a small scale) are provided for in the walkable catchment of the THAB Zone as permitted activities. New Standards to be introduced to reflect the relief sought by the submitter to give effect to all commercial activities at ground level and/or street level up to 100m2 GFA	2036.96

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
				per premises to be provided for as a Permitted Activity in Table H6.4.1 with consequential amendments	
85.	**(A2A) One dwelling per site subject to a Significant Ecological Area Overlay which complies with Standards E15.4.2(A29) and E15.6.5**	Oppose	It is considered that effects of development on SEA are already suitably dealt with via Chapter D9 and E15. The inclusion in the zone is not necessary and undermines the existing AUP framework and the efficient use of land. Additional standards should not be added beyond the MDRS requirement. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Delete the activity from the table.	2036.97
86.	**(A2B) Two or more dwellings per site subject to a Significant Ecological Area Overlay (refer to Vegetation management and biodiversity E15.4.2(A43) and E15.6.5)** **(A32B) New buildings and additions and alterations to buildings in a Significant Ecological Area Overlay which do not comply with H5.6.10(2) Building coverage.**	Oppose	It is considered that effects of development on SEA are already suitably dealt with via Chapter D9 and E15. The inclusion in the zone is not necessary and undermines the existing AUP framework and the efficient use of land. Additional standards should not be added beyond the MDRS requirement for activity (A2B). The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Delete the activities from the table.	2036.98
87.	**Activity Table - Standards to be complied with (multiple activities)** Standard H6.6.4A.(1) Number of dwellings per site; Standard H6.6.4B Dwellings within the Infrastructure – Combined Wastewater Network Control as identified on the planning maps; Standard H6.6.4C Dwellings within the Infrastructure – Stormwater Disposal Constraints Controls; Standard H6.6.5(1)(a) Building height; Standard H6.6.6(1) Height in relation to boundary; Standard H6.6.9 Yards; Standard H6.6.10(3) Maximum impervious area; Standard H6.6.11(2) Building coverage; Standard H6.6.12(A1), (A2) and (4) Landscaped area; Standard H6.6. 13(A1) Outlook space; Standard H6.6.15(A1) – (B1) Outdoor living space; Standard H6.6.19(1) Windows to street and private vehicle and pedestrian accessways; Standard H6.6.20 Deep soil area and canopy tree; Standard H6.6.21 Safety and privacy buffer to private pedestrian and vehicle accessways; and Standard H6.6.20 Residential waste management.	Oppose	Additional standards beyond the MDRS are not required as directed by government. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Delete standards that are not identified within the MDRS.	2036.99
88.	**H6.5. Notification**	Oppose	Compliance should only be for the bulk and form and adjacent site amenity standards. Amend notification standard to make it clear that restricted discretionary matters such as earthworks, contamination, flood plains, and technical parking infringements do not remove the notification exclusions. The notification effects of these technical elements of an application will be considered in accordance with their restricted discretionary status.	Delete standards that are not identified within the MDRS. Amend the notification standard to make it clear that restricted discretionary matters such as earthworks, contamination, flood plains, and technical parking infringements do not remove the notification exclusions. In terms of notification, those effects outside the zone standards that form part of a bundled application will be considered in accordance with their particular restricted discretionary status and the associated matters for discretion for those consent matters.	2036.100
89.	**H6.6.4B Dwellings within the Infrastructure – Combined Wastewater Network Control as identified on the planning maps** Purpose: to restrict development in any area served by a combined sewer network where public sewer separation has not occurred while enabling new dwellings where separation is in progress and the new dwelling can connect to a separated local stormwater pipe that is part of the public stormwater network. (1) A new dwelling in an area served by the combined sewer network must be able to connect to an existing separated local stormwater pipe that is part of the public stormwater network.	Oppose	The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Delete standard.	2036.101
90.	**H6.6.4C Dwellings within the Infrastructure - Stormwater Disposal Constraints Control** Purpose: to manage development in any area where stormwater disposal is constrained by the lack of any connection or ability to connect to a public stormwater network and where on-site soakage capacity is insufficient to ensure adequate provision for stormwater disposal from the site. (1) A new dwelling in an area identified as having no current connection to the public stormwater network and poor on-site soakage capacity must either be able to connect to the public stormwater network or provide sufficient stormwater disposal capacity on-site.	Oppose	These effects are already managed by Chapter E8. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Delete standard.	2036.102

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
91.	**H6.6.6. Height in relation to boundary** ~~(b)~~ [Deleted] ~~sites within the Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or the Open Space – Community Zone:~~ ~~(i) that are greater than 2000m²;~~ ~~(ii) where that part of the site in (i) is greater than 20 metres in width, when measured perpendicular to the shared boundary; and~~ ~~(iii) Where an open space comprises multiple sites but has a common open space zoning, the entire zone will be treated as a single site for the purpose of applying the standards listed below.~~ ~~(5)~~ [Deleted] ~~A gable end, dormer or roof may project beyond the recession plane where that portion beyond the recession plan is: (a) no greater than 1.5m2 in area and no greater than 1m in height; and (b) no greater than 2.5m cumulatively in length measured along the edge of the roof as shown in Figure H5.6.5.2 Exceptions for gable ends and dormers and roof projections below.~~ ~~(6) No more than two gable end, dormer or roof projections are allowed for every 6m length of site boundary.~~	Oppose	The exclusions should be retained, as they deal with minor protrusions and they are helpful on sloping sites. It is beneficial to provide activation to Open Space zones.	Retain the existing minor protrusion exclusions HIRB is excluded from applying where the site adjoins open space greater than 2,000m² in accordance with the current standard.	2036.103
92.	**H6.6.6. Height in relation to boundary** Figure H6.6.6.1B Height in relation to boundary for four or more dwellings and any other development within walkable catchments  	Support in part	Support new HIRB control within Walkable catchments. New HIRB will give effect to the NPS-UD. However, the recession plane standard for the first 21.5m of site from the frontage, and corresponding limitation applied for any part of the site, farther than 21.5m from the frontage of any site is not justifiable in respect to apartment building typologies, configurations/floor layouts and dimensions, also having regard to lot sizes and shapes. Based on design experience a 25m offset as applied to this standard is a more realistic and pragmatic method to achieve the intended outcomes of the THAB Zone.	Amend the proposed new HIRB standard of 19 metres and 60 degrees for the first 25 metres of the site.	2036.104
93.	**H6.6.11. Building coverage** (1) the maximum building coverage must not exceed 50 per cent of the net site area (2) On a site subject to a Significant Ecological Areas Overlay: (a) the maximum building coverage must not exceed 50 per cent of the net site area; and (b) building coverage must not be located in any area within 3m of vegetation within a significant ecological area, including following the alteration or removal of up to 300m2 of vegetation for a dwelling per site provided for under E15.3.2(A29) and E15.6.5; and (c) other than provided for in H5.6.10(2)(b), building coverage must not be located within a significant ecological area.	Oppose	In order to enable greater intensification, building coverage should be increased to 60% within the walkable catchment. It is considered that effects of development in proximity to an SEA are already suitably dealt with via Chapter D9 and E15. The inclusion is not necessary and undermines the existing AUP framework and the efficient use of land. The SEA proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Amend the proposed text changes. (1) the maximum building coverage must not exceed 50 per cent of the net site area outside the walkable catchment and 60% inside a walkable catchment. ~~(2) On a site subject to a Significant Ecological Areas Overlay:~~ ~~(a) the maximum building coverage must not exceed 50 per cent of the net site area; and~~ ~~(b) building coverage must not be located in any area within 3m of vegetation within a significant ecological area, including following the alteration or removal of up to 300m2 of vegetation for a dwelling per site provided for under E15.3.2(A29) and E15.6.5; and~~ ~~(c) other than provided for in H5.6.10(2)(b), building coverage must not be located within a significant ecological area.~~	2036.105
94.	**H6.6.12. Landscaped area**	Oppose	The standard wording should match the MDRS standard that applies for 1-3 dwellings. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Amend the proposed text changes to match the MDRS standard.	2036.106
95.	**H6.6.13. Outlook space**	Oppose	The proposed outlook space standard for four or more dwellings and in relation to buildings over 3 levels as set out in H6.6.13(2)(a)(ii) as proposed require an 8m outlook depth from main living spaces for dwellings at 4 levels and above. The new THAB Zone outlook standard will also introduce a test for where the outlook standard is applied, adding the 'external face of a balcony' where provided closer to an external boundary as the start	In the THAB Zone, the relevant outlook standards should be amended so that the proposed residential dwellings main outlook area, for level 4 and above, should be for a 6m depth x 4m width and the depth (at whichever level it is applied) should be measured from the largest portion of glazing as opposed to from the edge of any balcony.	2036.107

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
			point for outlook depth. In combination both of these amendments proposed to the THAB Zone outlook standard will unfairly alienate and impact on overall building design when considered in relation to lot size and shape variations across the Isthmus. While the intent of the prescription of the amendments to the outlook standards, is acknowledged, the actual application of the amended standards has not been justified by Auckland Council or tested with any basis on achieving good design outcomes, protecting amenity and/or any improvement in creating attractive streetscape. There is no evidential basis for shifting to an 8m outlook depth above 3 levels nor is there a sound rationale for testing this depth from the edge of a balcony as opposed to the main glazing from a living space. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS.		
96.	**H6.6.14. Daylight**	Oppose	It is not a method retained in the MDRS. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete the standard.	2036.108
97.	**H6.6.15. Outdoor living space**	Oppose	The addition of communal outdoor living space requirements is opposed. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Amend the proposed text changes to match the MDRS standard and delete the communal outdoor living space requirements.	2036.109
98.	**H6.6.19 Windows to street and private vehicle and pedestrian accessways** Development contained four or more dwellings and any other development must comply with the following: 2) Any dwelling, integrated residential development, supported residential care, boarding house and visitor accommodation facing the street or private vehicle accessway or private pedestrian accessway, must have a minimum of 20 per cent of the relevant façade in glazing. This can be in the form of windows or doors.	Oppose	Any additional text beyond MDRS wording should be captured via assessment criteria not as a standard.	Delete standard and rely on MDRS wording.	2036.110
99.	**H6.6.20 Deep soil area and canopy tree**	Oppose	It is not a method retained in the MDRS. The proposed standard will not be efficient or effective in achieving the outcomes sought by the MDRS standards. The proposed Deep Soil Area and Canopy Tree standards (and allied Special Information requirements) will result in disparate landscaping outcomes and do not foster sustainable landscape design solutions. The Deep Soil Area and Canopy Tree requirements as proposed are generic and do not reflect an understanding of landscaping and arboricultural/horticultural techniques and the different abilities of a range of canopy trees to exist successfully in varied conditions. Also using a formula relating the number of trees to site area is inappropriate as the number, size and location of trees is driven by building location and size, the shape of buildings and the location and spatial context of land areas available for plantings. The Deep Soil Area and Canopy Tree provisions are unnecessary and go to a level of detail that is better addressed through detailed landscape design which is already enshrined in the Plan provisions.	Delete the proposed new standard.	2036.111
100.	**H6.6.21 Safety and privacy buffer from private pedestrian and vehicle accessways** Purpose: to provide a reasonable standard of safety and privacy for ground floor dwellings located adjacent to pedestrian and vehicle accessways. (3) A minimum 1m buffer areas must be provided between a dwelling and private pedestrian and/or vehicle accessways as shown in Figure H5.6.19.1 Example of Deep soil area requirements and the relationship with Landscape area and the Safety and privacy buffer above. (4) The buffer area must be: (c) free of buildings, parking spaces, servicing and manoeuvring areas. (d) Planted with shrubs or ground cover plants.	Oppose	It is not a method retained in the MDRS. This matter would be better placed as assessment criteria rather than as standards. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete the proposed new standard.	2036.112

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
101.	**H6.6.22 Residential waste management**	Oppose	It is not a method retained in the MDRS. This matter would be better placed as assessment criteria rather than as standards. The new information requirement for a waste minimisation plan for 10+ dwellings is an additional cost that is not warranted and would not be monitored following grant of consent. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete the proposed new standard.	2036.113
102.	**H6 Residential – Terrace Housing and Apartment Buildings Zone - Assessment matters**	Oppose in part	SEA assessment criteria It is considered that effects of development in proximity to an SEA are already suitably dealt with via Chapter D9 and E15. The inclusion is not necessary and undermines the existing AUP framework and the efficient use of land. The pedestrian network This does not correspond to an effect from the activities identified in H5(1) on the wider adjacent network. The existing matters for discretion already include traffic and access (Chapter E27 Transportation). The development contributions already include a component for local transport upgrades. It is inequitable and inefficient to target one developer to upgrade infrastructure that will likely benefit a wider area. Reference to - deep soil within B; - introduction of interfaces with an identified special character area or a scheduled historic heritage place; and	Delete the proposed new assessment criteria	2036.114
103.	**H6.7. Assessment – controlled activities** ~~There are no controlled activities in this zone.~~ H6.7.1. Matters of control The Council will restrict its control to all of the following matters when assessing a controlled activity resource consent application: (1) For one dwelling per site subject to a Significant Ecological Area Overlay: (a) The extent to which the built development is designed to minimise or mitigate adverse effects on the ecological values of the relevant significant ecological area; (b) The location, bulk and scale of built development relative to the surrounding ecological values H6.7.2 Assessment criteria The Council will consider the assessment criteria below for controlled activities to the extent relevant to the proposal: (1) For one or more dwellings per site subject to a Significant Ecological Area Overlay: (a) refer to Policy H5.3(15)	Oppose	It is considered that effects of development in proximity to an SEA are already suitably dealt with via Chapter D9 and E15. The inclusion is not necessary and undermines the existing AUP framework and the efficient use of land.	Delete the proposed new assessment criteria	2036.115
104.	**H6.8. Assessment – restricted discretionary activities** H6.8.1. Matters of discretion The Council will restrict its discretion to all of the following matters when assessing a restricted discretionary activity resource consent application: (1) (c) the effects of the development on the safe access for pedestrians on the adjacent road network.	Oppose	This does not correspond to an effect from the activities identified in H5(1) on the wider adjacent network. The existing matters for discretion already include traffic and access (Chapter E27 Transportation). The development contributions already include a component for local transport upgrades.	Delete the proposed new assessment criteria	2036.116

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
			It is inequitable and inefficient to target one developer to upgrade infrastructure that will likely benefit a wider area.		
105.	**H6.8. Assessment – restricted discretionary activities** **H6.8.1. Matters of discretion** (2) for four or more dwellings per site: (a) the effects on the neighbourhood character, residential amenity, safety, and the surrounding residential area from all of the following: (i) building ~~intensity~~, scale and location, including: A. the way in which buildings are orientated to the street and adjoining sites, and B. the extent to which the height, roof form and design of buildings respond to the local streetscape and the planned urban built character of the surrounding area, (ia) building form and appearance including: A. use of built elements such as materials, surface and architectural detailing and roof design to create visual interest; B. use of deep soil and/or outdoor living areas, modulation, architectural features, windows, doors and breaks in building length to minimise bulk and visual dominance; C. whether design provides for the balance between resident's privacy and opportunities for passive surveillance; D. whether the design provides for privacy, and sunlight and daylight access for adjoining sites; E. the interface with an identified special character area or a scheduled historic heritage place; (ib) the extent to which the functional, day to day needs of residents are provided for in terms of: A. the size and dimensions of living areas relative to the likely occupancy levels of the dwellings; B. internal storage; C. residential waste management, including the kerbside and/or on-site capacity for residential waste management (ii) traffic; and (iii) location and design of ~~parking and~~ access (including pedestrian access) and parking (if provided). b) [deleted] ~~all of the following standards:~~ ~~(i) Standard H6.6.10 Maximum impervious areas;~~ ~~(ii) Standard H6.6.11 Building coverage;~~ ~~(iii) Standard H6.6.12 Landscaped area;~~ ~~(iv) Standard H6.6.13 Outlook space;~~ ~~(vi) Standard H6.6.14 Daylight;~~ ~~(vii) Standard H5.6.15 Outdoor living space;~~ ~~(vii) Standard H6.6.16 Front, side and rear fences and walls; and~~ ~~(viii) Standard H6.6.17 Minimum dwelling size~~ (c)~~I~~ the effects on infrastructure and servicing including: (i) Existing infrastructure capacity. (d) the effects of the development on the safe access for pedestrians on the adjacent road network.	Oppose in part	Oppose the inclusion of: - deep soil within B; - introduction of interfaces identified special character area or a scheduled historic heritage place; and - references to wider upgrades of the adjacent road network under (d) do not correspond to the quantum of effects from the activities this is triggered by i.e. 4 dwellings. There are already matters for pedestrian access under (iii). The development contributions already include a component for local transport upgrades. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete the proposed new assessment criteria (ia) building form and appearance including: A. use of built elements such as materials, surface and architectural detailing and roof design to create visual interest; B. ~~use of deep soil and~~/or outdoor living areas, modulation, architectural features, windows, doors and breaks in building length to minimise bulk and visual dominance; C. whether design provides for the balance between resident's privacy and opportunities for passive surveillance; D. whether the design provides for privacy, and sunlight and daylight access for adjoining sites; ~~E. the interface with an identified special character area or a scheduled historic heritage place;~~ (ib) the extent to which the functional, day to day needs of residents are provided for in terms of: ~~A. the size and dimensions of living areas relative to the likely occupancy levels of the dwellings;~~ ~~B. internal storage;~~ C. residential waste management, including the kerbside and/or on-site capacity for residential waste management. … ~~(d) the effects of the development on the safe access for pedestrians on the adjacent road network.~~	2036.117
106.	**H6.8. Assessment – restricted discretionary activities** **H6.8.1. Matters of discretion** (3) for integrated residential development: (a) the effects on the neighbourhood character, residential amenity, safety, and the surrounding residential area from all of the following: (i) building ~~intensity,~~ scale, location, form and appearance including the extent to which buildings as viewed from the street or public places are designed to minimise visual dominance effects taking into account: A. the planned urban built character of the zone; B. the location, orientation and design of development; and C. the effect of the proposed height on the surrounding and neighbouring development. (ii) traffic; (iii) location and design of parking and access (including pedestrian access) and parking (if provided); and	Oppose	The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Amend the proposed new assessment criteria as follows: "C. the effect of the proposed additional height above the zone standards on the surrounding and neighbouring development." ~~(d) the effects of the development on the safe access for pedestrians on the adjacent road network.~~ ~~(d) the effects of the development on the safe access for pedestrians on the adjacent road network.~~	2036.118

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	(iv) noise, lighting and hours of operation. (b) [deleted] ~~all of the following standards:~~ ~~(i) Standard H6.6.10 Maximum impervious areas;~~ ~~(ii) Standard H6.6.11 Building coverage;~~ ~~(iii) Standard H6.6.12 Landscaped area;~~ ~~(iv) Standard H6.6.13 Outlook space;~~ ~~(v) Standard H6.6.14 Daylight;~~ ~~(vi) Standard H6.6.15 Outdoor living space;~~ ~~(viii) Standard H6.6.16 Front, side and rear fences and walls; and~~ ~~(ix) Standard H5.6.17 Minimum dwelling size.~~ (c) Infrastructure and servicing (d) the effects of the development on the safe access for pedestrians on the adjacent road network.				
107.	**H6.8. Assessment – restricted discretionary activities** **H6.8.1. Matters of discretion** (6) For more than one dwelling per site in areas identified on the planning maps as being subject to the Infrastructure –Combined Wastewater Network Control or the Infrastructure – Water and Wastewater Constraints Control. (a) Infrastructure and servicing. (7) For more than one dwelling per site in areas identified on the planning maps as being subject to the Infrastructure –Stormwater Disposal Constraints Control. (a) Stormwater disposal.	Oppose	These effects are already managed by Chapter E8 for 1 dwellings and additions and alternations to. **H5.8. Assessment – restricted discretionary activities** for four or more dwellings per site deals with infrastructure capacity.	Delete the proposed new assessment criteria	2036.119
108.	**H6.8.2. Assessment criteria** (1) for supported residential care accommodating greater than 10 people per site inclusive of staff and residents; boarding houses accommodating greater than 10 people per site inclusive of staff and residents; visitor accommodation accommodating greater than 10 people per site inclusive of staff and visitors; dairies up to 100m2 gross floor area per site; care centres accommodating greater than 10 people per site excluding staff; community facilities; and healthcare facilities up to 200m2 gross floor area per site: (a) infrastructure and servicing: (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. (b) building ~~intensity~~, scale, location, form and appearance: (i) whether the intensity and scale of the activity, the building location, form and appearance is of a high-quality and compatible with the character and residential amenity provided for within the zone and compatible with the surrounding residential area. (c) traffic: (i) whether the activity avoids or mitigates high levels of additional non-residential traffic on local roads. (d) location and design ~~of parking~~ and access (including pedestrian access) and parking (if provided): (i) whether adequate ~~parking and~~ access is provided or required. (ii) whether car parking and accessways are integrated into the overall design of the development (iii) whether parking is located away from street frontages and screened from the street by buildings or landscaping (iv) Whether safe, well-lit pedestrian access is provided and integrated into the design of the development. (e) noise, lighting and hours of operation: (i) whether noise and lighting and the hours of operation of the activity avoids, remedies or mitigates adverse effects on the residential amenity of surrounding properties, by: • locating noisy activities away from neighbouring residential boundaries; • screening or other design features; and • controlling the hours of operation and operational measures (f) Safe access and walkability of routes to frequent public transport: (i) the extent to which the immediate urban road environment allows for safe pedestrian movement from the development to the nearest frequent public transport	Oppose in part	Support removal of 'intensity' though ensure remove from (1)(b)(i) for consistency. Remove requirement for off-site roading or pedestrian upgrades	Amend and retain text as identified in reasons for submission. ~~(f) Safe access and walkability of routes to frequent public transport:~~ ~~(i) the extent to which the immediate urban road environment allows for safe pedestrian movement from the development to the nearest frequent public transport stop (refer to the Regional Public Transport Plan) by a combination of the following:~~ ~~• Footpaths of at least 1.8m in width;~~ ~~• Facilities to safely and conveniently cross the road including pram crossings, and tactile paving;~~ ~~• Narrowed pedestrian crossing distances of vehicle carriageways;~~ ~~• Front berms to separate pedestrians from traffic; and~~ ~~• Other traffic management measures as relevant to improve the safety of pedestrians.~~	2036.120

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:
	stop (refer to the Regional Public Transport Plan) by a combination of the following: • Footpaths of at least 1.8m in width; • Facilities to safely and conveniently cross the road including pram crossings, and tactile paving; • Narrowed pedestrian crossing distances of vehicle carriageways; • Front berms to separate pedestrians from traffic; and • Other traffic management measures as relevant to improve the safety of pedestrians.			
109.	**H6.8.2. Assessment criteria** The Council will consider the assessment criteria below for restricted discretionary activities to the extent relevant to the proposal: (2) for four or more dwellings on a site: (a) the extent to which ~~or whether~~ the development achieves the purpose outlined in the ~~following~~ relevant standards specifies and identified in Table 6.4.1 or what alternatives are provided that result in the same or a better outcome.~~:~~ (i) [deleted]~~Standard H6.6.10 Maximum impervious areas;~~ (ii) [deleted]~~Standard H6.6.11 Building coverage;~~ (iii) [deleted]~~Standard H6.6.12 Landscaped area;~~ (iv) [deleted]~~Standard H6.6.13 Outlook space;~~ (v) [deleted]~~Standard H6.6.14 Daylight;~~ (vi) [deleted]~~Standard H6.6.15 Outdoor living space;~~ (vii) [deleted]~~Standard H6.6.16 Front, side and rear fences and walls; and~~ (viii) [deleted]~~Standard H6.6.17 Minimum dwelling size.~~ (aa) the extent to which the scale of the activity, the building location, form and appearance is of a high-quality and compatible with the planned urban built character and residential amenity of the surrounding residential area provided for within the zone. (ab) the extent to which buildings are designed to manage building length and bulk and visual dominance by: (i) placing taller buildings on the street front (ii) varying roof form and building height (iii) using modulation and architectural features to break up the mass of buildings into visually distinct elements (iv) using the proportions and arrangement of windows and doors to provide relief to building length and bulk (v) using other building elements including materials, surface detailing, architectural detail and roof design to provide visual interest along building facades including blank side/party walls (vi) providing adequate breaks in long continuous buildings to minimise the appearance of length (vii) locating deep soil areas and/or communal outdoor spaces around and between buildings to provide space and soften the built form (viii) designing balconies as an integral part of the building (ac) the extent to which buildings use quality, durable and easily maintainable materials. (ad) the extent to which buildings adjoining or across the street from an identified special character area or a scheduled historic heritage place are designed to respect the prevailing character of the area or key historic heritage design and location elements of that place. New and contemporary interpretations in form and detail may be used. (ae) the extent to which building frontage contribute positively to the visual amenity and safety of public streets, public open spaces, and private vehicle and pedestrian accessways by: (i) having clearly defined fronts that provide passive surveillance from windows and balconies . (ii) maximising doors, windows and balconies over all levels on the front façades whilst not impacting on privacy. (iii) maximising the number of dwellings on the site that directly front, align and orientate to public streets . ground level dwellings closest to the street each have direct and clearly defined pedestrian access from the street in preference to a single building entrance. (iv) where a site adjoins public open space, buildings include entrances, windows of habitable rooms and balconies facing the open space. (af) the extent to which site layout creates legible, visible attractive, safe and well-lit connections between dwellings and the street. .... (h) infrastructure and servicing: (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. (i) The extent to which the adjacent road network enables safe pedestrian movements. ... (m) Safe access and walkability of routes to frequent public transport:	Oppose in part	Oppose the references to: - Deep soil and communal open space in (ab)(vii) and (fe). - References to the need for wider upgrades of the adjacent road network under (d) and (gd). For the latter it is not considered that the quantum of effects corresponds to the activities it triggers. There are already matters for pedestrian access under (iii). The development contributions already include a component for local transport upgrades. - The additional assessment criteria under (ad) for the interface with an identified special character area or a scheduled historic heritage place is not considered an effective method nor warranted by an effect. The use of "quality, durable and easily maintainable materials" is a matter for the Building Act	Delete the relevant assessment criteria wording as noted: (aa) the extent to which the scale of the activity, the building location, form and appearance ~~is of a high-quality and~~ compatible with the planned urban built character and residential amenity of the surrounding residential area provided for within the zone. ... (ab) ~~(vii) locating deep soil areas and/or communal outdoor spaces around and between buildings to provide space and soften the built form~~ ... ~~(ac) the extent to which buildings use quality, durable and easily maintainable materials.~~ ~~(ad) the extent to which buildings adjoining or across the street from an identified special character area or a scheduled historic heritage place are designed to respect the prevailing character of the area or key historic heritage design and location elements of that place. New and contemporary interpretations in form and detail may be used.~~ ... ~~(i) The extent to which the adjacent road network enables safe pedestrian movements.~~ ~~(m) Safe access and walkability of routes to frequent public transport:~~ ~~(i) the extent to which the immediate urban road environment allows for safe pedestrian movement from the development to the nearest frequent public transport stop (refer to the Regional Public Transport Plan) by a combination of the following:~~ ~~• Footpaths of at least 1.8m in width;~~ ~~• Facilities to safely and conveniently cross the road including pram crossings, and tactile paving;~~ ~~• Narrowed pedestrian crossing distances of vehicle carriageways;~~ ~~• Front berms to separate pedestrians from traffic; and~~ ~~• Other traffic management measures as relevant to improve the safety of pedestrians.~~

2036.121

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	(i) the extent to which the immediate urban road environment allows for safe pedestrian movement from the development to the nearest frequent public transport stop (refer to the Regional Public Transport Plan) by a combination of the following: • Footpaths of at least 1.8m in width; • Facilities to safely and conveniently cross the road including pram crossings, and tactile paving; • Narrowed pedestrian crossing distances of vehicle carriageways; • Front berms to separate pedestrians from traffic; and • Other traffic management measures as relevant to improve the safety of pedestrians.				
110.	**H6.8.2. Assessment criteria** (3) for integrated residential development: … (l) Safe access and walkability of routes to frequent public transport: (i) the extent to which the immediate urban road environment allows for safe pedestrian movement from the development to the nearest frequent public transport stop (refer to the Regional Public Transport Plan) by a combination of the following: • Footpaths of at least 1.8m in width; • Facilities to safely and conveniently cross the road including pram crossings, and tactile paving; • Narrowed pedestrian crossing distances of vehicle carriageways; • Front berms to separate pedestrians from traffic; and • Other traffic management measures as relevant to improve the safety of pedestrians.	Oppose in part	Oppose the references to: - deep soil and communal open space in 3(g). - references to the need for wider upgrades of the adjacent road network under (l). It is not considered that the quantum of effects corresponds to the activities it triggers. The level of service within the existing road reserve is the responsibility of Auckland Transport. The development contributions already include a component for local transport upgrades. - Infrastructure provision is already included within existing assessment criteria (k) the cross reference under 3(jb) is unnecessary.	Delete the relevant assessment criteria. ~~(l) Safe access and walkability of routes to frequent public transport:~~ ~~(i) the extent to which the immediate urban road environment allows for safe pedestrian movement from the development to the nearest frequent public transport stop (refer to the Regional Public Transport Plan) by a combination of the following:~~ ~~• Footpaths of at least 1.8m in width;~~ ~~• Facilities to safely and conveniently cross the road including pram crossings, and tactile paving;~~ ~~• Narrowed pedestrian crossing distances of vehicle carriageways;~~ ~~• Front berms to separate pedestrians from traffic; and~~ ~~• Other traffic management measures as relevant to improve the safety of pedestrians.~~	2036.122
111.	**H6.8.2. Assessment criteria** (5) for building height: (aa) refer to Policy H6.3(1); (ba) refer to Policy H6.3(B1); (ca) refer to Policy H6.3(E1); (da) refer to Policy H6.3(6A); (a) ~~refer to Policy H6.3(2)~~; (b) ~~refer to Policy H6.3(4).~~; and **Visual dominance** (f) 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: (i) the planned urban built character of the zone; and (ii) the location, orientation and design of development. (iii) the effect of the proposed height on the surrounding and neighbouring development.	Oppose in part	Consideration of the effect of the proposed height on the surrounding and neighbouring development should only be required in terms of additional height over and above the zone standard.	Amend the proposed new assessment criteria to refer to: "iii. the effect of the proposed additional height above the zone standards on the surrounding and neighbouring development."	2036.123
112.	**H6.8.2. Assessment criteria** (6) for height in relation to boundary:	Oppose in part	Consideration of the effect of the proposed height in relation to boundary infringement on the surrounding and neighbouring development should only be required in terms of additional bulk over and above the zone standard.	Amend the proposed new assessment criteria to refer to additional HIRB infringements over the standard.	2036.124
113.	**H6.8.2. Assessment criteria** (12) for landscaped area: (e) the extent to which existing trees are retained; and	Oppose	The are no general tree protection controls.	Delete the additional assessment criteria.	2036.125
114.	**H6.8.2. Assessment criteria** (15) for outdoor living space: … (f) The extent to which dwellings provide private open space and communal open space that is useable, accessible from each dwelling and attractive for occupants.	Oppose in part	The inclusion of 'communal' open space is unnecessary with the private open space requirements sufficient. The provision for wider public open space is the responsibility of Council not developers. A specific open space development contribution is already payable for each dwelling.	Deletion of this text. (f) The extent to which dwellings provide private open space ~~and communal open space~~ that is useable, and accessible from each dwelling ~~and attractive~~ for occupants.	2036.126

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
			The use of the term attractive can be ambiguous and open to interpretation.		2036.127
115.	**H6.8.2. Assessment criteria** (15A) For windows to street and private vehicle and pedestrian accessways (a) refer to Policy H6.3(C1) (a) refer to Policy H6.3(6A); and (b) The extent to which the glazing: (i) allows views to the street and/or accessways to ensure passive surveillance; and (ii) provides a good standard of privacy for occupants.	Oppose in part	The text highlighted goes beyond MDRS in terms of referencing private vehicle and pedestrian accessways.	Deletion of the following text. H6.8.2. Assessment criteria (15A) For windows to street ~~and private vehicle and pedestrian accessways~~ (a) refer to Policy H5.3(C1) (b) refer to Policy H5.3(6A); and (c) The extent to which the glazing: (i) allows views to the street ~~and/or accessways~~ to ensure passive surveillance; and (ii) provides a good standard of privacy for occupants.	2036.128
116.	**H6.8.2. Assessment criteria** (18) for deep soil area and canopy tree (a) refer to Policy H5.3(6A); (b) The extent to which the proposed deep soil area uses or adds to existing deep soil areas to support canopy trees; and	Oppose	It is not a method retained in the MDRS. It is not efficient use of land and is neither effective or efficient.	Delete assessment entire criteria.	2036.129
117.	**H6.8.2. Assessment criteria** (19) for safety and privacy buffer from private pedestrian and vehicle accessways: (a) refer to Policy H5.3(6A); and (b) the extent to which the buffer is: (i) free of buildings, parking spaces, structures, servicing facilities and manoeuvring areas; (ii) planted with suitable and low level plants.	Oppose	It is not a method retained in the MDRS. This matter would be better placed as assessment criteria rather than as standards.	Delete entire assessment criteria.	2036.130
118.	**H6.8.2. Assessment criteria** (20) For residential waste management: (a) refer to Policy H6.3(A4) (b) refer to Policy H6.3(6A); (c) refer to Policy H6.3(10); (d) The extent to which sufficient space is provided for residential waste management that is suitably located for ease of movement to collection points; (e) The extent to which the waste management area is designed to minimise visibility; (f) How the development intends to ensure the on-going management and maintenance of any communal residential waste management area; (g) Whether waste storage areas are located outside windows or doors to bedrooms, living areas and outdoor living areas to avoid effects of odour and noise; and (h) Whether waste management vehicle can safely undertake collection.	Oppose in part	Consideration of matters related to waste should be included in the assessment criteria for 4+ dwellings and integrated residential development.	Delete section (20) and move necessary criteria to H6.8.2. (1), (2) and (3).	2036.131
119.	**H6.8.2. Assessment criteria** (21) For more than one dwelling per site in areas identified on the planning maps as being subject to the Infrastructure – Combined Wastewater Network Control or the Infrastructure – Water and Wastewater Constraints Control: (a) Whether there is adequate capacity in the existing public reticulated water supply and / or wastewater network to service the proposed dwelling(s). (b) Whether sufficient water supply and access to water supplies for firefighting purposes in accordance with the NZ Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 is available. (c) Whether there is the ability to connect the dwelling(s) to a reticulated water supply and / or wastewater network in the future.	Oppose	These effects are already managed by Chapter E8 and the assessment criteria under H5.8.2.(1), (2) and (3).	Delete proposed text.	2036.132
H5.9. Special information requirements					
120.	**Landscaped Plan as required by H6.6.12 Landscape area** (1) A scaled landscape plan must be provided that contains landscaped areas and includes: (a) Plant and tree species, number of each species to be planted and planting grades; (b) Canopy of existing trees to be retained; (c) Any area of grass; and (d) Any paths included in landscaped area.	Oppose	Chapter C1.2.(1) addresses this matter already - no need for a specific information requirement.	Delete proposed text.	2036.133

<table>
<tr><th></th><th>Issue / Provision</th><th>Position (Support / Oppose)</th><th>Reasons for submission</th><th>Relief sought:</th></tr>
<tr><td></td><td></td><td></td><td></td><td></td></tr>
<tr><td>121.</td><td><u>Deep Soil Area and Canopy Tree</u>

<u>(2) The deep soil area provided must be demonstrated on a scaled landscape plan that at a minimum identifies the following:</u>

<u>(a) plant and tree species, number of each species to be planted and planting grades;</u>
<u>(b) location of existing trees to be retained;</u>
<u>(c) dimensions of individual mature tree canopy;</u>
<u>(d) any areas of grass; and</u>
<u>(e) Minimum tree canopy dimensions are specified in Table H5.9(3) below.</u>

<u>Table H5.9(3) Minimum tree canopy dimension</u>

<table><tr><th></th><th><u>Minimum mature tree height</u></th><th><u>Minimum mature canopy diameter</u></th><th><u>Minimum tree height above ground when planted</u></th><th><u>Indicative tree planting grade</u></th></tr><tr><td><u>Small</u></td><td><u>8m</u></td><td><u>6m</u></td><td><u>2m</u></td><td><u>120L</u></td></tr><tr><td><u>Medium</u></td><td><u>10m</u></td><td><u>8m</u></td><td><u>2.5m</u></td><td><u>160L</u></td></tr><tr><td><u>Large</u></td><td><u>15m</u></td><td><u>12m</u></td><td><u>3m</u></td><td><u>200L</u></td></tr></table></td><td>Oppose</td><td>It is not a method retained in the MDRS.

It is not efficient use of land, and is neither effective or efficient.</td><td>Delete proposed text.</td></tr>
<tr><td>122.</td><td>Residential waste management

<u>(3) Applications for where communal bins are proposed, must include calculations for required storage space as determined using the Auckland Council’s Solid Waste Calculator (Standard H5.6.21(1)(b)).</u>

<u>(4) When preparing the waste management and minimisation plan, applicants should refer to the Waste Management and Minimisation Bylaw 2019. The following information must be provided at a minimum:</u>

<u>a) the estimate of the volume of waste by the type of waste created, collected, received, stored or disposed of;</u>

<u>b) the frequency, location, access and on-site route of waste collection or transportation; and</u>

<u>c) the method of waste collection, transportation or disposal.</u></td><td>Neutral</td><td>Needs to be clear that provisions are only related to communal collection.</td><td>Clarify that this is only related to communal collection.</td></tr>
<tr><td></td><td>H8. Business – City Centre Zone</td><td></td><td></td><td></td></tr>
<tr><td>123.</td><td>H8.6.10. <u>[Deleted]</u> <s>Basic floor area ratio</s></td><td>Support</td><td>Will give effect to NPS-UD</td><td>Confirm deletion of standard</td></tr>
<tr><td>124.</td><td>H8.6.12. <u>[Deleted]</u> <s>Bonus floor area ratio – light and outlook</s></td><td>Support</td><td>Will give effect to NPS-UD</td><td>Confirm deletion of standard</td></tr>
<tr><td>125.</td><td>H8.6.13. <u>[Deleted]</u> <s>Bonus floor area - use or transfer of historic heritage and special character floor space bonus</s></td><td>Support</td><td>Will give effect to NPS-UD</td><td>Confirm deletion of standard</td></tr>
<tr><td>126.</td><td>H8.6.14. <u>[Deleted]</u> <s>Bonus floor area - securing historic heritage and special character floor space bonus</s></td><td>Support</td><td>Will give effect to NPS-UD</td><td>Confirm deletion of standard</td></tr>
<tr><td>127.</td><td>H8.6.15. <u>[Deleted]</u> <s>Bonus floor area - bonus floor space calculation for scheduled heritage buildings</s></td><td>Support</td><td>Will give effect to NPS-UD</td><td>Confirm deletion of standard</td></tr>
<tr><td>128.</td><td>H8.6.16. <u>[Deleted]</u> <s>Bonus floor area - bonus floor space calculation for identified special character buildings</s></td><td>Support</td><td>Will give effect to NPS-UD</td><td>Confirm deletion of standard</td></tr>
<tr><td>129.</td><td>H8.6.17. <u>[Deleted]</u> <s>Bonus floor area - public open space</s></td><td>Support</td><td>Will give effect to NPS-UD</td><td>Confirm deletion of standard</td></tr>
<tr><td>130.</td><td>H8.6.18. <u>[Deleted]</u> <s>Bonus floor area - through-site link</s></td><td>Support</td><td>Will give effect to NPS-UD</td><td>Confirm deletion of standard</td></tr>
<tr><td>131.</td><td>H8.6.19. <u>[Deleted]</u> <s>Bonus floor area - through-site links through identified blocks</s></td><td>Support</td><td>Will give effect to NPS-UD</td><td>Confirm deletion of standard</td></tr>
<tr><td>132.</td><td>H8.6.20. <u>[Deleted]</u> <s>Bonus floor area - works of art</s></td><td>Support</td><td>Will give effect to NPS-UD</td><td>Confirm deletion of standard</td></tr>
<tr><td>133.</td><td>H8.6.21. <u>[Deleted]</u> <s>Maximum total floor area ratio</s></td><td>Support</td><td>Will give effect to NPS-UD</td><td>Confirm deletion of standard</td></tr>
<tr><td>134.</td><td><u>Chapter H8. City Centre H8.6.24. Maximum tower dimension, setback from the street and tower separation in special height area (shown on Map H8.11.3) Chapter H8.6.24A Maximum east-west tower dimension and Chapter H8.6.25. Building frontage alignment and height and Chapter H8.6.25A Building setback from boundaries.</u></td><td>Oppose</td><td>The submitter is concerned that the proposed suite of tower standards have not be tested to ensure that they do not act as a defacto FAR or height restriction for the City Centre Zone.

The submitter is concerned that the proposed new standards fail to recognise gradient and solar orientation of the street frontages. The submitter considers that if the term ‘human scale’ is to be used, it should have a measurable and consistent benchmark. Changing this term based on the height of a street is considered arbitrary and it will compromise use of a site.

The submitter is concerned that the proposed requirement to manage development to “Ensure <u>adequate</u> <u>sun</u>light, <u>daylight</u>, and outlook around buildings” will be very difficult to meet given the</td><td>That Chapter H8. City Centre H8.6.24. Maximum tower dimension, setback from the street and tower separation in special height area (shown on Map H8.11.3), Chapter H8.6.24A Maximum east-west tower dimension, Chapter H8.6.25. Building frontage alignment and height and Chapter H8.6.25A Building setback from boundaries are all deleted and the tower standards revert to the operative AUP standards.</td></tr>
</table>

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	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
			high intensity nature of the Centre zone. At the very least the provisions should allow for ***adequate sun****light,* ***or*** ***daylight***. This is to recognise the fact that not all buildings in the City Centre zone will get direct sun. The proposed 6% height setback is arbitrary and is considered irrelevant and also creates a de facto FAR control. As height increases, so do the side setbacks around the building and its max tower dimension, which requires a larger site. In this respect, the rule actually also creates a de fact maximum height restriction. It is considered that the degree of setbacks proposed has not been appropriately justified and should be reduced. The submitter opposes the East West Tower dimension for similar reasons. Overall, the submitter considers that the proposed Plan Change provisions should revert back to the operative tower controls until such time as further modelling and analysis has been completed to determine suitability of these tower controls. This is to ensure that do not unduly restrict sites in the City Centre Zone from being developed to the maximum extent possible as directed by the NPS-UD.		
135.	H8.6.34. Through-site links.	Oppose	The submitter is concerned that application of this standard is not clear. This standards applies to through site link shown on Map H8.11.9 but applies to any though site link, even if not identified on the map. It is unclear how and when this standard will be applied to sites. Given the uncertainty of this rule, it is considered that the rule should either be deleted or clarified. It is considered that it would be more appropriate to include consideration of the need for a through-site link as an assessment criteria when considering new buildings.	Chapter H8. City Centre H8.6.34. Through Site Links is deleted and replaced with assessment criteria for new buildings	2036.148
	H9. Business – Metropolitan Centre Zone				
136.	**H9.6.1. Building height** Purpose: • manage the effects of building height; • manage shadowing effects of building height on public open space, excluding streets; • manage visual dominance effects; • enable greater height in areas identified for intensification including within walkable catchments; and • provide for variations to the standard zone height through the Height Variation Control, to recognise the character and amenity of particular areas and provide a transition in building scale to lower density zones. (1) Buildings must not exceed 72.5m, unless otherwise specified in the Height Variation Control on the planning maps. (2) If the site is subject to the Height Variation Control, buildings must not exceed the height in metres, as shown in Table H9.6.1.1 below and for the site on the planning maps. (3) Any part of a building greater than the occupiable building height is to be used only for roof form, roof terraces, plant and other mechanical and electrical equipment.	Support in Part	It is considered appropriate to provide for unlimited height within the Metropolitan Centre The proposed HIRB controls will manage the effects at the edge of the Metropolitan Centre. Increasing the maximum building height is in line with the Policy directives of the NPS UD, Policy 3(c), which states that areas located within the walkable catchment must enable building heights of at least 6 storeys within the Metropolitan Centre. While the zone provides for 72.5 metres, there is no reason why the zone cannot facilitate even taller buildings. It is noted that some parts of the Metropolitan Centres are subject to the Volcanic Cone overlays or other height overlays. These are qualifying matters that would remain in place and would provide an additional height overlay that would continue to apply to the Metropolitan Centre. Outside of these areas, it is considered appropriate to maximise the height opportunities within the Metropolitan Centre Zone. It is noted that all new buildings are subject to a resource consent requirement to ensure that buildings are designed to a high standard, which enhances the quality of streets within the area and public open spaces.	Amend H9.6.1. Building height to provide for unlimited height within the Metropolitan Centre Zone.	2036.149
137.	**H11.6.1. Building height in relation to boundary**	Support in part	The submitter supports the 19metre, plus 60 degree HIRB control	Retain the 19metre, plus 60 degree HIRB control.	2036.150
	H10. Business – Town Centre Zone				
138.	**H10.6.1. Building height** Purpose: • manage the effects of building height;	Support in Part	It is considered appropriate to provide for greater height within the Town Centre Zones The proposed HIRB controls will manage the effect at the edge of the Town Centre Zones.	Amend H10.6.1. Building height to provide for a height of 32.5 metres within **all** Town Centre Zones.	2036.151

<table>
<tr><th></th><th>Issue / Provision</th><th>Position (Support / Oppose)</th><th>Reasons for submission</th><th>Relief sought:</th><th></th></tr>
<tr><td></td><td>• manage shadowing effects of building height on public open space, excluding streets;
• manage visual dominance effects;
• allow an occupiable height component to the height limit, and an additional height for roof forms that enables design flexibility, to provide variation and interest in building form when viewed from the street;
• enable greater height in areas identified for intensification <u>including within walkable catchments</u>; and
• provide for variations to the standard zone height through the Height Variation Control, to recognise the character and amenity of particular areas<u>, including Special Character Areas – Business</u>, and provide a transition in building scale to lower density zones

(1) Buildings must not exceed the height in metres as shown in Table H10.6.1.1 below for sites subject to the Height Variation Control on the planning maps.

<u>(1A) In walkable catchments, buildings must not exceed 21m (6 storeys) in height, unless otherwise specified in the Height Variation Control on the planning maps.</u>

(2) Any part of a building greater than the occupiable building height is to be used only for roof form, roof terraces, plant and other mechanical and electrical equipment.</td><td></td><td>Increasing the maximum building height is in line with the Policy directives of the NPS UD, Policy 3(c), which states that areas located within the walkable catchment must enable building heights of at least 6 storeys within the Town Centre Zones

While the zone provides for a range of heights, it is considered that the Town Centre Zones can facilitate even taller buildings.

It is noted that some parts of these Town Centre Zones are subject to the Volcanic Cone overlays or other height overlays. These are qualifying matters that would remain in place and would provide an additional height overlay that would continue to apply to the Town Centre Zones. Outside of these areas, it is considered appropriate to maximise the height opportunities within the Town Centre Zones

It is noted that all new buildings are subject to a resource consent requirement to ensure that buildings are designed to a high standard, which enhances the quality of streets within the area and public open spaces</td><td></td><td></td></tr>
<tr><td>139.</td><td>H10.6.2. Building height in relation to boundary</td><td>Support</td><td>The submitter supports the 19 metre, plus 60 degree HIRB control as this will give effect to the NPS-UD</td><td>Retain the 19 metres, plus 60 degree HIRB control.</td><td>2036. 152</td></tr>
<tr><td></td><td>H11. Business – Local Centre Zone</td><td></td><td></td><td></td><td></td></tr>
<tr><td>140.</td><td>H11.6.1. Building height
Purpose:
• manage the effects of building height;
• manage shadowing effects of building height on public open space, excluding streets;
• manage visual dominance effects;
• allow an occupiable height component to the height limit, and an additional height for roof forms that enables design flexibility, to provide variation and interest in building form when viewed from the street;
• enable greater height in areas identified for intensification <u>including within walkable catchments</u>; and
• provide for variations to the standard zone height through the Height Variation Control, to recognise the character and amenity of particular areas<u>, including Special Character Areas – Business,</u> and provide a transition in building scale to lower density zones.

(1) Buildings must not exceed the height in metres specified in Table H11.6.1.1, unless otherwise specified in the Height Variation Control on the planning maps.

Table H11.6.1.1 Building height
<table><tr><th><u>Location</u></th><th>Occupiable building height</th><th>Height for roof form</th><th>Total building height</th></tr><tr><td><u>Buildings outside a walkable catchment</u></td><td>16m</td><td>2m</td><td>18m</td></tr><tr><td><u>Buildings in a walkable catchment</u></td><td><u>NA</u></td><td><u>NA</u></td><td><u>21m (6 storeys)</u></td></tr></table></td><td>Support in Part</td><td>It is considered appropriate to provide for greater height within the Local Centre Zones

The proposed HIRB controls will manage the effect at the edge of the Local Centre Zones.

Increasing the maximum building height is in line with the Policy directives of the NPS UD, Policy 3(c), which states that areas located within the walkable catchment must enable building heights of at least 6 storeys within the Local Centre Zones

While the zone provides for a range of heights, it is considered that that Local Centre Zones can facilitate even taller buildings.

It is noted that some parts of these Local Centre Zones are subject to the Volcanic Cone overlays or other height overlays. These are qualifying matters that would remain in place and would provide an additional height overlay that would continue to apply to the Local Centre Zones. Outside of these areas, it is considered appropriate to maximise the height opportunities within the Local Centre Zones

It is noted that all new buildings are subject to a resource consent requirement to ensure that buildings are designed to a high standard, which enhances the quality of streets within the area and public open spaces</td><td>Amend H10.6.1. Building height to provide for a height of 24 metres within <u>all</u> Local Centre Zones.</td><td>2036.153</td></tr>
<tr><td>141.</td><td>H11.6.2. Building height in relation to boundary</td><td>Support</td><td>The submitter supports the 19 metre, plus 60 degree HIRB control as this will give effect to the NPS-UD</td><td>Retain the 19 metres, plus 60 degree HIRB control.</td><td>2036.154</td></tr>
<tr><td>142.</td><td>Local Centre Zone Walkable Catchment
The walkable catchment for Local Centres is set at 200 metres.</td><td>Oppose</td><td>The walkable catchment for Local Centres is set at 200 metres. This is considered to be very restricted and limits the opportunities for further intensification around areas that generally have good access to a range of amenities.</td><td>Increase the walkable catchment of the Local Centres Zone to 400 metres and up zone those sites within the walkable catchment to provide for at least six storeys.</td><td>2036.155
2036.156</td></tr>
<tr><td></td><td>H12 Business – Neighbourhood Centre Zone</td><td></td><td></td><td></td><td></td></tr>
<tr><td>143.</td><td>H12.6.2. Building height in relation to boundary</td><td>Support</td><td>The submitter supports the 19 metre, plus 60 degree HIRB control as this will give effect to the NPS-UD</td><td>Retain the 19 metre, plus 60 degree HIRB control.</td><td>2035.157</td></tr>
<tr><td></td><td>H13. Business – Mixed Use Zone</td><td></td><td></td><td></td><td></td></tr>
<tr><td>144.</td><td>H13.6.1. Building height
Purpose:
• manage the effects of building height;
• manage shadowing effects of building height on public open space, excluding streets;
• manage visual dominance effects;</td><td>Support in Part</td><td>It is considered appropriate to provide for greater height within the Mixed Use

The proposed HIRB controls will manage the effect at the edge of the Mixed Use Zones</td><td>Amend H10.6.1. Building height to provide for a height of 24 metres within <u>all</u> Mixed Use Zones.</td><td>2036.158</td></tr>
</table>

<table>
<tr><th></th><th>Issue / Provision</th><th>Position (Support / Oppose)</th><th>Reasons for submission</th><th>Relief sought:</th></tr>
<tr><td></td><td>
• allow an occupiable height component to the height limit, and an additional height for roof forms that enables design flexibility, to provide variation and interest in building form when viewed from the street;
• enable greater height in areas identified for intensification <u>including within walkable catchments, unless a qualifying matter applies</u>; and
• provide for variations to the standard zone height through the Height Variation Control, to recognise the character and amenity of particular areas and provide a transition in building scale to lower density zones.
(1) Buildings must not exceed the height in metres specified in Table H13.6.1.1 below, unless otherwise specified in the Height Variation Control on the planning maps.

Table H13.6.1.1 Building height
<table>
<tr><th><u>Location</u></th><th>Occupiable building height</th><th>Height for roof form</th><th>Total building height</th></tr>
<tr><td><u>Buildings outside a walkable catchment</u></td><td>16m</td><td>2m</td><td>18m</td></tr>
<tr><td><u>Buildings in a walkable catchment</u></td><td><u>NA</u></td><td><u>NA</u></td><td><u>21m (6 storeys)</u></td></tr>
</table>
</td><td></td><td>Increasing the maximum building height is in line with the Policy directives of the NPS UD, Policy 3(c), which states that areas located within the walkable catchment must enable building heights of at least 6 storeys within the Mixed Use Zones

While the zone provides for a range of heights, it is considered that that Mixed Use Zones can facilitate even taller buildings.

It is noted that some parts of these Mixed Use Zones are subject to the Volcanic Cone overlays or other height overlays. These are qualifying matters that would remain in place and would provide an additional height overlay that would continue to apply to the Mixed Use Zones. Outside of these areas, it is considered appropriate to maximise the height opportunities within the Mixed Use Zones

It is noted that all new buildings are subject to a resource consent requirement to ensure that buildings are designed to a high standard, which enhances the quality of streets within the area and public open spaces</td><td></td></tr>
<tr><td>145.</td><td>H13.6.2. Building height in relation to boundary</td><td>Support</td><td>The submitter supports the 19 metre, plus 60 degree HIRB control as this will give effect to the NPS-UD</td><td>Retain the 19 metre, plus 60 degree HIRB control.</td></tr>
<tr><td></td><td>J1 Definitions</td><td></td><td></td><td></td></tr>
<tr><td>146.</td><td><u>Canopy tree</u>
<u>A tree that that has a minimum mature height of 8 metres and canopy diameter of 6 metres.</u></td><td>Oppose</td><td>The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.</td><td>Delete the definition</td></tr>
<tr><td>147.</td><td><u>Deep soil area</u>
<u>A vegetated or mulched area which supports tree growth and promotes infiltration of stormwater with no obstructing structure above or below ground level.</u>
<u>Deep soil areas must be free of buildings, parking spaces, servicing and manoeuvring areas below or above them.</u>
<u>The surface of deep soil areas must be either vegetated in natural grass, trees or plants or in a natural mulch. Artificial grass and pavers are excluded from the deep soil area.</u></td><td>Oppose</td><td>The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.</td><td>Delete the definition</td></tr>
<tr><td>148.</td><td><u>Landscaped area</u>
<u>In relation to any site, means an area that is in natural grass, plants or trees. The canopy of trees that are existing at the time of consent lodgement can be included in the landscaped area provided the trunks are surrounded by an area of grass, plants or mulch that extends to the diameter of the critical root zone. The critical root zone being a circular area extending from the base of the canopy tree with a diameter equal to twelve times the trunk diameter measured at 1.4m above ground level.</u>
<u>Landscaped area can include pervious paths with a maximum width of 1.5m provided they do not make up more than 10 per cent of the landscaped area.</u>
<u>Buildings, artificial grass, and structures including pools, paving (except for pervious paths), pergolas, decks and servicing area is excluded from the landscaped area.</u>
<u>This definition does not apply to any development of up to 3 dwellings in accordance with the MDRS.</u>

~~any part of that site not less than 5m^2 in area which is grassed and planted in trees, shrubs, or ground cover plants and may include:~~
~~(1) One or more of the features in (a) (b) or (c) where the total land area occupied does not collectively cover more than 25 per cent of the landscaped area:~~
~~(a) ornamental pools;~~
~~(b) areas paved with open jointed slabs, bricks or gobi or similar blocks where the maximum dimension of any one paver does not exceed 650mm;~~
~~(c) terraces or uncovered timber decks where no part of such terrace or deck exceeds more than 1m in height above the ground immediately below;~~
~~(2) non permeable pathways not exceeding 1.5m in width;~~
~~(3) permeable artificial lawn in the residential zones, except:~~
~~(a) that permeable artificial lawn must not cover more than 50 per cent of the landscaped area of the front yard;~~
~~(b) Permeable artificial lawn must:~~
~~• be permeable;~~
~~• resembles grass in colour including a mix of natural looking green tones;~~
~~• have piles that are a minimum 30mm pile height, straight cut (not looped pile), and of a density and form that resembles grass;~~
~~• is resistant to ultra-violet degradation, weathering and ageing during its normal service life; and~~
~~• is recyclable.~~
~~(4) Any part of a landscaped area may be situated over an underground structure with adequate soil depth and drainage.~~
~~Excludes any area which:~~
~~• falls within the definition of building coverage;~~
~~• is part of a non permeable pathway that is greater than 1.5m in width;~~
~~• is used for the parking, manoeuvring or loading of motor vehicles.~~</td><td>Oppose in part</td><td>It is unclear what the intention of this definitions is, and what landscape definition will apply to any development of up to 3 dwellings in accordance with the MDRS</td><td>Clarify the definition and amended accordingly. In the alternative the existing definition is retained.</td></tr>
<tr><td colspan="5"><u>General Submission Points</u></td></tr>
<tr><td>149.</td><td>The provision of six storeys at 21 metres</td><td>Oppose</td><td>Proposed Plan Change 78 ascribes 21 metres to apply to six storeys. It is considered that 21 metres is unduly restrictive in delivering a 6 storey building. It is noted that in the Mixed Use zone, commercial</td><td>That six storeys is ascribed a 24 metre height allowance (as a minimum) as part of any walkable catchment provisions. In the alternative, this could</td></tr>
</table>

2036.159
2036.160
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2036.163

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
			developments are often encouraged on the ground floor. Such activities would typically be encouraged to have a floor to ceiling height in the order of 4.5 metres. A typical floor to floor height is in the order of 3.5 metres. Those would typically mean a total height of around 24 metres for 6 storey buildings (including two metres for roof form).	be applied to the Mixed Use zone within a walkable catchment, or the plan could also note six storey in height in addition to 24 metres to limit applications that try to squeeze in a 7th floor.	
150.	**Light Rail Exclusion**	Oppose	The submitter opposes the exclusion of the Light Rail Study Area from Plan Change 78. The submitter is unsure of the legal basis to exclude these areas.	Include the Light Rail Study Area into Plan Change 78.	2036.164
151.	**Special Housing Exclusion**	Oppose	The submitter opposes the exclusion of the Special Housing Areas from the Plan Change. The submitter is unsure of the legal basis to exclude these areas.	Include the Special Housing Areas into Plan Change 78.	2036.165
152.	**The definition of 'rapid transit service'**	Oppose	The NPS-UD Policy 3 defines a rapid transit service as "any existing or planned frequent, quick, reliable and high-capacity public transport service that operates on a permanent route (road or rail) that is largely separated from other traffic". In this Plan Change, Auckland Council has identified the following Rapid Transit Services: ● the three lines (Western, Southern, Eastern) of the heavy rail network between Swanson and Pukekohe, including the Central Rail Link ('CRL'). ● the Northern Busway (including the recent extension to Albany). ● the Eastern Busway. It is submitted that priority bus corridors should be considered Rapid Transit to enable more Walking Catchments and therefore more homes in accessible locations. The interpretation of what is a rapid transit service, as per NPS-UD Policy 3(d)), should include frequent bus services on the following key arterial corridors: - **Great North Road** (from Pt Chevalier to Ponsonby Road, served by the 18 Frequent Route and in future the 11 Frequent Route) - **Sandringham Road** (from Mt Albert Road to New North Road served by the 24 Frequent Route) - **Dominion Road** (from Denbigh Avenue to View Road, served by the 25 Frequent Route) - **Mt Eden Road** (from Mount Albert Road to Symonds Street, served by the 27 Frequent Route) - **Manukau Road** (from Onehunga to Broadway, served by the 30 Frequent Route) - **Great South Road** (from Ellerslie Main Highway to Broadway, served by the 70 Frequent Route)	Review definition of 'rapid transit service' to include frequent bus services on the identified key arterial corridors, and up zone those sites within the walkable catchment of the RTS to provide for at least six storeys.	2036.166

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

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

Auckland Council
Te Kaunihera o Tāmaki Makaurau

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

Attn: Planning Technician
Auckland Council
Level 24, 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) Susan Rana Jackson

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

Address for service of Submitter

63 Kelvin Road, Remuera.

Telephone: 021210540 4 Fax/Email: gavanj@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 78
Plan Change/Variation Name	Intensification

The specific provisions that my submission relates to are:
(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

Or

Property Address 55 - 65 Kelvin Road and 40 - 64 Kelvin Road

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: See attached.

(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. ☐

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 ☑

A Jachna

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

29/9/22

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 <u>could</u> 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.

To: Auckland Council

Re Plan Change 78: Intensification and Special Character Areas

We, the undersigned strongly oppose Auckland Council's decision to remove special character protection and the Single House Zone for our area at the bottom of Kelvin Road, Remuera (including 55-65 Kelvin Road and 40-64 Kelvin Road), previously afforded under the Unitary Plan. 2037.1 2037.2

We believe protection for our area should be maintained because:

a) The ecological significance of this area is of great value to Auckland and to the community. The native bush and small streams running down either side of this end of the street are a unique part of the area and provide home to a wide variety of native birds and wildlife. The value of an area like this should not be compromised.
b) This special environment should be protected from the adverse effects of development and subdivision in order to maintain its indigenous biodiversity.
c) Increased development will have a negative impact on this wonderful natural environment by reducing the natural habitat for wildlife, and, with the possible removal of vegetation and trees, destroying the beauty of this small ecological area so close to the city.
d) The local residents in this narrow little cul-de-sac at the bottom of Kelvin Road already struggle to cope with the traffic and business around Meadowbank School, which will only increase with intensification in the area.
e) The Auckland Unitary Plan was a thorough and well considered plan, allowing for intensification in appropriate areas and protection for ecological areas such as ours that are now, more than ever, vital to the health of a large city. The Plan Change, with the Special Character Areas such as this, included as a qualifying matter, would provide more than enough capacity for Auckland's future housing needs for the foreseeable future.

We strongly believe that our area exhibits the core qualities identified for protection in the Proposed Plan.

If an area such as this, is left unprotected the proposed Plan Change:

1. Is contrary to the purpose of the Resource Management Act 1991 as set out in Section 5 and Part II.

2. *Fails to have particular regard and/or sufficient regard to the matters set out in Section 7 of the Act, and in particular S7:*

(b)
the efficient use and development of natural and physical resources:
(c)
the maintenance and enhancement of amenity values:
(f)
maintenance and enhancement of the quality of the environment:
(i)
the effects of climate change.

3. Will have significant adverse effects on the environment, and in particular on the people of this community.

We seek the inclusion of our area shown in the plan attached/property addresses to this submission as a ~~Special Character~~ Area in the ~~proposed~~ plan.

2037.3
2037.4

Significant Ecological Area a Single House Zone in the proposed plan.

Name	Address	Signature
Gaven Jackson	63 Kelvin Rd	
Susan Jackson	63 Kelvin Rd	
	40 Kelvin Rd	
Kerr Duncan	55 Kelvin Rd	
Jill Duncan	55 Kelvin Rd	
PW Ware	62 Kelvin Rd	
LIZ WARE	62 Kelvin Rd	
Gill Atcheson	57 Kelvin Rd	G. Atcheson.
Lee-Anne Coburn	61 Kelvin Rd	
HEIKE EICHENBERG	56A KELVIN RD	
RYAN MARSHALL	65 KELVIN RD	
Rachel Stone	64 Kelvin	

Unitary Plan Operative in part

Address | 63 KELVIN ROAD REMUERA AUCKLAND 1050

Info | Legend | Results

1 : 2,500 Zoom



Property Summary

This summary lists searched address, legal description, Zone and other limitations that apply to the site.

Address

63 Kelvin Road Remuera Auckland 1050

Legal Description

Lot 14 DP 21554

Appeals

Modification

Plan Changes, Plan Change 78 - Intensification, Multiple Layers, View PDF, Proposed, 18/08/2022

Zone

Residential - Single House Zone

Precinct

Overlays

Natural Resources: Significant Ecological Areas Overlay - SEA_T_5243, Terrestrial

Historic Heritage and Special Character: Special Character Areas Overlay Residential and Business - Remuera / Meadowbank, Residential Isthmus B

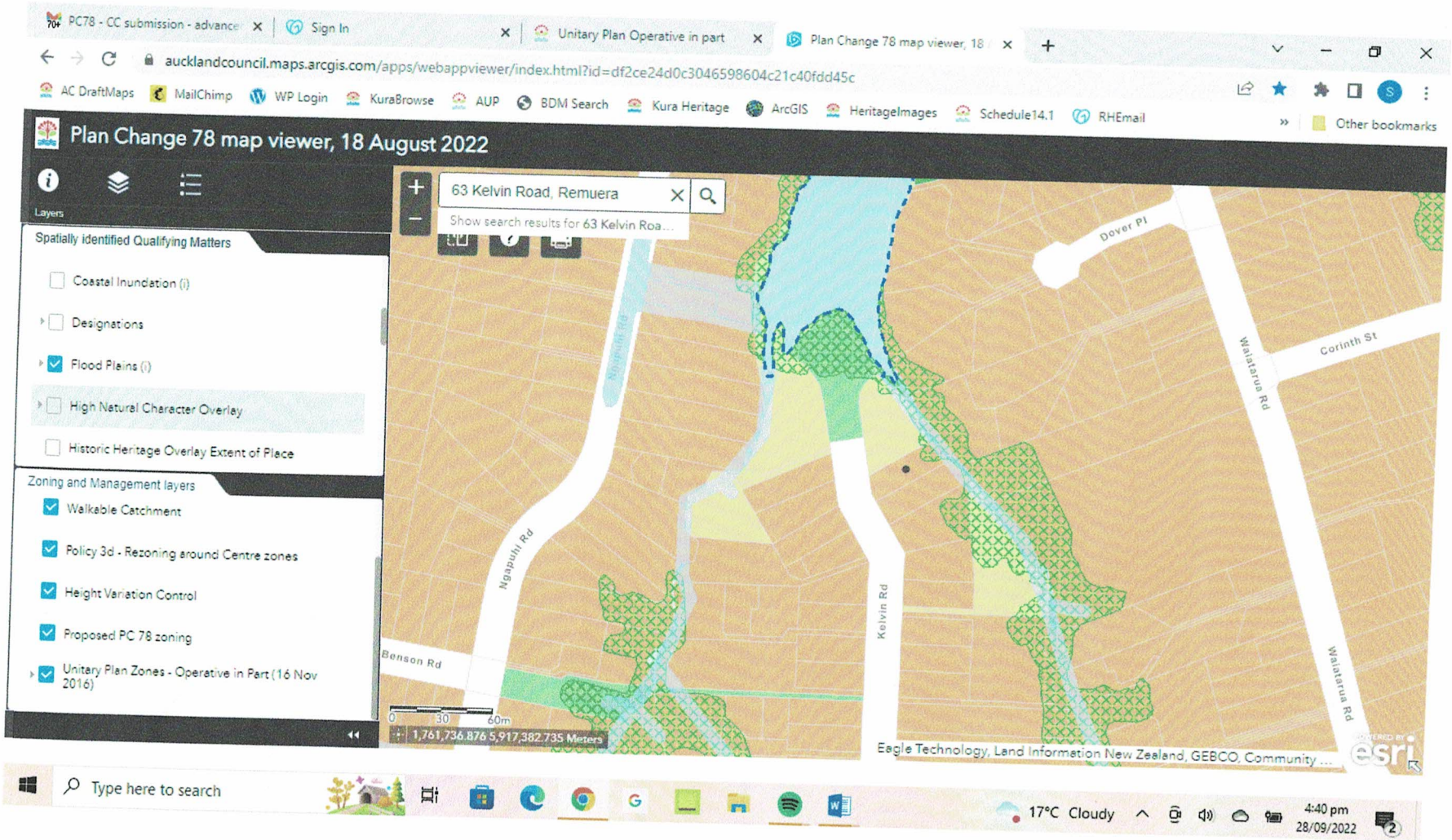
Controls

For other mapped information that may apply to the searched property please use the Data Discovery tool or check the main GIS viewer (GeoMaps).

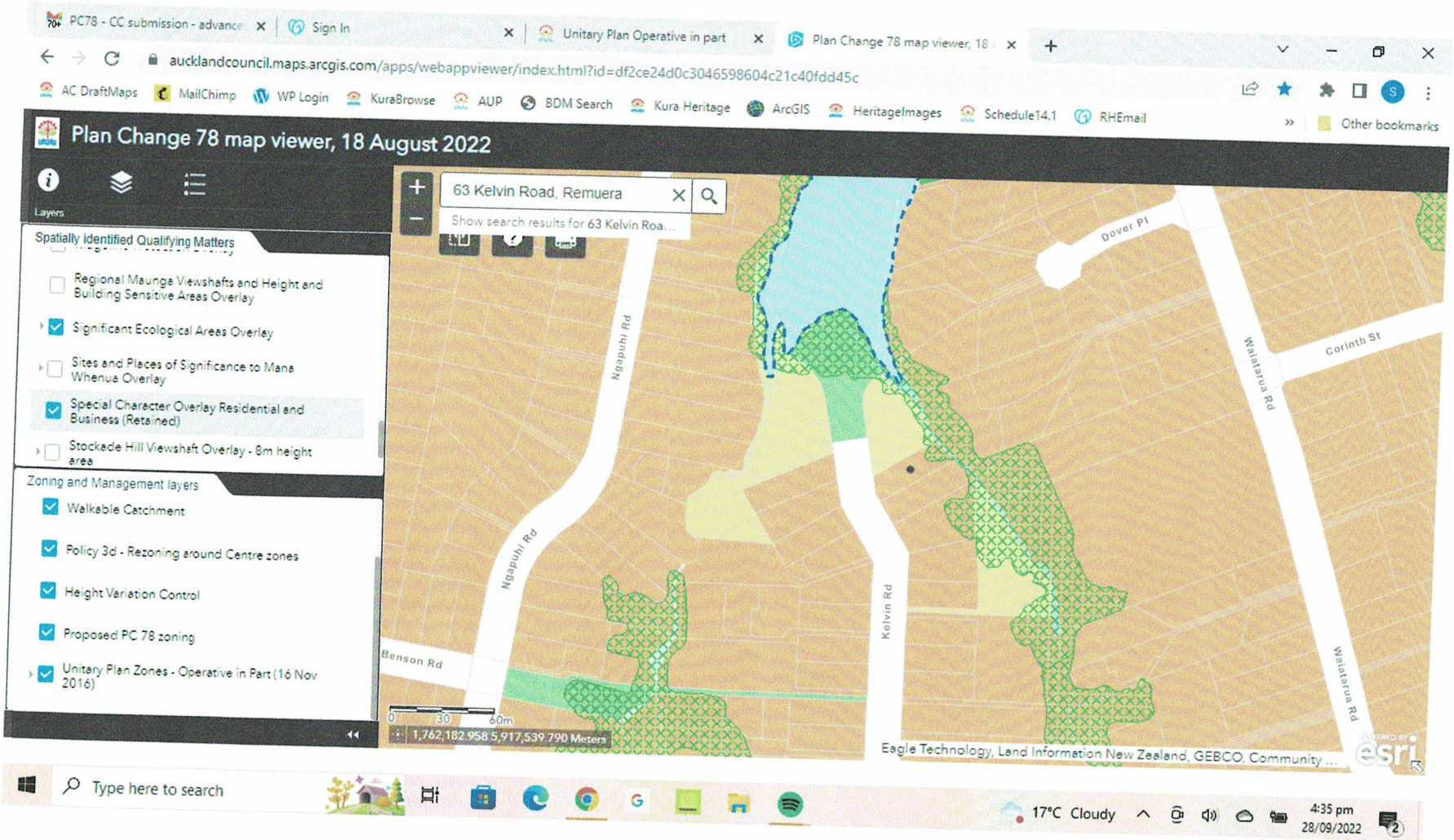
https://unitaryplanmaps.aucklandcouncil.govt.nz/upviewer/

PC 78 Sub #2037

Flood Plains



Significant Ecological Areas Overlay



SUBMISSION ON PROPOSED PLAN CHANGE 78 TO THE AUCKLAND UNITARY PLAN

To: Auckland Council

Name of submitter: Mike Greer Developments

This submission relates to Proposed Plan Change 78 to the Auckland Unitary Plan (AUP).

The specific Plan Change provisions that this submission relates to are listed within the table provide at **Attachment A.**

The reasons for the submitter's support, where relevant, are set out within the table attached as Attachment A. In general, where the submitter supports the provisions as notified the submitter considers that:

1. The applicable provisions will promote the sustainable management of natural and physical resources, contrary to Part 2 of the Resource Management Act 1991 ('the Act");

2. The applicable provisions are soundly based on evidence or an appropriate cost benefit analysis as required by section 32 of the Act;

3. The applicable objectives, policies and rules of the AUP, as they relate to the Submitter's sites:

    i) will promote the sustainable management of natural and physical resources;
    ii) are consistent with the purpose and principles of the Act;
    iii) will not give rise to adverse effects on the environment that are not avoided, remedied or mitigated;
    iv) are appropriate and justified in terms of Section 32 of the Act.

4. The applicable provisions that are supported will give effect to the National Policy Statement: Urban Development (NPS-UD), the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021, and the Medium Density Residential Standards (MDRS).

The specific reasons for the submitter's concerns, where relevant, are set out within the table attached as Attachment A. In general, where the submitter opposes the provisions as notified the submitter considers that:

1. The applicable provisions do not promote the sustainable management of natural and physical resources, contrary to Part 2 of the Resource Management Act 1991 ('the Act");

2. The provisions are not soundly based on evidence or an appropriate cost benefit analysis as required by section 32 of the Act;

3. The applicable objectives, policies and rules of the AUP, as they relate to the Submitter's sites:

   i) will not promote the sustainable management of natural and physical resources;
   ii) are inconsistent with the purpose and principles of the Act;
   iii) will give rise to adverse effects on the environment that are not avoided, remedied or mitigated;
   iv) are inappropriate and unjustified in terms of Section 32 of the Act.

4. The submitter is of the opinion that the intention of the NPS-UD and MDRS is to simplify the planning process, not complicate it, by ensuring planning decisions improve housing affordability through supporting competitive land and development markets, and by *enabling* development and intensification. This in turn is expected to increase the supply and affordability of housing.

5. In contrast, the submitter is of the view that the provisions as proposed would place significant additional (and unreasonable) cost on a resource consent application and add to unaffordability, as well as risk further limiting the supply of housing and development to meet demand. The proposed approach is overly onerous and would lead to numerous, overly complicated and costly resource consent applications, as well as potential interpretation issues. This is not consistent with the NPS-UD nor MDRS.

6. Furthermore, while being both costly and inefficient, the submitter considers that the provisions as notified risk encouraging lower density and less challenging development by making intensification too difficult to be achieved. This would not achieve the intensification nor affordability objectives sought by the NPS-UD and MDRS, nor would it amount to an efficient use of land.

7. The submitter considers that the proposed changes should go further to give effect to the NPS-UD. Objective 3 of the NPS-UD requires district plans to enable more people to live in, and more businesses and community services to be located in, areas of Auckland that are in or near a centre zone or other area with many employment opportunities, or are well-serviced by public transport, or where there is high demand for housing or for business land in the area. This is supported by Policy 3 of the NPS-UD. The submitter is of the view that there are numerous additional locations where intensification is appropriate, where the market will deliver intensification, and consequently where significant intensification should be provided for. These include Town Centre Zones, wider walkable catchments and additional corridors serviced by frequent bus services. among others. The submitter also considers that provision in the policy framework should be made for a contextual analysis of the appropriateness of additional height and intensity outside of walkable catchments and centres to ensure these opportunities are not lost by an overly prescriptive planning framework.

8. The submitter notes that Policy 6(b) of the NPSUD also states that the planned urban built form in those RMA planning documents may involve significant changes to an area, and those changes "*may detract from amenity values appreciated by some people but improve amenity values appreciated by other people, communities, and future generations, including by providing increased and varied housing densities and types and are not, of themselves, an adverse effect."* The submitter is concerned that a number of the changes ignore the intent of this policy.

The submitter seeks the following decision from the Auckland Council, regarding the Proposed Plan Change 78:

a) That the relief sought within the table attached as **Attachment A** is provided; and

b) Any other consequential changes that would give effect to the relief sought in this submission.

The submitter wishes to be heard in support of their submission. If others make a similar submission, the submitter will consider presenting a joint case with them at a hearing.

The submitter is not a trade competitor, and could not gain an advantage in trade competition through this submission.



Michael Campbell
Campbell Brown Planning Limited
For and on behalf of Mike Greer Developments as its duly authorised agent.

Date: 29 September 2022

Address for service of submitter:

Mike Greer Developments
C/- Campbell Brown Planning Limited
PO Box 147001
Ponsonby
AUCKLAND 1144

Attention: Michael Campbell

Telephone: (09) 378 4936
Mobile: (021) 2789018
Email: michael@campbellbrown.co.nz

Attachment 1

Table 1: Identifies the specific proposed amendments or changes to the Auckland Unitary Plan under PC78 which the submitter either supports, seeks amendment to, or opposes.

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	Chapter C General Rules				
1.	**C1.6A Overlay and precinct rules** (1) Where an activity is subject to a rule in an overlay, the overlay may specify whether the overlay rule replaces a zone rule, a precinct rule or an Auckland-wide rule. (2) Where an activity is subject to a rule in a precinct, the precinct may specify whether the precinct rule replaces an overlay rule or a zone rule, or an Auckland-wide rule.	Support	The revised wording clarifies the status of precinct or Auckland Wide Rules.	Retain the proposed wording.	2040.1
	Chapter D Overlays - Natural Heritage				
2.	**D14. ~~Volcanic~~ Maunga Viewshafts and Height and Building Sensitive Areas Overlay** **D14.4. Activity table [rcp/dp]** **Buildings in a height and building sensitive area, excluding network utilities, electricity generation facilities, broadcasting facilities and road networks** (A7) Buildings up to 9m in height except as specified in Standard D14.6.3. — P (A7A) Buildings that do not comply with standard D14.6.5 Building coverage — RD (A7B) Buildings that do not comply with standard D14.6.6 Landscaped area — RD (A7C) Buildings not complying with underlying zone Yards standards — RD (A7D) Buildings that do not comply with standard D14.6.7 Earthworks — RD	Oppose	The submitter opposes the additional activities in activity Table D14.5, being A7A, A7B, A7C and A7D. The submitter also opposes Standards D14.6.5 – D14.6.8 The additional standards for buildings are unnecessary and will not be efficient or effective in managing the effects on the Maunga View Shafts. The standards will reduce the ability to achieve the outcomes sought by the MDRS standards.	Delete the additional activities in activity Table D14.5, being A7A, A7B, A7C and A7D. Delete proposed Standards D14.6.5 – D14.6.8 Any other consequential changes that would give effect to the relief sought in this submission.	2040.2 2040.3
	Chapter G RUB and Walkable Catchments				
3.	**G2. Walkable Catchments** Policy 3(c) of the National Policy Statement on Urban Development 2020, updated May 2022, requires regional policy statements and district plans in tier 1 urban environments to enable building heights of at least six storeys within at least a walkable catchment of the following: (i) existing and planned rapid transit stops (ii) the edge of city centre zones, and (iii) the edge of metropolitan centre zones. Auckland is a tier 1 urban environment. A walkable catchment of around 1,200m is applied from the edge of the Business – City Centre Zone. A walkable catchment of around 800m is applied from both the edge of the Business – Metropolitan Centre Zones and from the pedestrian access points to existing or planned rapid transit stops. Edge and route modifying factors such as property boundaries, road boundaries, severance, topography, block sizes, the walking environment and the mix of land use activities can affect these general walkable catchment distances. The depiction of walkable catchments in the planning maps is a district plan method pursuant to section 75(2) of the Resource Management Act 1991 for implementing the policies of the district and giving effect to the National Policy Statement on Urban Development 2020, updated May 2022. The planning maps show the location and extent of walkable catchment boundaries, many of which overlap with each other. The location or extent of a walkable catchment can only be amended by way of a plan change pursuant to Schedule 1 of the Resource Management Act 1991. Any amendment to the location or extent of a walkable catchment must give effect Policy 3(c) of the National Policy Statement on Urban Development 2020, updated May 2022.	Support in Part	The submitter considers that the explanation for walkable catchment should note that in some cases the RTN or centres (where slightly beyond an 800m or 1,200m walkable catchment distance) is connected by extensive cycleways that make micro mobility transportation a viable choice. 'Micro mobility' and 'active' transport modes (i.e., scooters, bikes etc) are expanding traditional 'walkable' distances and this is acknowledged by the MfE guidance on walkable catchments. The guidance notes that:[1] *…not all places are equal and different locations with different characteristics may often have different-sized walkable catchments […] a city or a metropolitan centre with a rapid transit stop located within or close by, is also likely to have a larger walkable catchment than a centre without a rapid transit stop.* The use of such alternative modes and their relationship to 'walkability' is also acknowledged within Auckland Transport's 'Urban Street and Road Design Guide' in which it is noted in relation to increased density of residential occupation:[2] Density (and a diversity of housing choices) gives people the opportunity to live in neighbourhoods that meet their lifestyle preferences and economic means. The goal should be to provide residents with the choice to live in amenity-rich neighbourhoods where they are a short walk *or* bike ride away from shopping, parks, schools and cafés, and take public transport or drive to work and regional destinations. Density allows for more options for more people. Prioritising investment in frequent, high-capacity public transport to support density is a mutually supportive strategy that can rapidly shift people from private cars to public transport and active modes [emphasis added].	That the following wording is added to G2: The suitability of a walkable catchment can vary depending on a number of factors, including topography, connectivity and access to a regular public transport network. In some cases, there may be sites that are located outside a 'walkable catchment' that are suitable for additional intensification and building height. Such sites should be considered on their merits having regard to their context and their ability to provide additional housing choice in an area that is well served by a range of amenities, including public transport. Any other consequential changes that would give effect to the relief sought in this submission.	2040.4

[1] Ministry for the Environment, *Understanding and implementing intensification provisions for NPS-UD*, clause 5.5.3 Different locations will have different-sized walkable catchments. https://environment.govt.nz/publications/understanding-and-implementing-intensification-provisions-for-the-national-policy-statement-on-urban-development/

[2] Auckland Transport 'Urban Street and Road Design Guide', page 51.

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:
4.		Support in Part	The submitter considers that the walkable catchment should be amended to be 1200m from the edge of Metropolitan Centre Zones, as well as the City Centre Zone. The range of amenities, services, shops, cafés and the extent of employment within Business – Metropolitan Centre Zones is often comparable to that of the City Centre Zone. In fact, the edge of Business – Metropolitan Centre Zones is often more desirable to walk to than the edge of the City Centre zone from a destination and availability of services and amenity perspective. This availability of activities and amenities is acknowledged within the zone description of Chapter H9. Business – Metropolitan Centre Zone which states that the Business – City Centre Zones: *"act as focal points for community interaction and commercial growth and development and contain hubs serving high frequency transport. The zone provides for a wide range of activities including commercial, leisure, high density residential, tourist, cultural, community and civic services. Zone provisions, in conjunction with rules in the other business zones, reinforce metropolitan centres as locations for all scales of commercial activity. These centres are identified for growth and intensification."* Furthermore, taking into account the above points with respects to micro mobility (refer submission point 3 above), a 1200m 'walkable catchment' from Business – Metropolitan Centre zones is considered appropriate. Metropolitan Centre Zones are well serviced by micro mobility and also incorporate high frequency transport options (numerous bus services, train stations and bus ways, among others).	Amend the extent of a 'walkable catchment' to be 1200m from the edge of Business – Metropolitan Centre zones. Any other consequential changes that would give effect to the relief sought in this submission.
	H3A. Residential – Low Density Residential Zone			
5.	**H3A.1. Zone description** In the urban environment, the Residential – Low Density Residential Zone is applied to identified sites within residential neighbourhoods, subject to relevant qualifying matters, with the purpose being to: • incorporate MDRS, and make development less enabling to the extent necessary to accommodate the qualifying matter(s) that are present; • protect significant ecological areas and outstanding natural features and landscapes and high natural landscapes; • protect areas of distinct cultural, historic and natural heritage; • protect areas subject to risks from natural hazards including coastal hazards, coastal erosion, overland flow paths and flood plains; • maintain and enhance special character residential areas; and • provide for low density residential activities and buildings consistent with a suburban scale and subdivision pattern, such as one to two storey houses. It is applied in the urban environment where the relevant qualifying matters have resulted in a lower intensity of development. Limiting levels of re-development is necessary to accommodate one or more qualifying matters while enabling residential development. The zone applies to: • the Waitakere Ranges Heritage Area; • neighbourhoods with special character based on past development patterns; • a coastal setting; • sites containing cultural values or substantial proportions of significant ecological areas; • sites that are subject to high natural character, outstanding natural features or landscapes; or, • other factors such as natural hazards risks in the coastal environment and from flooding. To respond to the identified purpose the Residential – Low Density Residential zone may also be applied in plan changes that rezone Future Urban zone land to a residential zone where relevant qualifying matters exist. Within the zone, MDRS are incorporated to the extent qualifying matters can be accommodated. The activities and standards are limited by Auckland-wide provisions and overlays as the Residential - Low Density Residential Zone works with other plan provisions to provide for dwellings while accommodating relevant qualifying matters. To support the purpose of the zone, development is managed with additional dwellings provided for only where dwellings and other buildings do not detract from the values of the identified qualifying matter. The zone is generally characterised by residential activities and buildings consistent with a suburban scale and subdivision pattern, such as one to two storey high buildings with yards and landscaping consistent with a low intensity built character, except where the zone exhibits high landscape or natural heritage values.	Oppose in Part	The submitter notes that the Low Density Residential Zone has been applied to a range of Qualifying Matters. Consistent with the current approach of the Auckland Unitary Plan, the submitter considers that rezoning should be based on land use principles and issues such as flooding or the presence of an SEA over part of the site should not determine the zoning, unless there is clear evidence of significant risk from natural hazards, or if the site is completely covered in an SEA. In its interim guidance on flooding and hazards as part of the hearings for the Auckland Unitary Plan, the Auckland Unitary Plan Independent Hearings Panel noted that it was not convinced about the degree of restriction on use and development in existing built up areas under the natural hazard and flooding provisions. The Panel considered that more consideration should be given to enabling design-led solutions using controlled or restricted discretionary activity status, with appropriately limited matters of control or discretion, and clear and succinct assessment criteria that assist with giving effect to the objectives and policies for natural hazards and flooding. It is noted that there are existing examples of high density residential and business zones that are presently featured in the current Unitary Plan that have a SEA, flood plain or OLFP restriction. In some cases, increases in heights can provide greater flexibility in terms of managing the effects of natural hazards, such as the provision of higher freeboard levels.	That the Auckland Council reviews **all** OLFP's, flood plain and SEA areas identified as Qualifying Matters on the planning maps within Plan Change 78, and any areas that have been downzoned to a Low Density Residential Zone due to the flood plain, OLFP or SEA overlay, are rezoned to a zoning that is based on the most appropriate zone based on accepted land use principles. Any other consequential changes that would give effect to the relief sought in this submission.

2040.5

2040.6
2040.7
2040.8
2040.9

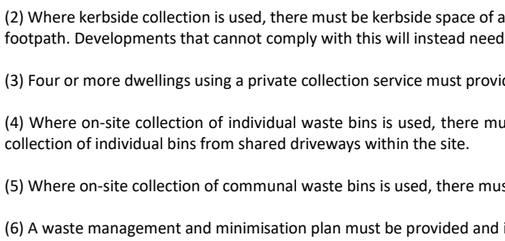
	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
			It is further noted that the SEA is currently located on some sites proposed within MHU and THAB zones. The current Unitary Plan includes objectives, policies and methods to manage the effects on these Qualifying Matters. It is considered more appropriate to manage the effects on these features through overlays or controls, rather than downzoning an area. It may well be that a special overlay reduces all or part of a site from being developed to the full extent of the underlying zoning, but the submitter considers that this is a more efficient and effective approach than downzoning an entire site, on the basis that part of the site is impacted by a particular overlay or control.		
H5. Residential – Mixed Housing Urban Zone					
H5.2. Objectives					
6.	(1) Land ~~near the Business – Metropolitan Centre Zone and the Business – Town Centre Zone, high-density residential areas and close to the public transport network~~ is efficiently used for higher density residential living and to provide urban living that increases housing capacity and choice and access to public transport.	Support	Consistent with the MDRS.	Retain the revised wording.	2040.10
7.	(3) Development provides **high-**quality **amenity**: **(a)** on-site ~~residential amenity~~ for residents and **(b) to** adjoining sites; and **(c) to** the street.	Oppose	The inclusion of 'high' and 'amenity' does not reconcile with the outcomes of the MDRS standards of the zone as they exist or are proposed. The term 'high-quality amenity' is open to subjectivity and will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Retain existing wording.	2040.11
8.	**(6) Development contributes to a high-quality built environment that is resilient to the effects of climate change.**	Oppose	The term 'high-quality built environment' is open to subjectivity and will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete the proposed wording or reword to delete reference to high quality built environment.	2040.12
9.	**(8) Enable a safe street environment for pedestrians.**	Oppose	The policy addresses aspects of a site that are located outside the zone boundary. Chapter 27 Transportation addresses pedestrian safety for developments that adjoin the road.	Delete the proposed wording.	2040.13
10.	**(9) Development is enabled on sites within significant ecological areas where it provides for the protection and management of the significant ecological values.**	Oppose	It is considered that effects of development on SEA are already suitably dealt with via Chapter D9 and E15. The inclusion in the zone is not necessary and undermines the existing AUP framework and the efficient use of land.	Delete the proposed wording.	2040.14
11.	**(10) Intensification is avoided in areas with significant transport infrastructure constraints.**	Oppose	Objective should clearly identify the Beachlands area identified in the mapping control for transport constraints.	Delete the proposed objective or amend to specifically refer to Beachlands only.	2040.15
H5.3. Policies					
12.	(6A) 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; (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.	Oppose in part	The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Amend the text of Policy 6A as follows (6A) Require development to achieve a built form that contributes to the planned outcomes of the zone ~~high-quality built environment outcomes~~ by: (a) maintaining reasonable 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, commensurate with the expectations of the zone; (e) minimising visual dominance effects of carparking and garage doors to streets ~~and private accessways~~; ~~(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~~;	2040.16

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
				(h) designing practical, sufficient space for residential waste management; and ~~(i) designing practical, sufficient space for internal storage and living areas~~. Any other consequential changes that would give effect to the relief sought in this submission.	
13.	(12) Require dwellings to be provided with access to safe and reliable drinking water, wastewater and stormwater disposal services.	Oppose	Infers that the quality of the drinking water is able to be influenced by the applicant. This is the responsibility of Watercare. Any wording should be similar to that already identified in the existing assessment criteria.	Delete the proposed wording	2040.17
14.	(14) Require development of four or more dwellings per site to contribute to a safe urban road environment for pedestrians through improvements to the adjacent road network.	Oppose	This does not correspond to an effect from the construction of four dwellings. The development contributions already include a component for local transport upgrades.	Delete the policy in its entirety.	2040.18
15.	(15) Require buildings on sites subject to significant ecological areas to be of a scale that protects and maintains the significant ecological values of those areas.	Oppose	It is considered that effects of development on an SEA are already suitably dealt with via Chapter D9 and E15. The inclusion in the zone is not necessary and undermines the existing AUP framework and the efficient use of land.	Delete the policy in its entirety.	2040.19
16.	(16) Avoid developments of more than one dwelling per site in areas identified on the planning maps as subject to significant transport infrastructure constraints.	Oppose in part	Policy should clearly identify the Beachlands area identified in the mapping control.	Delete the proposed objective or amend to specifically refer to Beachlands only.	2040.20
H5.4. Activity table					
17.	(A1) activities not provided for.	Oppose	It is considered activities not provided for should be DA as per Chapter C.	Amend A1 to be a Discretionary Activity	2040.21
18.	(A2A) One dwelling per site subject to a Significant Ecological Area Overlay which complies with Standards E15.4.2(A29) and E15.6.5	Oppose	It is considered that effects of development on SEA are already suitably dealt with via Chapter D9 and E15. The inclusion in the zone is not necessary and undermines the existing AUP framework and the efficient use of land. Additional Standards added beyond the MDRS requirement. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Delete the activity from the table.	2040.22
19.	(A2B) Two or more dwellings per site subject to a Significant Ecological Area Overlay (refer to Vegetation management and biodiversity E15.4.2(A43) and E15.6.5) (A33B) New buildings and additions and alterations to buildings in a Significant Ecological Area Overlay which do not comply with H5.6.10(2) Building coverage.	Oppose	It is considered that effects of development on SEA are already suitably dealt with via Chapter D9 and E15. The inclusion in the zone is not necessary and undermines the existing AUP framework and the efficient use of land. Additional Standards added beyond the MDRS requirement for activity (A2B). The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Delete the activities from the table.	2040.23
20.	Activity Table - Standards to be complied with (multiple activities) Standard H5.6.3A Number of dwellings per site; H5.6.3B Dwellings within the Infrastructure – Combined Wastewater Network Control as identified on the planning maps; H5.6.3C Dwellings within the Infrastructure – Stormwater Disposal Constraints Control as identified on the planning maps; Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; ~~Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones;~~ Standard H5.6.8 Yards; Standard H5.6.9 Maximum impervious areas; Standard H5.6.10(1) Building coverage; Standard H5.6.11(3) and (4) Landscaped area; Standard H5.6.12(A1) Outlook space; ~~Standard H5.6.13 Daylight~~; Standard H5.6.14 Outdoor living space(A1) and (B1); Standard H5.6.15 Front, side and rear fences and walls; Standard H5.6.18(1) Windows to street and private vehicle and pedestrian accessways; Standard H5.6.19 Deep soil area and canopy tree; Standard H5.6.20 Safety and privacy buffer from private pedestrian vehicle accessways; Standard H5.6.21 Residential waste management.	Oppose	Additional standards beyond the MDRS are not required as directed by government. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Delete all standards that are not identified within the MDRS.	2040.24
21.	(A4) Four or more dwellings per site H5.6.3B Dwellings within the Infrastructure – Combined Wastewater Network Control as identified on the planning maps; H5.6.3C Dwellings within the Infrastructure – Stormwater Disposal Constraints Control as identified on the planning maps; Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.6 Alternative height in relation to boundary Standard H5.6.8 Yards; Standard H5.6.9 Maximum impervious areas; Standard H5.6.10(1) Building coverage; Standard	Oppose	The additional standards for: - Infrastructure standards: - Deep soil area and canopy tree; - Safety and privacy buffer	Delete standards that are not identified within the MDRS.	2040.25

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	H5.6.11(5), (6) and (7) Landscaped Area; H5.6.12(1) – (9) Outlook space; Standard H5.6.13 Daylight; H5.6.14(1) – (4) Outdoor living space; Standard H5.6.15 Front, side and rear fences and walls; Standard H5.6.16 Minimum Dwelling Size: Standard H5.6.18(2) Windows to street and private vehicle and pedestrian accessways; Standard H5.6.19 Deep soil area and canopy tree; Standard H5.6.20 Safety and privacy buffer from private pedestrian vehicle accessways; Standard H5.6.21 Residential waste management.		- Residential waste management Shall be deleted as identified below. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards		
H5.5. Notification					
22.	(5) 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 resource consent is precluded if the application is for the construction and use of four or more dwellings that comply with the following standards: (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 H5.6.9 Maximum impervious area; (v) Standard H5.6.10 Building coverage; (vi) Standard H5.6.11 (5), (6) and (7) Landscaped area; (vii)Standard H5.6.12 (1) – (9) Outlook space; (viii) Standard H5.6.13 Daylight;5 (ix) Standard H5.6.14(1) – (4) Outdoor living space; (x) Standard H5.6.15 Front, side and rear fences and walls; (xi) Standard H5.6.16 Minimum dwelling size; (xii)Standard H5.6.18(2) Windows to street and private vehicle and pedestrian accessways; (xiii) Standard H5.6.19 Deep soil area and canopy tree; (xiv) Standard H5.6.20 Safety and privacy buffer from private vehicle and pedestrian accessways (xv) Standard H5.6.21 Residential waste management.	Oppose	Compliance should only be for the bulk and form and adjacent site amenity standards being: (i) Standard H5.6.4 Building height; (ii) Standard H5.6.5 Height in relation to boundary; (iii) Standard H5.6.8(1) Yards; (v) Standard H5.6.10 Building coverage; (vii)Standard H5.6.12 (1) – (9) Outlook space; The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards Amend notification standard to make it clear that restricted discretionary matters such as earthworks, contamination flood plains and technical parking infringements do not remove the notification exclusions. The notifications effects of this technical elements of an application will be considered in accordance with their restricted discretionary status.	Delete standards that are not identified within the MDRS. Amend the notification standard to make it clear that restricted discretionary matters such as earthworks, contamination, flood plains and technical parking infringements do not remove the notification exclusions. In terms of notification, those effects outside the zone standards that form part of a bundled application will be considered in accordance with their particularly restricted discretionary status and the associated matters for discretion for those particular consent matters.	2040.26 2040.27
23.	(6) Any application for a resource consent which is listed in H5.5(4) or H5.5(5) 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.	Oppose	All developments will likely trigger additional AUP reasons for consent. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete.	2040.28
24.	H5.6.3B Dwellings within the Infrastructure – Combined Wastewater Network Control as identified on the planning maps	Oppose	These effects are already managed by Chapter E8. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Delete.	2040.29
25.	H5.6.3C Dwellings within the Infrastructure – Stormwater Disposal Constraints Control	Oppose	These effects are already managed by Chapter E8. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Delete.	2040.30
26.	**H5.6.5. 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.	Oppose	Oppose addition of 'privacy' not required by the MDRS wording within Schedule 3A.	Delete wording and retain existing purpose.	2040.31
27.	**H5.6.5. Height in relation to boundary** (1) Buildings must not project beyond a ~~45~~ 60 degree recession plane measured from a point ~~3~~ 4m vertically above ground level alongside and rear boundaries, as shown in Figure H5.6.5.1 Height in relation to boundary below.	Support	The proposed wording will be efficient and effective in achieving the outcomes sought by the MDRS standards	Accept the proposed text changes	2040.32
28.	~~(b)~~ [Deleted] ~~sites within the Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or the Open Space – Community Zone:~~ ~~(i) that are greater than 2000m²;~~ ~~(ii) where that part of the site in (i) is greater than 20 metres in width, when measured perpendicular to the shared boundary; and~~ ~~(iii) Where an open space comprises multiple sites but has a common open space zoning, the entire zone will be treated as a single site for the purpose of applying the standards listed below.~~ ~~(5)~~ [Deleted] ~~A gable end, dormer or roof may project beyond the recession plane where that portion beyond the recession plan is: (a) no greater than 1.5m2 in area and no greater than 1m in height; and (b) no greater than 2.5m cumulatively in length measured along the edge of the roof as shown in Figure H5.6.5.2 Exceptions for gable ends and dormers and roof projections below.~~ ~~(6) No more than two gable end, dormer or roof projections are allowed for every 6m length of site boundary.~~	Oppose	The exclusions should be retained, as they deal with minor protrusions and they are helpful on sloping sites. It is beneficial to provide activation to Open Space zones.	Retain the existing minor protrusions HIRB is excluded from applying where the site adjoins open space more than 2,000m^2 area in accordance with the current standard.	2040.33
29.	**H5.6.9. Maximum impervious area** (1) The maximum impervious area must not exceed 60 per cent of site area	Oppose	The retention of this standard is not an efficient use of land and is not demonstrated by an adverse effect. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Amend standard to 70%.	2040.34

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
30.	**H5.6.10. 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.	Oppose	It is considered that effects of development in proximity to an SEA are already suitably dealt with via Chapter D9 and E15. The inclusion is not necessary and undermines the existing AUP framework and the efficient use of land.	Delete the additional wording.	2040.35
31.	(1) The maximum building coverage must not exceed ~~45~~ 50 per cent of the net site area.	Support	The proposed wording will be efficient and effective in achieving the outcomes sought by the MDRS standards	Accept the proposed text changes.	2040.36
32.	H5.6.10. Building coverage (2) On a site subject to a Significant Ecological Areas Overlay: (a) the maximum building coverage must not exceed 50 per cent of the net site area; and (b) building coverage must not be located in any area within 3m of vegetation within a significant ecological area, including following the alteration or removal of up to 300m2 of vegetation for a dwelling per site provided for under E15.3.2(A29) and E15.6.5; and (c) other than provided for in H5.6.10(2)(b), building coverage must not be located within a significant ecological area.	Oppose	It is considered that effects of development in proximity to an SEA are already suitably dealt with via Chapter D9 and E15. The inclusion is not necessary and undermines the existing AUP framework and the efficient use of land. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Delete the proposed text changes relating to the SEA..	2040.37
33.	**H5.6.11. Landscaped area** **Development containing four or more dwellings and any other developments must comply with the following:** (5) The minimum landscaped area must be at least 20 per cent of the net site area and comprise natural grass, plants or trees and can include the canopy of existing trees regardless of the surface underneath provided the surface of the protected root zone is in natural grass, plants or natural mulch. (6) Any part of the landscaped area must have a minimum dimension of 1m and minimum area of 4m^2 as shown below in Figure H5.6.19.1 Example of Deep soil area requirements and the relationship with Landscaped area and the Safety and privacy buffer.	Oppose	The standard wording should match the MDRS standard that applies for 1-3 dwellings. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Amend the proposed text changes to match the MDRS standard.	2040.38
34.	**H5.6.12. Outlook space** Development containing four or more dwellings and any other development must comply with the following: Development containing four or more dwellings and any other development must comply with the following: (1) An outlook space must be provided from the face of a building containing windows **or balconies** to a habitable room. Where the room has two or more external faces with windows **or balconies** the outlook space must be provided from, **in order of priority,** the face with the largest **balcony or** area of glazing. (2) The minimum dimensions for a required outlook space are as follows: (a) a principal living room of a dwelling or main living and dining area within a boarding house or supported residential care must have a outlook space with a minimum dimension of: **i.** 6m in depth and 4m in width **as shown below in Figure H5.6.12.1 Outlook space from habitable room windows for four or more dwellings and any other development**; ~~and~~ **or** **ii. Where the principal living room outlook is on the ground floor and is defined by a boundary fence, outlook depth may be reduced to 5m.** (b) a principal bedroom of a dwelling or a bedroom within a boarding house or supported residential care unit must have an outlook space with a minimum dimension of 3m in depth and 3m in width; and (c) all other habitable rooms must have an outlook space with a minimum dimension of 1m in depth and 1m in width. (3) The depth of the outlook space is measured at right angles to and horizontal from the window to which it applies. (4) The width of the outlook space is measured from: (a) the centre point of the largest window on the building face to which it applies **where outlook depth is reduced to 5m as provided for under H5.6.12A(2)(ii) above; or** **(b) the centre line of the facade of the largest window or balcony edge whichever is closer to the boundary or opposing building.** (5) The height of the outlook space is the same as the floor height, measured from floor to ceiling, of the building face to which the standard applies. (6) Outlook spaces may be within the site, over a public street, or other public open space.	Oppose	The standard wording should match the MDRS standard that applies for 1-3 dwellings. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Amend the proposed text changes to match the MDRS standard.	2040.39

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	(7) Outlook spaces required from different rooms within the same building may overlap. (8) Outlook spaces may overlap where they are on the same wall plane. (9) Outlook spaces must: (a) be clear and unobstructed by buildings **and servicing area;** and (b) not extend over adjacent sites, except for where the outlook space is over a public street or public open space as outlined in H5.6.12(15) above; and (c) not extend over an outlook spaces or outdoor living space required by another dwelling; **and** (d) **must align with private outdoor living space, except for where the outlook space is over a public street or public open space as outlined in H6.6.12(15) above.**				
35.	**H5.6.13. Daylight**	Oppose	It is not a method retained in the MDRS. The proposed standard will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete the daylight standard.	2040.40
36.	**H5.6.14. Outdoor living space** Purpose: to provide dwellings, integrated residential development, supported residential care and boarding houses 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:** ~~is accessible from the dwelling.7~~ • 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.	Oppose	The addition of communal outdoor living space requirements is opposed. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Amend the proposed text changes to match the MDRS standard	2040.41
37.	**H5.6.14. Outdoor living space** (4) In addition to H5.6.14(1) and H5.6.14(2) above, developments of 20 or more dwellings, including integrated residential development of 20 or more dwellings, must provide a communal outdoor living space that: (a) is located in a communally accessible location; (b) is at least 10m2 for every five dwellings it serves; (c) is a minimum dimension of 4m; (d) free of buildings, parking spaces and servicing and manoeuvring areas; (e) for at least 20m2 of the communal living space must receive a minimum of 3 hours of sunlight per day between the hours of 9am – 4pm on 21 June; (f) has a gradient not exceeding 1 in 20; and (g) may be split into no more than two outdoor communal living spaces per development.	Oppose	This additional standard is unnecessary, with the private open space requirements sufficient. The provision for wider public open space is the responsibility of Council not developers. A specific open space development contribution is already payable for each dwelling.	Amend the proposed text changes to match the match the MDRS standard and delete the communal outdoor living space requirements.	2040.42
38.	**H5.6.18 Windows to street and private vehicle and pedestrian accessways** Development contained four or more dwellings and any other development must comply with the following: 2) Any dwelling, integrated residential development, supported residential care, boarding house and visitor accommodation facing the street or private vehicle accessway or private pedestrian accessway, must have a minimum of 20 per cent of the relevant façade in glazing. This can be in the form of windows or doors.	Oppose	Any additional text beyond MDRS wording should be captured via assessment criteria not as a standard.	Delete standard and rely on MDRS wording.	2040.43 2040.44
39.	**H5.6.19 Deep soil area and canopy tree** Purpose: To build resilience to climate change effects through provision of deep soil areas that support canopy trees, which assist in removing carbon, reducing urban heat island effects and enabling the infiltration of stormwater. (1) Any site greater than 200m2 must provide a deep soil area that must comply with the following: (a) 10 per cent of the site area must be provided as 1 contiguous deep soil area with minimum 3m dimensions; (b) Except that sites 1,200m2 or greater may have more than 1 deep soil area provided that: (i) each deep soil area is a minimum of 60m2 with 3m dimensions; and (ii) the combined total deep soil area is a minimum 10 per cent of the site area; (c) Deep soil areas must not be provided in private outdoor living spaces but can be provided as part of communal outdoor living spaces and landscape areas as shown below in Figure H5.6.19.1 Example of Deep soil; area requirements and the relationship with Landscaped Area and the Safety and privacy buffer; and (d) The deep soil area(s) must contain a canopy tree(s) that meets the minimum requirements as set out in Table H5.6.9.1 Minimum requirements for canopy trees; and (2) Trees required by H5.6.19(1) can be existing canopy trees or new canopy trees in accordance with Table H5.9(3).	Oppose	It is not a method retained in the MDRS. The proposed standard will not be efficient or effective in achieving the outcomes sought by the MDRS standards. The proposed Deep Soil Area and Canopy Tree standards (and allied Special Information requirements) will result in disparate landscaping outcomes and do not foster sustainable landscape design solutions. The Deep Soil Area and Canopy Tree requirements as proposed are generic and do not reflect an understanding of landscaping and arboricultural/horticultural techniques and the different abilities of a range of canopy trees to exist successfully in varied conditions. Also using a formula relating the number of trees to site area is inappropriate as the number, size and location of trees is driven by building location and size, the shape of buildings and the location and spatial context of land areas available for plantings. The Deep Soil Area and Canopy Tree provisions are unnecessary and go to a level of detail that is better addressed through detailed landscape design which is already covered in the Plan provisions.	Delete the proposed new standard.	2040.45

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:
	Table H5.6.19.1 Minimum requirements for canopy trees **Site Area (prior to development or re-development)** / **Minimum canopy tree requirements** 200m² – 600m² / 1 small canopy tree per 200m² of site 601m² – 1,500m² / 1 medium canopy tree per 300m² of site 1,501m² or more / 1 large canopy tree or 2 medium canopy trees per 500m² of site **Figure H5.6.19.1 Example of the Deep soil area requirements and the relationship with Landscaped area and the Safety and privacy buffer** 			
40.	**H5.6.20 Safety and privacy buffer from private pedestrian and vehicle accessways** Purpose: to provide a reasonable standard of safety and privacy for ground floor dwellings located adjacent to pedestrian and vehicle accessways. (1) A minimum 1m buffer areas must be provided between a dwelling and private pedestrian and/or vehicle accessways as shown in Figure H5.6.19.1 Example of Deep soil area requirements and the relationship with Landscape area and the Safety and privacy buffer above. (2) The buffer area must be: (a) free of buildings, parking spaces, servicing and manoeuvring areas. (b) Planted with shrubs or ground cover plants.	Oppose	It is not a method retained in the MDRS. This matter would be better placed as assessment criteria rather than as standards. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete the proposed new standard.
41.	**H5.6.21 Residential waste management** Purpose: To provide accessible on-site storage space for waste bins and safe vehicle access for the collection of waste (refuse, recyclables and food scraps) for dwellings. (1) On-site waste storage using individual or communal waste bins must be provided as follows: (a) Where individual bins are used, a total storage space of 1.4m2 per dwelling. (b) Where communal bins are used, the total storage space provided must be calculated in accordance with the Auckland Council's Solid Waste Calculator. (c) The location of bins must: (i) be visually screened from within the site, from the street and/or adjacent sites. (ii) not require bins to be transported through dwellings, across unpaved surfaces or up and down stairs or steep gradients (refer to Transport E27.6.6.2) (iii) be accessible for collectors and residents with a minimum on-site footpath width of 1.35m; and (v) provide lighting (refer to Lighting E24.6.2) between storage locations and collection points. (2) Where kerbside collection is used, there must be kerbside space of at least 1m per dwelling, contained within the road frontage of the site without impeding the public footpath. Developments that cannot comply with this will instead need to comply with H5.6.21(3) and either H5.6.21(4) or (5). (3) Four or more dwellings using a private collection service must provide a waste management and minimisation plan. (4) Where on-site collection of individual waste bins is used, there must be a space of at least 1m2 per dwelling in an accessible location for the collection vehicle for collection of individual bins from shared driveways within the site. (5) Where on-site collection of communal waste bins is used, there must be an accessible location for collection of communal bins by a collection vehicle within the site. (6) A waste management and minimisation plan must be provided and implemented for 10 or more dwellings.	Oppose	It is not a method retained in the MDRS. This matter would be better placed as a broader assessment criteria rather than as standards. The new information requirement for a waste minimisation plan for 10+ dwellings is an additional cost that is not warranted and would not be monitored following grant of consent. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete the proposed new standard.

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	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
42.	**H5.7. Assessment – controlled activities** ~~There are no controlled activities in this zone.~~ H5.7.1. Matters of control The Council will restrict its control to all of the following matters when assessing a controlled activity resource consent application: (1) For one dwelling per site subject to a Significant Ecological Area Overlay: (a) The extent to which the built development is designed to minimise or mitigate adverse effects on the ecological values of the relevant significant ecological area; (b) The location, bulk and scale of built development relative to the surrounding ecological values H5.7.2 Assessment criteria The Council will consider the assessment criteria below for controlled activities to the extent relevant to the proposal: (1) For one or more dwellings per site subject to a Significant Ecological Area Overlay: (a) refer to Policy H5.3(15)	Oppose	It is considered that effects of development in proximity to an SEA are already suitably dealt with via Chapter D9 and E15. The inclusion is not necessary and undermines the existing AUP framework and the efficient use of land.	Delete the proposed new assessment criteria	2040.51
H5.8. Assessment – restricted discretionary activities					
43.	**H5.8. Assessment – restricted discretionary activities** H5.8.1. Matters of discretion The Council will restrict its discretion to all of the following matters when assessing a restricted discretionary activity resource consent application: (1) (c) the effects of the development on the safe access for pedestrians on the adjacent road network.	Oppose	This does not correspond to an effect from the activities identified in H5(1) on the wider adjacent network. The existing matters for discretion already include traffic and access (Chapter E27 Transportation). The development contributions already include a component for local transport upgrades. It is inequitable and inefficient to target one developer to upgrade infrastructure that will likely benefit a wider area.	Delete the proposed new assessment criteria	2040.52
44.	**H5.8. Assessment – restricted discretionary activities** **H5.8.1. Matters of discretion** (2) for four or more dwellings per site: (a) the effects on the neighbourhood character, residential amenity, safety, and the surrounding residential area from all of the following: (i) building ~~intensity~~, scale and location, including: A. the way in which buildings are orientated to the street and adjoining sites, and B. the extent to which the height, roof form and design of buildings respond to the local streetscape and the planned urban built character of the surrounding area, (ia) building form and appearance including: A. use of built elements such as materials, surface and architectural detailing and roof design to create visual interest; B. use of deep soil and/or outdoor living areas, modulation, architectural features, windows, doors and breaks in building length to minimise bulk and visual dominance; C. whether design provides for the balance between resident's privacy and opportunities for passive surveillance; D. whether the design provides for privacy, and sunlight and daylight access for adjoining sites; E. the interface with an identified special character area or a scheduled historic heritage place; (ib) the extent to which the functional, day to day needs of residents are provided for in terms of: A. the size and dimensions of living areas relative to the likely occupancy levels of the dwellings; B. internal storage; C. residential waste management, including the kerbside and/or on-site capacity for residential waste management (ii) traffic; and (iii) location and design of ~~parking and~~ access (including pedestrian access) and parking (if provided). b) [deleted] ~~all of the following standards:~~ ~~(i) Standard H5.6.9 Maximum impervious areas;~~ ~~(ii) Standard H5.6.10 Building coverage;~~ ~~(iii) Standard H5.6.11 Landscaped area;~~ ~~(iv) Standard H5.6.12 Outlook space;~~	Oppose in part	Oppose the inclusion of: - deep soil within B; - introduction of interfaces with identified special character area or a scheduled historic heritage place; and - references to wider upgrades of the adjacent road network under (d) do not correspond to the quantum of effects from the activities this is triggered by i.e. 4 dwellings. There are already matters for pedestrian access under (iii). The development contributions already include a component for local transport upgrades. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete the proposed new assessment criteria (ia) building form and appearance including: A. use of built elements such as materials, surface and architectural detailing and roof design to create visual interest; B. ~~use of deep soil and~~/or outdoor living areas, modulation, architectural features, windows, doors and breaks in building length to minimise bulk and visual dominance; C. whether design provides for the balance between resident's privacy and opportunities for passive surveillance; D. whether the design provides for privacy, and sunlight and daylight access for adjoining sites; ~~E. the interface with an identified special character area or a scheduled historic heritage place;~~ (ib) the extent to which the functional, day to day needs of residents are provided for in terms of: ~~A. the size and dimensions of living areas relative to the likely occupancy levels of the dwellings;~~ ~~B. internal storage;~~ C. residential waste management, including the kerbside and/or on-site capacity for residential waste management. … ~~(d) the effects of the development on the safe access for pedestrians on the adjacent road network.~~	2040.53

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	~~(v) Standard H5.6.13 Daylight; (vi) Standard H5.6.14 Outdoor living space;~~ ~~(vii) Standard H5.6.15 Front, side and rear fences and walls; and~~ ~~(viii) Standard H5.6.16 Minimum dwelling size~~ (c)~~.~~ the effects on infrastructure and servicing including: (i) Existing infrastructure capacity. (d) the effects of the development on the safe access for pedestrians on the adjacent road network.				
45.	**H5.8. Assessment – restricted discretionary activities** **H5.8.1. Matters of discretion** (3) for integrated residential development: (a) the effects on the neighbourhood character, residential amenity, safety, and the surrounding residential area from all of the following: (i) building ~~intensity,~~ scale, location, form and appearance including the extent to which buildings as viewed from the street or public places are designed to minimise visual dominance effects taking into account: A. the planned urban built character of the zone; B. the location, orientation and design of development; and C. the effect of the proposed height on the surrounding and neighbouring development. (ii) traffic; (iii) location and design of parking and access (including pedestrian access) and parking (if provided); and (iv) noise, lighting and hours of operation. (b) [deleted] ~~all of the following standards:~~ ~~(i) Standard H5.6.9 Maximum impervious areas;~~ ~~(ii) Standard H5.6.10 Building coverage;~~ ~~(iii) Standard H5.6.11 Landscaped area;~~ ~~(iv) Standard H5.6.12 Outlook space;~~ ~~(v) Standard H5.6.13 Daylight;~~ ~~(vi) Standard H5.6.14 Outdoor living space;~~ ~~(vii) Standard H5.6.15 Front, side and rear fences and walls; and~~ ~~(viii) Standard H5.6.16 Minimum dwelling size.~~ (c) Infrastructure and servicing (d) the effects of the development on the safe access for pedestrians on the adjacent road network.	Oppose in part	the effect of the proposed height on the surrounding and neighbouring development should only be required in terms of additional height over and above the zone standard.	Amend the proposed new assessment criteria to refer to "C. the effect of the proposed additional height above the zone standards on the surrounding and neighbouring development." ~~(d) the effects of the development on the safe access for pedestrians on the adjacent road network.~~	2040.54
46.	**H5.8. Assessment – restricted discretionary activities** **H5.8.1. Matters of discretion** (6) For more than one dwelling per site in areas identified on the planning maps as being subject to the Infrastructure –Combined Wastewater Network Control or the Infrastructure – Water and Wastewater Constraints Control. (a) Infrastructure and servicing. (7) For more than one dwelling per site in areas identified on the planning maps as being subject to the Infrastructure –Stormwater Disposal Constraints Control. (a) Stormwater disposal.	Oppose	These effects are already managed by Chapter E8 for 1 dwellings and additions and alternations to. Furthermore, **H5.8. Assessment – restricted discretionary activities** for four or more dwellings per site deals with infrastructure capacity.	Delete the proposed new assessment criteria	2040.55
47.	**H5.8.2. Assessment criteria** (1) for supported residential care accommodating greater than 10 people per site inclusive of staff and residents; boarding houses accommodating greater than 10 people per site inclusive of staff and residents; visitor accommodation accommodating greater than 10 people per site inclusive of staff and visitors; dairies up to 100m2 gross floor area per site; care centres accommodating greater than 10 people per site excluding staff; community facilities; and healthcare facilities up to 200m2 gross floor area per site: (a) infrastructure and servicing: (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. (b) building ~~intensity~~, scale, location, form and appearance:	Support in part	Support removal of 'intensity' though ensure remove from (1)(b)(i) for consistency. Remove requirement for off-site roading or pedestrian upgrades	Amend and retain text as identified in reasons for submission. ~~(f) The extent to which the adjacent road network provides safe pedestrian movements~~.	2040.56

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:
	(i) whether the intensity and scale of the activity, the building location, form and appearance is of a high-quality and compatible with the character and residential amenity provided for within the zone and compatible with the surrounding residential area. (c) traffic: (i) whether the activity avoids or mitigates high levels of additional non-residential traffic on local roads. (d) location and design ~~of parking~~ and access (including pedestrian access) and parking (if provided): (i) whether adequate ~~parking and~~ access is provided or required. (ii) whether car parking and accessways are integrated into the overall design of the development (iii) whether parking is located away from street frontages and screened from the street by buildings or landscaping (iv) Whether safe, well-lit pedestrian access is provided and integrated into the design of the development. (e) noise, lighting and hours of operation: (i) whether noise and lighting and the hours of operation of the activity avoids, remedies or mitigates adverse effects on the residential amenity of surrounding properties, by: • locating noisy activities away from neighbouring residential boundaries; • screening or other design features; and • controlling the hours of operation and operational measures (f) The extent to which the adjacent road network provides safe pedestrian movements.			
48.	**H5.8.2. Assessment criteria** The Council will consider the assessment criteria below for restricted discretionary activities to the extent relevant to the proposal: (2) for four or more dwellings on a site: (a) the extent to which or whether the development achieves the purpose outlined in the ~~following~~ relevant standards identified in Table 5.4.1 or what alternatives are provided that result in the same or a better outcome.~~:~~ (i) [deleted]~~Standard H5.6.9 Maximum impervious areas;~~ (ii) [deleted]~~Standard H5.6.10 Building coverage;~~ (iii) [deleted]~~Standard H5.6.11 Landscaped area;~~ (iv) [deleted]~~Standard H5.6.12 Outlook space;~~ (v) [deleted]~~Standard H5.6.13 Daylight;~~ (vi) [deleted]~~Standard H5.6.14 Outdoor living space;~~ (vii) [deleted]~~Standard H5.6.15 Front, side and rear fences and walls; and~~ (viii) [deleted]~~Standard H5.6.16 Minimum dwelling size.~~ (aa) the extent to which the scale of the activity, the building location, form and appearance is of a high-quality and compatible with the planned urban built character and residential amenity of the surrounding residential area provided for within the zone. (ab) the extent to which buildings are designed to manage building length and bulk and visual dominance by: (i) placing taller buildings on the street front (ii) varying roof form and building height (iii) using modulation and architectural features to break up the mass of buildings into visually distinct elements (iv) using the proportions and arrangement of windows and doors to provide relief to building length and bulk (v) using other building elements including materials, surface detailing, architectural detail and roof design to provide visual interest along building facades including blank side/party walls (vi) providing adequate breaks in long continuous buildings to minimise the appearance of length (vii) locating deep soil areas and/or communal outdoor spaces around and between buildings to provide space and soften the built form (viii) designing balconies as an integral part of the building (ac) the extent to which buildings use quality, durable and easily maintainable materials. (ad) the extent to which buildings adjoining or across the street from an identified special character area or a scheduled historic heritage place are designed to respect the prevailing character of the area or key historic heritage design and location elements of that place. New and contemporary interpretations in form and detail may be used. (ae) the extent to which building frontage contribute positively to the visual amenity and safety of public streets, public open spaces, and private vehicle and pedestrian accessways by: (i) having clearly defined fronts that provide passive surveillance from windows and balconies .	Oppose in part	Oppose the references to: - Deep soil and communal open space in (ab)(vii) and (fe). - References to the need for wider upgrades of the adjacent road network under (d) and (gd). For the latter it is not considered that the quantum of effects corresponds to the activities it triggers. There are already matters for pedestrian access under (iii). The development contributions already include a component for local transport upgrades. - The additional assessment criteria under (ad) for the interface with an identified special character area or a scheduled historic heritage place is not considered an effective method nor warranted by an effect.	Delete the relevant assessment criteria wording as noted: (aa) the extent to which the scale of the activity, the building location, form and appearance ~~is of a high-quality and~~ compatible with the planned urban built character and residential amenity of the surrounding residential area provided for within the zone. … (ab) ~~(vii) locating deep soil areas and/or communal outdoor spaces around and between buildings to provide space and soften the built form~~ … ~~(ac) the extent to which buildings use quality, durable and easily maintainable materials.~~ ~~(ad) the extent to which buildings adjoining or across the street from an identified special character area or a scheduled historic heritage place are designed to respect the prevailing character of the area or key historic heritage design and location elements of that place. New and contemporary interpretations in form and detail may be used.~~ … ~~(i) The extent to which the adjacent road network enables safe pedestrian movements.~~

2040.57

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:
	(ii) maximising doors, windows and balconies over all levels on the front façades whilst not impacting on privacy. (iii) maximising the number of dwellings on the site that directly front, align and orientate to public streets . (iv) ground level dwellings closest to the street each have direct and clearly defined pedestrian access from the street in preference to a single building entrance. (v) where a site adjoins public open space, buildings include entrances, windows of habitable rooms and balconies facing the open space. (af) the extent to which site layout creates legible, visible attractive, safe and well-lit connections between dwellings and the street. (b) [deleted]~~The extent to which the development contributes to a variety of housing types at higher densities in the zone and is in keeping with the neighbourhood's planned urban built character of predominantly three storey buildings (attached or detached) by limiting the height, bulk and form of the development and managing the design and appearance as well as providing sufficient setbacks and landscaped areas.~~ (c) [deleted]~~The extent to which development achieves attractive and safe streets and public open space by:~~ ~~(i) providing doors, windows and/or balconies facing the street and public open spaces~~ ~~(ii) minimising tall, visually impermeable fences~~ ~~(iii) designing large scale development (generally more than 15 dwellings) to provide for variations in building form and/or façade design as viewed from streets and public open spaces.~~ ~~(iv) optimising front yard landscaping (v) providing safe pedestrian access to buildings from the street~~ ~~(vi) minimising the visual dominance of garage doors, walkways or staircases to upper level dwellings, and carparking within buildings a viewed from streets or public open spaces~~ (d) [deleted]~~The extent to which the height, bulk and location of the development maintains a reasonable standard of sunlight access and privacy and minimises visual dominance to adjoining sites;~~ (e) [deleted]~~The extent to which dwellings:~~ ~~(i) Orientate and locate windows to optimise privacy and encourage natural cross ventilation within the dwelling~~ ~~(ii) Optimise sunlight and daylight access based on orientation, function, window design and location, and depth of the dwelling floor space~~ ~~(iii) Provide secure and conveniently accessible storage for the number and type of occupants the dwelling is designed to accommodate.~~ ~~(iv) Provide the necessary waste collection and recycling facilities in locations conveniently accessible and screens from streets and public open spaces.~~ (f) [deleted]~~The extent to which outdoor living space:~~ ~~(i) Provides for access to sunlight~~ ~~(ii) Provides privacy between the outdoor living space of adjacent dwellings on the same site and between outdoor living space and the street.~~ ~~(iii) When provided at ground level, is located on generally flat land or otherwise functional~~ (fa) refer to Policy H5.3(A1); (fb) refer to Policy H5.3(C1); (fc) refer to Policy H5.3(D1); (fd) refer to Policy H5.3(E1); (fe) refer to Policy H5.3(6A) (g) [deleted]~~refer to Policy H5.3(7); and~~ (ga) refer to Policy H5.3(10); (gb) refer to Policy H5.3(11); (gc) refer to Policy H5.3(12); (gd) refer to Policy H5.3(14); (h) infrastructure and servicing: (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. (i) The extent to which the adjacent road network enables safe pedestrian movements.			
49.	**H5.8.2. Assessment criteria** (3) for integrated residential development: (a) the extent to which or whether the development achieves the purpose outlined in the following relevant standards and identified in Table H5.4.1 or what alternatives are provided that result in the same or a better outcome: (i) [deleted] ~~Standard H5.6.9 Maximum impervious areas;~~ (ii) [deleted] ~~Standard H5.6.10 Building coverage;~~ (iii) [deleted] ~~Standard H5.6.11 Landscaped area;~~ (iv) [deleted] ~~Standard H5.6.12 Outlook space;~~ (v) [deleted] ~~Standard H5.6.13 Daylight;~~ (vi) [deleted] ~~Standard H5.6.14 Outdoor living space;~~	Oppose in part	Oppose the references to: - deep soil and communal open space in 3(g). - references to the need for wider upgrades of the adjacent road network under (l). It is not considered that the quantum of effects corresponds to the activities it triggers. The level of service within the existing road reserve is the responsibility of Auckland Transport. The development contributions already include a component for local transport upgrades.	Delete the relevant assessment criteria. ~~(l) The extent to which the adjacent road network enable safe pedestrian movements, including:~~ ~~i. Footpaths of at least 1.8m in width~~ ~~ii. Facilities to safely and conveniently cross the road including pram crossings, and tactile paving,~~ ~~iii. Narrowed pedestrian crossing distances of vehicle carriageways~~ ~~iv. Front berms to separate pedestrians from traffic.~~

2040.58

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	(vii)[deleted] ~~Standard H5.6.15 Front, side and rear fences and walls; and~~ (viii) [deleted] ~~Standard H5.6.16 Minimum dwelling size (excluding retirement villages).~~ (aa) refer to Policy H5.3(C1) (ab) refer to Policy H5.3(D1) (ac) refer to Policy H5.3(E1) (b) [deleted] ~~refer to Policy H5.3(1);~~ (c) [deleted] ~~refer to Policy H5.3(2);~~ (d) [deleted] ~~refer to Policy H5.3(3);~~ (e) [deleted] ~~refer to Policy H5.3(4);~~ (f) [deleted] ~~refer to Policy H5.3(5);~~ (g) refer to Policy H5.3(6A); (h) [deleted] ~~refer to Policy H5.3(7);13~~ (i) refer to Policy H5.3(8); (j) refer to Policy H5.3(9); ~~and~~ (ja) refer to Policy H5.3(11); (jb) refer to Policy H5.3(12); (ic) refer to Policy H5.3(14); and (k) infrastructure and servicing: (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. (l) The extent to which the adjacent road network enable safe pedestrian movements, including: i. Footpaths of at least 1.8m in width ii. Facilities to safely and conveniently cross the road including pram crossings, and tactile paving, iii. Narrowed pedestrian crossing distances of vehicle carriageways iv. Front berms to separate pedestrians from traffic.		- Infrastructure provision is already included within existing assessment criteria (k) the cross reference under 3(jb) is unnecessary.		
50.	**H5.8.2. Assessment criteria** (4) for building height: (aa) refer to Policy H5.3(A1); (ba) refer to Policy H5.3(B1); (ca) refer to Policy H5.3(E1); (da) refer to Policy H5.3(6A); (a) ~~refer to Policy H5.3(2~~); (b) ~~refer to Policy H5.3(4).,~~ and **Visual dominance** (4) 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: (i) the planned urban built character of the zone; and (ii) the location, orientation and design of development. (iii) the effect of the proposed height on the surrounding and neighbouring development.	Oppose in part	Consideration of the effect of the proposed height on the surrounding and neighbouring development should only be required in terms of additional height over and above the zone standard.	Amend the proposed new assessment criteria to refer to: "iii. the effect of the proposed additional height above the zone standards on the surrounding and neighbouring development."	2040.59
51.	**H5.8.2. Assessment criteria** (6) for height in relation to boundary: (aa) refer to Policy H5.3(A1); (ba) refer to Policy H5.3(E1); (ba) refer to Policy H5.3(6A) and (a) ~~refer to Policy H5.3(2);~~ (b) ~~refer to Policy H5.3(4); and~~ (c) ~~refer to Policy H5.3(5).~~ **Sunlight access** (d) Whether sunlight access to the outdoor living space of an existing dwelling on a neighbouring site satisfies the following criterion:13 Four hours of sunlight is retained between the hours of 9am – 4pm during the Equinox (22 September): (i) over 75% of the existing outdoor living space where the area of the space is greater than the minimum required by Standard H5.6.4: or	Oppose in part	Consideration of the effect of the proposed height in relation to boundary infringement on the surrounding and neighbouring development should only be required in terms of additional bulk over and above the zone standard.	Amend the proposed new assessment criteria to refer to additional HIRB infringements over the standard.	2040.60

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	(ii) over 100% of existing outdoor living space where the area of this space is equal to or less than the minimum required by Standard H5.6.14. (e) 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 (a): (i) 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 Height in relation to boundary control; and (ii) 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. **Visual dominance** (f) 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: (i) the planned urban built character of the zone; (ii) the location, orientation and design of development; and (iii) the physical characteristics of the site and the neighbouring site. (iv) the design of side and rear walls, including appearance and dominance; and (v) providing adequate visual and/or physical break up of long continuous building forms. **Overlooking and privacy** (g) 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.				
52.	**H5.8.2. Assessment criteria** (12) for landscaped area: (aa) refer to Policy H5.3(A1); (ba) refer to Policy H5.3(C1); (ca) refer to Policy H5.3(6A); (da) refer to Policy H5.3(10); and (a) [deleted] ~~refer to Policy H5.3(2);~~ (b) [deleted] ~~refer to Policy H5.3(4); and~~ (c) [deleted] ~~refer to Policy H5.3(5).~~ (d) the extent to which existing trees are retained.	Oppose	The are no general tree protection controls.	Delete the additional assessment criteria.	2040.61
53.	**H5.8.2. Assessment criteria** (14) for daylight: (aa) refer to Policy H5.3(D1); (ab) refer to Policy H5.3(6A); and (a) [deleted] ~~refer to Policy H5.3(2);~~ (b) [deleted] ~~refer to Policy H5.3(4); and~~ (c) [deleted] ~~refer to Policy H5.3(5).~~	Oppose	It is not a method retained in the MDRS.	Delete H5.8.2. in its entirety	2040.62
54.	**H5.8.2. Assessment criteria** (15) for outdoor living space: (aa) refer to Policy H5.3(A1); (ba) refer to Policy H5.3(D1); and (a) [deleted] ~~refer to Policy H5.3(2);~~ (b) [deleted] ~~refer to Policy H5.3(4);~~ (c) [deleted] ~~refer to Policy H5.3(5); and~~ (d) [deleted] ~~refer to Policy H5.3(6). and;~~ (e) The extent to which dwellings provide private open space and communal open space that is useable, accessible from each dwelling and attractive for occupants.	Oppose in part	The inclusion of 'communal' open space is unnecessary with the private open space requirements sufficient. The provision for wider public open is the responsibility of Council not developers. A specific open space development contribution is already payable for each dwelling. The use of the term attractive can be ambiguous and open to interpretation.	Deletion of this text. (e) The extent to which dwellings provide private open space ~~and communal open space~~ that is useable, and accessible from each dwelling ~~and attractive~~ for occupants.	2040.63
55.	**H5.8.2. Assessment criteria** (15A) For windows to street and private vehicle and pedestrian accessways (a) refer to Policy H5.3(C1) (b) refer to Policy H5.3(6A); and	Oppose in part	The text goes beyond MDRS in terms of referencing private vehicle and pedestrian accessways.	Deletion of the following text. H5.8.2. Assessment criteria (15A) For windows to street ~~and private vehicle and pedestrian accessways~~	2040.64

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	(c) The extent to which the glazing: (i) allows views to the street and/or accessways to ensure passive surveillance; and (ii) provides a good standard of privacy for occupants.			(a) refer to Policy H5.3(C1) (b) refer to Policy H5.3(6A); and (c) The extent to which the glazing: (i) allows views to the street ~~and/or accessways~~ to ensure passive surveillance; and (ii) provides a good standard of privacy for occupants.	
56.	**H5.8.2. Assessment criteria** (18) for deep soil area and canopy tree (a) refer to Policy H5.3(6A); (b) The extent to which the proposed deep soil area uses or adds to existing deep soil areas to support canopy trees; and	Oppose	It is not a method retained in the MDRS. It is not efficient use of land, and is neither effective or efficient.	Delete entire assessment criteria.	2040.65
57.	**H5.8.2. Assessment criteria** (19) for safety and privacy buffer from private pedestrian and vehicle accessways: (a) refer to Policy H5.3(6A); and (b) the extent to which the buffer is: (i) free of buildings, parking spaces, structures, servicing facilities and manoeuvring areas; (ii) planted with suitable and low level plants.	Oppose	It is not a method retained in the MDRS. This matter would be better placed as assessment criteria rather than as standards.	Delete entire assessment criteria.	2040.66
58.	**H5.8.2. Assessment criteria** (20) For residential waste management: (a) refer to Policy H5.3(D1) (b) refer to Policy H5.3(6A); (c) refer to Policy H5.3(10); (d) The extent to which sufficient space is provided for residential waste management that is suitably located for ease of movement to collection points; (e) The extent to which the waste management area is designed to minimise visibility; (f) How the development intends to ensure the on-going management and maintenance of any communal residential waste management area; (g) Whether waste storage areas are located outside windows or doors to bedrooms, living areas and outdoor living areas to avoid effects of odour and noise; and (h) Whether waste management vehicle can safely undertake collection.	Oppose in part	Consider matters related to waste should be included in the assessment criteria for 4+ dwellings and integrated residential development.	Delete section (20) and move necessary criteria to H5.8.2. (1), (2) and (3).	2040.67
59.	**H5.8.2. Assessment criteria** (21) For more than one dwelling per site in areas identified on the planning maps as being subject to the Infrastructure – Combined Wastewater Network Control or the Infrastructure – Water and Wastewater Constraints Control: (a) Whether there is adequate capacity in the existing public reticulated water supply and / or wastewater network to service the proposed dwelling(s). (b) Whether sufficient water supply and access to water supplies for firefighting purposes in accordance with the NZ Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 is available. (c) Whether there is the ability to connect the dwelling(s) to a reticulated water supply and / or wastewater network in the future.	Oppose	These effects are already managed by Chapter E8 and the assessment criteria under H5.8.2.(1), (2) and (3).	Delete proposed text.	2040.68
60.	**H5.8.2. Assessment criteria** (22) For more than one dwelling per site in areas identified on the planning maps as being subject to the Infrastructure – Stormwater Disposal Constraints Control. (a) Whether stormwater can be disposed via a connection to the public stormwater network. (b) Whether stormwater from the site can be disposed of in accordance with the current version of Guideline Document 007 Stormwater Soakage and Groundwater Recharge in the Auckland Region, and the Auckland Stormwater Code of Practice.	Oppose	These effects are already managed by Chapter E8 and the assessment criteria under H5.8.2.(1), (2) and (3).	Delete proposed text.	2040.69
H5.9. Special information requirements					
61.	**Landscaped Plan as required by H5.6.11 Landscape area** (1) A scaled landscape plan must be provided that contains landscaped areas and includes: (a) Plant and tree species, number of each species to be planted and planting grades; (b) Canopy of existing trees to be retained; (c) Any area of grass; and15 (d) Any paths included in landscaped area.	Oppose	Chapter C1.2.(1) already addresses this matter - no need for a specific information requirement.	Delete proposed text.	2040.70

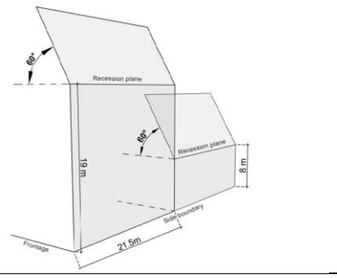
	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
62.	**Deep Soil Area and Canopy Tree** (2) The deep soil area provided must be demonstrated on a scaled landscape plan that at a minimum identifies the following: (a) plant and tree species, number of each species to be planted and planting grades; (b) location of existing trees to be retained; (c) dimensions of individual mature tree canopy; (d) any areas of grass; and (e) Minimum tree canopy dimensions are specified in Table H5.9(3) below. **Table H5.9(3) Minimum tree canopy dimension** | | Minimum mature tree height | Minimum mature canopy diameter | Minimum tree height above ground when planted | Indicative tree planting grade | | --- | --- | --- | --- | --- | | Small | 8m | 6m | 2m | 120L | | Medium | 10m | 8m | 2.5m | 160L | | Large | 15m | 12m | 3m | 200L |	Oppose	It is not a method retained in the MDRS. It is not efficient use of land, and is neither effective or efficient.	Delete proposed text.	2040.71
63.	**Residential waste management** (3) Applications for where communal bins are proposed, must include calculations for required storage space as determined using the Auckland Council's Solid Waste Calculator (Standard H5.6.21(1)(b)). (4) When preparing the waste management and minimisation plan, applicants should refer to the Waste Management and Minimisation Bylaw 2019. The following information must be provided at a minimum: a) the estimate of the volume of waste by the type of waste created, collected, received, stored or disposed of; b) the frequency, location, access and on-site route of waste collection or transportation; and c) the method of waste collection, transportation or disposal.	Neutral	Needs to be clear that it only relates to communal collection.	Clarify that this is only related to communal collection.	2040.72
	H6. Residential – Terrace Housing and Apartment Buildings Zone				
64.	**H6.1. Zone Description** The Residential – Terrace Housing and Apartment Buildings Zone is a high-intensity zone enabling a ~~greater~~ high ~~-~~ intensity of residential development ~~than previously provided for~~. This zone provides for urban residential living in a range of ~~the~~ forms ~~of~~ including terrace housing and apartments. The zone is predominantly located around metropolitan, town and local centres and the public transport network to support the highest levels of intensification. The purpose of the zone is to make efficient use of land and infrastructure, increase the capacity of housing and ensure that residents have convenient access to services, employment, education facilities, retail and entertainment opportunities, public open space and public transport. This will promote walkable neighbourhoods and increase the vitality of centres. The zone provides for the greatest density, height and scale of development of all the residential zones. Within walkable catchments, as identified on the planning maps, development of at least six storeys is enabled unless qualifying matters apply. Outside the walkable catchments, ~~B~~buildings are enabled up to at least five storeys ~~six or seven storeys in~~. In identified Height Variation Control areas buildings of seven or more storeys are enabled. Permitted height standards vary depending on the scale of the adjoining centre, to achieve a transition in height from the centre to adjoining ~~lower scale~~ residential zones. ~~This form of development will, o~~The zone anticipates the greater intensity of development will transition neighbourhoods ~~and over time~~, ~~result in a change~~ from a suburban character to urban built character with a corresponding ~~a high~~ degree of visual change. The zone enables a mix of housing types including three-storey attached and detached dwellings, terraced housing and apartment buildings and integrated residential developments such as retirement villages and Papakāinga. The Residential – Terrace Housing and Apartment Buildings Zone is a relevant residential zone as defined in the RMA. The zone incorporates Medium Density Residential Standards (MDRS). The development outcomes anticipated by the RMA are enabled in the zone and are less enabling of development where one or more qualifying matters apply. Standards are applied to all buildings and resource consent is required for ~~all~~ developments with four or more dwellings and for other specified buildings and activities in order to: • achieve the planned urban built character of the zone;	Support in part	The suitability of a walkable catchment can vary depending on a number of factors, including topography, connectivity and access to a regular public transport network. In some cases, there may be sites that are located outside a 'walkable catchment' that are suitable for additional intensification and building height. Such sites should be considered on their merits having regard to their context and their ability to provide additional housing choice in an area that is well served by a range of amenities, including public transport.	Amend the zone description as follows: The zone provides for the greatest density, height and scale of development of all the residential zones. Within walkable catchments, as identified on the planning maps, development of at least six storeys is enabled unless qualifying matters apply. Outside the walkable catchments, ~~B~~buildings are enabled up to at least five storeys ~~six or seven storeys in~~. In identified Height Variation Control areas buildings of seven or more storeys are enabled or where appropriate, additional height, having regard to the context of the site and the ability to provide additional housing choice in an area that is well served by a range of amenities, including public transport. Permitted height standards vary depending on the scale of the adjoining centre, to achieve a transition in height from the centre to adjoining ~~lower scale~~ residential zones. Any other consequential changes that would give effect to the relief sought in this submission	2040.73

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	• achieve attractive and safe streets and public open spaces; • manage the effects of development on adjoining sites, including visual amenity, privacy and access to daylight and sunlight; and • achieve high quality on-site living environments. The resource consent requirements for four or more dwellings enable the design and layout of the development to be assessed; recognising that the need to achieve a quality design is increasingly important as the scale of development increases. This zone also provides for a range of non-residential activities so that residents have convenient access to these activities and services while maintaining the urban residential character of these areas.				
H6.2. Objectives					
65.	(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 three-storey buildings.	Support in part	Additional wording proposed to clarify the objectives of the zone.	Amend the text as follows: ii The neighbourhood's planned urban built character, including three-storey attached and detached dwellings, terraced housing and apartment buildings and integrated residential developments such as retirement villages and Papakāinga; and iii Walkable catchments and/or other accessibility to frequent public transport to enable multilevel apartment typologies featuring a range of building heights that respond to the context of the site.	2040.74
66.	(1A) Development of at least six storeys is enabled within walkable catchments, with seven or more storey buildings in identified areas, while also achieving a high-quality built environment.	Oppose in part	The term 'high-quality built environment' is open to subjectivity and will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete the proposed wording or reword to delete reference to high quality building.	2040.75
67.	(2) Development outside walkable catchments is in keeping with the areas' changing planned urban built character of predominantly five storeys or six or seven storey buildings where specified in identified areas, in a variety of forms.	Oppose in part	The suitability of a walkable catchment can vary depending on a number of factors, including topography, connectivity and access to a regular public transport network. In some cases, there may be sites that are located outside a 'walkable catchment' that are suitable for additional intensification and building height. Such sites should be considered on their merits having regard to their context and their ability to provide additional housing choice in an area that is well served by a range of amenities, including public transport.	(2) Development outside walkable catchments is in keeping with the areas' changing planned urban built character of predominantly five storeys or six or seven storey buildings where specified in identified areas, or where appropriate, having regard to the context of the site and the ability to provide additional housing choice in an area that is well served by a range of amenities, including public transport. ~~in a variety of forms.~~	2040.76
68.	(3) Development provides high-quality amenity: a. on-site ~~residential amenity~~ for residents; b. to adjoining sites; and c. to the street.	Oppose	The inclusion of 'high' and 'amenity' does not reconcile with the outcomes of the MDRS standards of the zone as they exist or are proposed. The term 'high-quality amenity' is open to subjectivity and will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Retain existing wording.	2040.77
69.	(4) Non-residential activities provide for the community's social, economic and cultural well-being, while being compatible with the scale and intensity of development anticipated by the zone so as to contribute to the amenity of the neighbourhood.	Support	Providing for non-residential activities will provide for the community's social, economic and cultural well-being of the community and support the MDRS outcomes.	Retain existing wording.	2040.78
70.	(5) Development contributes to a high-quality built environment that is resilient to the effects of climate change.	Oppose	The term 'high-quality built environment' is open to subjectivity and will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete the proposed wording or reword to delete reference to high quality building.	2040.79
71.	(8) (Enable safer pedestrian movement within the immediate locality of higher density developments to ensure ease of pedestrian movement to the rapid transport stops.	Oppose	The policy addresses aspects of a site that are located outside the zone boundary. Chapter 27 Transportation addresses pedestrian safety for developments that adjoin the road.	Delete the proposed wording	2040.80
72.	(9) Development is enabled on sites subject to significant ecological areas where it provides for the protection and management of the significant ecological values.	Oppose	It is considered that effects of development on SEA are already suitably dealt with via Chapter D9 and E15. The inclusion in the zone is not necessary and undermines the existing AUP framework and the efficient use of land.	Delete the proposed wording	2040.81
H6.3. Policies					

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
73.	(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.	Support in part	Will generally give effect to the MDRS and the NPSUD	Retain proposed Policy	2040.82
74.	(1) Enable a variety of housing types at high densities including terrace housing and low to mid-rise and higher rise apartments within walkable catchments and integrated residential development such as retirement villages.	Oppose in part	Additional wording proposed to recognise that some sites located outside the walkable catchment may still be suitable for additional intensity.	(1) Enable a variety of housing types at high densities including terrace housing and low to mid-rise and higher rise apartments within walkable catchments and integrated residential development such as retirement villages or where appropriate, having regard to the context of the site and the ability to provide additional housing choice in an area that is well served by a range of amenities, including public transport.	2040.83
75.	(2) Require the height, bulk, form and appearance of multi-unit development ~~and the provision of setbacks and landscaped areas~~ to achieve a high-quality built environment: (a) with a high-density urban built character of predominantly five, six or seven storey buildings in identified areas; and (b) through building and site design which locates bulk and mass towards the street and provides for setbacks, outlook spaces, private and communal outdoor spaces and landscaped areas~~., in a variety of forms.~~	Oppose	The term 'high-quality built environment' is open to subjectivity and will not be efficient or effective in achieving the outcomes sought by the MDRS standards. Additional wording proposed to recognise that some sites located outside the walkable catchment may still be suitable for additional intensity.	Reword the policy as follows: (2) Require the height, bulk, form and appearance of multi-unit development ~~and the provision of setbacks and landscaped areas~~ to achieve a reasonable ~~high~~-quality built environment: (a) with a high-density urban built character of predominantly five, six or seven storey buildings in identified areas or where appropriate, having regard to the context of the site and the ability to provide additional housing choice in an area that is well served by a range of amenities, including public transport.; and (b) through building and site design which locates bulk and mass towards the street and provides for setbacks, outlook spaces, private and communal outdoor spaces and landscaped areas~~., in a variety of forms.~~	2040.84
76.	(A4) 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 resident's' safety and privacy while enabling passive surveillance on the street; (c) minimising visual dominance effects on 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; (f) minimising the maximum impervious area on a site in order to manage 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; and (h) designing practical, sufficient space for residential waste management; and (i) designing practical, sufficient space for internal storage and living areas.	Oppose	The term 'high-quality built environment' is open to subjectivity and will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	(A4) Require development to achieve a ~~built~~ planned urban form that contributes to reasonable ~~high~~-quality built environment outcomes by: (a) maintaining a reasonable level of 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 on adjoining sites; (d) maintaining a reasonable 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; (f) minimising the maximum impervious area on a site in order to manage 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;	2040.85

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
				(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~~; and (h) designing practical, sufficient space for residential waste management; and (ii) designing practical, sufficient space for internal storage and living areas.	
77.	(4) In identified locations adjacent to centres, enable greater building height ~~through the~~ of five storey's outside walkable catchments, at least six storeys within walkable catchments and the application of the Height Variation Control where additional development potential is enabled and which: (a) provides an appropriate transition in building scale from the adjoining higher density business zone to neighbouring lower intensity residential zones, and; (b) supports public transport networks, social infrastructure and the vitality of the adjoining centre.	Support in part	Additional wording proposed to recognise that some sites located outside the walkable catchment may still be suitable for additional intensity.	(4) In identified locations adjacent to centres, enable greater building height ~~through the~~ of five storey's outside walkable catchments, at least six storeys within walkable catchments and the application of the Height Variation Control where additional development potential is enabled or where appropriate, having regard to the context of the site and the ability to provide additional housing choice in an area that is well served by a range of amenities, including public transport and which: (a) provides an appropriate transition in building scale from the adjoining higher density business zone to neighbouring lower intensity residential zones, and; (b) supports public transport networks, social infrastructure and the vitality of the adjoining centre.	2040.86
78.	(9) Provide for non-residential activities that: (a) support the social and economic well-being of the community; (b) are in keeping with the with the scale and intensity of development anticipated within the zone; (c) avoid, remedy or mitigate adverse effects on residential amenity; and (d) will not detract from the vitality of the Business – City Centre Zone, Business – Metropolitan Centre Zone and Business – Town Centre Zone.	Support	Providing small scale non-residential activities will support the social and economic wellbeing of the community	Retain the wording	2040.87
79.	(12) Require dwellings to be provided with access to safe and reliable drinking water and wastewater services.	Oppose	Infers that the quality of the drinking water is able to be influenced by the applicant. This is the responsibility of Watercare. Any wording should be similar to that already identified in the existing assessment criteria.	Delete the policy in its entirety.	2040.88
80.	(13) Require development of new dwellings in areas identified on the planning maps as subject to water, wastewater or stormwater infrastructure constraints, to be provided with appropriate infrastructure.	Oppose	Matters of infrastructure already addressed by Chapter E8 and assessment criteria.	Delete the policy in its entirety.	2040.89
81.	(14) Require development to contribute to safety improvements of the immediate urban road environment to achieve pedestrian connectivity to public transport.	Oppose	Requirement for the need for wider upgrades of the adjacent road network needs to be linked to an effect. The level of service within the existing road reserve is the responsibility of Auckland Transport. The development contributions already include a component for local transport upgrades.	Delete the policy in its entirety.	2040.90
82.	(15) Require buildings on sites subject to significant ecological areas to be of a scale that protects and maintains the significant ecological values of those	Oppose	It is considered that effects of development on SEA are already suitably dealt with via Chapter D9 and E15. The inclusion in the zone is not necessary and undermines the existing AUP framework and the efficient use of land.	Delete the policy in its entirety.	2040.91
H6.4 Activity Table					
83.	(A1) activities not provided for.	Oppose	It is considered activities not provided for should be DA as per Chapter C.	Amend A1 to be a Discretionary Activity	2040.92
84.	Commercial Activities	Oppose	In order to create sustainable local communities and in doing so support the intrinsic principle imbedded in the purposes of PC 78 there needs to be greater flexibility in the THAB provisions to enable a range of small-scale commercial activities to occur as permitted activities at ground level in residential developments in the walkable catchment of the THAB zone.	The submitter seeks that a wider range of commercial activities (at a small scale) are provided for in the walkable catchment of the THAB Zone as permitted activities. New Standards to be introduced to reflect the relief sought by the submitter to give effect to all commercial activities at ground level and/or street level up to 100m2 GFA	2040.93

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
				per premises to be provided for as a Permitted Activity in Table H6.4.1 with consequential amendments	
85.	**(A2A) <u>One dwelling per site subject to a Significant Ecological Area Overlay which complies with Standards E15.4.2(A29) and E15.6.5</u>**	Oppose	It is considered that effects of development on SEA are already suitably dealt with via Chapter D9 and E15. The inclusion in the zone is not necessary and undermines the existing AUP framework and the efficient use of land. Additional standards should not be added beyond the MDRS requirement. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Delete the activity from the table.	2040.94
86.	**<u>(A2B) Two or more dwellings per site subject to a Significant Ecological Area Overlay (refer to Vegetation management and biodiversity E15.4.2(A43) and E15.6.5)</u> <u>(A32B) New buildings and additions and alterations to buildings in a Significant Ecological Area Overlay which do not comply with H5.6.10(2) Building coverage.</u>**	Oppose	It is considered that effects of development on SEA are already suitably dealt with via Chapter D9 and E15. The inclusion in the zone is not necessary and undermines the existing AUP framework and the efficient use of land. Additional standards should not be added beyond the MDRS requirement for activity (A2B). The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Delete the activities from the table.	2040.95
87.	**Activity Table - Standards to be complied with (multiple activities)** <u>Standard H6.6.4A.(1) Number of dwellings per site; Standard H6.6.4B Dwellings within the Infrastructure – Combined Wastewater Network Control as identified on the planning maps; Standard H6.6.4C Dwellings within the Infrastructure – Stormwater Disposal Constraints Controls; Standard H6.6.5(1)(a) Building height; Standard H6.6.6(1) Height in relation to boundary; Standard H6.6.9 Yards; Standard H6.6.10(3) Maximum impervious area; Standard H6.6.11(2) Building coverage; Standard H6.6.12(A1), (A2) and (4) Landscaped area; Standard H6.6. 13(A1) Outlook space; Standard H6.6.15(A1) – (B1) Outdoor living space; Standard H6.6.19(1) Windows to street and private vehicle and pedestrian accessways; Standard H6.6.20 Deep soil area and canopy tree; Standard H6.6.21 Safety and privacy buffer to private pedestrian and vehicle accessways; and Standard H6.6.20 Residential waste management.</u>	Oppose	Additional standards beyond the MDRS are not required as directed by government. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Delete standards that are not identified within the MDRS.	2040.96
88.	**H6.5. Notification**	Oppose	Compliance should only be for the bulk and form and adjacent site amenity standards. Amend notification standard to make it clear that restricted discretionary matters such as earthworks, contamination, flood plains, and technical parking infringements do not remove the notification exclusions. The notification effects of these technical elements of an application will be considered in accordance with their restricted discretionary status.	Delete standards that are not identified within the MDRS. Amend the notification standard to make it clear that restricted discretionary matters such as earthworks, contamination, flood plains, and technical parking infringements do not remove the notification exclusions. In terms of notification, those effects outside the zone standards that form part of a bundled application will be considered in accordance with their particular restricted discretionary status and the associated matters for discretion for those consent matters.	2040.97
89.	**<u>H6.6.4B Dwellings within the Infrastructure – Combined Wastewater Network Control as identified on the planning maps</u>** <u>Purpose: to restrict development in any area served by a combined sewer network where public sewer separation has not occurred while enabling new dwellings where separation is in progress and the new dwelling can connect to a separated local stormwater pipe that is part of the public stormwater network.</u> <u>(1) A new dwelling in an area served by the combined sewer network must be able to connect to an existing separated local stormwater pipe that is part of the public stormwater network.</u>	Oppose	The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Delete standard.	2040.98
90.	**<u>H6.6.4C Dwellings within the Infrastructure - Stormwater Disposal Constraints Control</u>** <u>Purpose: to manage development in any area where stormwater disposal is constrained by the lack of any connection or ability to connect to a public stormwater network and where on-site soakage capacity is insufficient to ensure adequate provision for stormwater disposal from the site.</u> (1) <u>A new dwelling in an area identified as having no current connection to the public stormwater network and poor on-site soakage capacity must either be able to connect to the public stormwater network or provide sufficient stormwater disposal capacity on-site.</u>	Oppose	These effects are already managed by Chapter E8. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Delete standard.	2040.99

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
91.	**H6.6.6. Height in relation to boundary** ~~(b)~~ [Deleted] ~~sites within the Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or the Open Space – Community Zone:~~ ~~(i) that are greater than 2000m²;~~ ~~(ii) where that part of the site in (i) is greater than 20 metres in width, when measured perpendicular to the shared boundary; and~~ ~~(iii) Where an open space comprises multiple sites but has a common open space zoning, the entire zone will be treated as a single site for the purpose of applying the standards listed below.~~ ~~(5)~~ [Deleted] ~~A gable end, dormer or roof may project beyond the recession plane where that portion beyond the recession plan is: (a) no greater than 1.5m2 in area and no greater than 1m in height; and (b) no greater than 2.5m cumulatively in length measured along the edge of the roof as shown in Figure H5.6.5.2 Exceptions for gable ends and dormers and roof projections below.~~ ~~(6) No more than two gable end, dormer or roof projections are allowed for every 6m length of site boundary.~~	Oppose	The exclusions should be retained, as they deal with minor protrusions and they are helpful on sloping sites. It is beneficial to provide activation to Open Space zones.	Retain the existing minor protrusion exclusions HIRB is excluded from applying where the site adjoins open space greater than 2,000m² in accordance with the current standard.	2040.100
92.	**H6.6.6. Height in relation to boundary** Figure H6.6.6.1B Height in relation to boundary for four or more dwellings and any other development within walkable catchments  	Support in part	Support new HIRB control within Walkable catchments. New HIRB will give effect to the NPS-UD. However, the recession plane standard for the first 21.5m of site from the frontage, and corresponding limitation applied for any part of the site, farther than 21.5m from the frontage of any site is not justifiable in respect to apartment building typologies, configurations/floor layouts and dimensions, also having regard to lot sizes and shapes. Based on design experience a 25m offset as applied to this standard is a more realistic and pragmatic method to achieve the intended outcomes of the THAB Zone.	Amend the proposed new HIRB standard of 19 metres and 60 degrees for the first 25 metres of the site.	2040.101
93.	**H6.6.11. Building coverage** (1) the maximum building coverage must not exceed 50 per cent of the net site area (2) On a site subject to a Significant Ecological Areas Overlay: (a) the maximum building coverage must not exceed 50 per cent of the net site area; and (b) building coverage must not be located in any area within 3m of vegetation within a significant ecological area, including following the alteration or removal of up to 300m2 of vegetation for a dwelling per site provided for under E15.3.2(A29) and E15.6.5; and (c) other than provided for in H5.6.10(2)(b), building coverage must not be located within a significant ecological area.	Oppose	In order to enable greater intensification, building coverage should be increased to 60% within the walkable catchment. It is considered that effects of development in proximity to an SEA are already suitably dealt with via Chapter D9 and E15. The inclusion is not necessary and undermines the existing AUP framework and the efficient use of land. The SEA proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Amend the proposed text changes. (1) the maximum building coverage must not exceed 50 per cent of the net site area outside the walkable catchment and 60% inside a walkable catchment. ~~(2) On a site subject to a Significant Ecological Areas Overlay:~~ ~~(a) the maximum building coverage must not exceed 50 per cent of the net site area; and~~ ~~(b) building coverage must not be located in any area within 3m of vegetation within a significant ecological area, including following the alteration or removal of up to 300m2 of vegetation for a dwelling per site provided for under E15.3.2(A29) and E15.6.5; and~~ ~~(c) other than provided for in H5.6.10(2)(b), building coverage must not be located within a significant ecological area.~~	2040.102
94.	**H6.6.12. Landscaped area**	Oppose	The standard wording should match the MDRS standard that applies for 1-3 dwellings. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Amend the proposed text changes to match the MDRS standard.	2040.103
95.	**H6.6.13. Outlook space**	Oppose	The proposed outlook space standard for four or more dwellings and in relation to buildings over 3 levels as set out in H6.6.13(2)(a)(ii) as proposed require an 8m outlook depth from main living spaces for dwellings at 4 levels and above. The new THAB Zone outlook standard will also introduce a test for where the outlook standard is applied, adding the 'external face of a balcony' where provided closer to an external boundary as the start	In the THAB Zone, the relevant outlook standards should be amended so that the proposed residential dwellings main outlook area, for level 4 and above, should be for a 6m depth x 4m width and the depth (at whichever level it is applied) should be measured from the largest portion of glazing as opposed to from the edge of any balcony.	2040.104

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
			point for outlook depth. In combination both of these amendments proposed to the THAB Zone outlook standard will unfairly alienate and impact on overall building design when considered in relation to lot size and shape variations across the Isthmus. While the intent of the prescription of the amendments to the outlook standards, is acknowledged, the actual application of the amended standards has not been justified by Auckland Council or tested with any basis on achieving good design outcomes, protecting amenity and/or any improvement in creating attractive streetscape. There is no evidential basis for shifting to an 8m outlook depth above 3 levels nor is there a sound rationale for testing this depth from the edge of a balcony as opposed to the main glazing from a living space. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS.		
96.	**H6.6.14. Daylight**	Oppose	It is not a method retained in the MDRS. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete the standard.	2040.105
97.	**H6.6.15. Outdoor living space**	Oppose	The addition of communal outdoor living space requirements is opposed. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Amend the proposed text changes to match the MDRS standard and delete the communal outdoor living space requirements.	2040.106
98.	**H6.6.19 Windows to street and private vehicle and pedestrian accessways** Development contained four or more dwellings and any other development must comply with the following: 2) Any dwelling, integrated residential development, supported residential care, boarding house and visitor accommodation facing the street or private vehicle accessway or private pedestrian accessway, must have a minimum of 20 per cent of the relevant façade in glazing. This can be in the form of windows or doors.	Oppose	Any additional text beyond MDRS wording should be captured via assessment criteria not as a standard.	Delete standard and rely on MDRS wording.	2040.107
99.	**H6.6.20 Deep soil area and canopy tree**	Oppose	It is not a method retained in the MDRS. The proposed standard will not be efficient or effective in achieving the outcomes sought by the MDRS standards. The proposed Deep Soil Area and Canopy Tree standards (and allied Special Information requirements) will result in disparate landscaping outcomes and do not foster sustainable landscape design solutions. The Deep Soil Area and Canopy Tree requirements as proposed are generic and do not reflect an understanding of landscaping and arboricultural/horticultural techniques and the different abilities of a range of canopy trees to exist successfully in varied conditions. Also using a formula relating the number of trees to site area is inappropriate as the number, size and location of trees is driven by building location and size, the shape of buildings and the location and spatial context of land areas available for plantings. The Deep Soil Area and Canopy Tree provisions are unnecessary and go to a level of detail that is better addressed through detailed landscape design which is already enshrined in the Plan provisions.	Delete the proposed new standard.	2040.108
100.	**H6.6.21 Safety and privacy buffer from private pedestrian and vehicle accessways** Purpose: to provide a reasonable standard of safety and privacy for ground floor dwellings located adjacent to pedestrian and vehicle accessways. (3) A minimum 1m buffer areas must be provided between a dwelling and private pedestrian and/or vehicle accessways as shown in Figure H5.6.19.1 Example of Deep soil area requirements and the relationship with Landscape area and the Safety and privacy buffer above. (4) The buffer area must be: (c) free of buildings, parking spaces, servicing and manoeuvring areas. (d) Planted with shrubs or ground cover plants.	Oppose	It is not a method retained in the MDRS. This matter would be better placed as assessment criteria rather than as standards. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete the proposed new standard.	2040.109

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
101.	**H6.6.22 Residential waste management**	Oppose	It is not a method retained in the MDRS. This matter would be better placed as assessment criteria rather than as standards. The new information requirement for a waste minimisation plan for 10+ dwellings is an additional cost that is not warranted and would not be monitored following grant of consent. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete the proposed new standard.	2040.110
102.	**H6 Residential – Terrace Housing and Apartment Buildings Zone - Assessment matters**	Oppose in part	SEA assessment criteria It is considered that effects of development in proximity to an SEA are already suitably dealt with via Chapter D9 and E15. The inclusion is not necessary and undermines the existing AUP framework and the efficient use of land. The pedestrian network This does not correspond to an effect from the activities identified in H5(1) on the wider adjacent network. The existing matters for discretion already include traffic and access (Chapter E27 Transportation). The development contributions already include a component for local transport upgrades. It is inequitable and inefficient to target one developer to upgrade infrastructure that will likely benefit a wider area. Reference to - deep soil within B; - introduction of interfaces with an identified special character area or a scheduled historic heritage place; and	Delete the proposed new assessment criteria	2040.111
103.	**H6.7. Assessment – controlled activities** ~~There are no controlled activities in this zone.~~ H6.7.1. Matters of control The Council will restrict its control to all of the following matters when assessing a controlled activity resource consent application: (1) For one dwelling per site subject to a Significant Ecological Area Overlay: (a) The extent to which the built development is designed to minimise or mitigate adverse effects on the ecological values of the relevant significant ecological area; (b) The location, bulk and scale of built development relative to the surrounding ecological values H6.7.2 Assessment criteria The Council will consider the assessment criteria below for controlled activities to the extent relevant to the proposal: (1) For one or more dwellings per site subject to a Significant Ecological Area Overlay: (a) refer to Policy H5.3(15)	Oppose	It is considered that effects of development in proximity to an SEA are already suitably dealt with via Chapter D9 and E15. The inclusion is not necessary and undermines the existing AUP framework and the efficient use of land.	Delete the proposed new assessment criteria	2040.112
104.	**H6.8. Assessment – restricted discretionary activities** H6.8.1. Matters of discretion The Council will restrict its discretion to all of the following matters when assessing a restricted discretionary activity resource consent application: (1) (c) the effects of the development on the safe access for pedestrians on the adjacent road network.	Oppose	This does not correspond to an effect from the activities identified in H5(1) on the wider adjacent network. The existing matters for discretion already include traffic and access (Chapter E27 Transportation). The development contributions already include a component for local transport upgrades.	Delete the proposed new assessment criteria	2040.113

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
			It is inequitable and inefficient to target one developer to upgrade infrastructure that will likely benefit a wider area.		
105.	**H6.8. Assessment – restricted discretionary activities** **H6.8.1. Matters of discretion** (2) for four or more dwellings per site: (a) the effects on the neighbourhood character, residential amenity, safety, and the surrounding residential area from all of the following: (i) building ~~intensity~~, scale and location, including: A. the way in which buildings are orientated to the street and adjoining sites, and B. the extent to which the height, roof form and design of buildings respond to the local streetscape and the planned urban built character of the surrounding area, (ia) building form and appearance including: A. use of built elements such as materials, surface and architectural detailing and roof design to create visual interest; B. use of deep soil and/or outdoor living areas, modulation, architectural features, windows, doors and breaks in building length to minimise bulk and visual dominance; C. whether design provides for the balance between resident's privacy and opportunities for passive surveillance; D. whether the design provides for privacy, and sunlight and daylight access for adjoining sites; E. the interface with an identified special character area or a scheduled historic heritage place; (ib) the extent to which the functional, day to day needs of residents are provided for in terms of: A. the size and dimensions of living areas relative to the likely occupancy levels of the dwellings; B. internal storage; C. residential waste management, including the kerbside and/or on-site capacity for residential waste management (ii) traffic; and (iii) location and design of ~~parking and~~ access (including pedestrian access) and parking (if provided). b) [deleted] ~~all of the following standards:~~ ~~(i) Standard H6.6.10 Maximum impervious areas;~~ ~~(ii) Standard H6.6.11 Building coverage;~~ ~~(iii) Standard H6.6.12 Landscaped area;~~ ~~(iv) Standard H6.6.13 Outlook space;~~ ~~(vi) Standard H6.6.14 Daylight;~~ ~~(vii) Standard H5.6.15 Outdoor living space;~~ ~~(vii) Standard H6.6.16 Front, side and rear fences and walls; and~~ ~~(viii) Standard H6.6.17 Minimum dwelling size~~ (c)~~I~~ the effects on infrastructure and servicing including: (i) Existing infrastructure capacity. (d) the effects of the development on the safe access for pedestrians on the adjacent road network.	Oppose in part	Oppose the inclusion of: - deep soil within B; - introduction of interfaces identified special character area or a scheduled historic heritage place; and - references to wider upgrades of the adjacent road network under (d) do not correspond to the quantum of effects from the activities this is triggered by i.e. 4 dwellings. There are already matters for pedestrian access under (iii). The development contributions already include a component for local transport upgrades. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete the proposed new assessment criteria (ia) building form and appearance including: A. use of built elements such as materials, surface and architectural detailing and roof design to create visual interest; B. ~~use of deep soil and~~/or outdoor living areas, modulation, architectural features, windows, doors and breaks in building length to minimise bulk and visual dominance; C. whether design provides for the balance between resident's privacy and opportunities for passive surveillance; D. whether the design provides for privacy, and sunlight and daylight access for adjoining sites; ~~E. the interface with an identified special character area or a scheduled historic heritage place;~~ (ib) the extent to which the functional, day to day needs of residents are provided for in terms of: ~~A. the size and dimensions of living areas relative to the likely occupancy levels of the dwellings;~~ ~~B. internal storage;~~ C. residential waste management, including the kerbside and/or on-site capacity for residential waste management. … ~~(d) the effects of the development on the safe access for pedestrians on the adjacent road network.~~	2040.114
106.	**H6.8. Assessment – restricted discretionary activities** **H6.8.1. Matters of discretion** (3) for integrated residential development: (a) the effects on the neighbourhood character, residential amenity, safety, and the surrounding residential area from all of the following: (i) building ~~intensity,~~ scale, location, form and appearance including the extent to which buildings as viewed from the street or public places are designed to minimise visual dominance effects taking into account: A. the planned urban built character of the zone; B. the location, orientation and design of development; and C. the effect of the proposed height on the surrounding and neighbouring development. (ii) traffic; (iii) location and design of parking and access (including pedestrian access) and parking (if provided); and	Oppose	The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Amend the proposed new assessment criteria as follows: "C. the effect of the proposed additional height above the zone standards on the surrounding and neighbouring development." ~~(d) the effects of the development on the safe access for pedestrians on the adjacent road network.~~ ~~(d) the effects of the development on the safe access for pedestrians on the adjacent road network.~~	2040.115

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	(iv) noise, lighting and hours of operation. (b) [deleted] ~~all of the following standards:~~ ~~(i) Standard H6.6.10 Maximum impervious areas;~~ ~~(ii) Standard H6.6.11 Building coverage;~~ ~~(iii) Standard H6.6.12 Landscaped area;~~ ~~(iv) Standard H6.6.13 Outlook space;~~ ~~(v) Standard H6.6.14 Daylight;~~ ~~(vi) Standard H6.6.15 Outdoor living space;~~ ~~(viii) Standard H6.6.16 Front, side and rear fences and walls; and~~ ~~(ix) Standard H5.6.17 Minimum dwelling size.~~ (c) Infrastructure and servicing (d) the effects of the development on the safe access for pedestrians on the adjacent road network.				
107.	**H6.8. Assessment – restricted discretionary activities** **H6.8.1. Matters of discretion** (6) For more than one dwelling per site in areas identified on the planning maps as being subject to the Infrastructure –Combined Wastewater Network Control or the Infrastructure – Water and Wastewater Constraints Control. (a) Infrastructure and servicing. (7) For more than one dwelling per site in areas identified on the planning maps as being subject to the Infrastructure –Stormwater Disposal Constraints Control. (a) Stormwater disposal.	Oppose	These effects are already managed by Chapter E8 for 1 dwellings and additions and alternations to. **H5.8. Assessment – restricted discretionary activities** for four or more dwellings per site deals with infrastructure capacity.	Delete the proposed new assessment criteria	2040.116
108.	**H6.8.2. Assessment criteria** (1) for supported residential care accommodating greater than 10 people per site inclusive of staff and residents; boarding houses accommodating greater than 10 people per site inclusive of staff and residents; visitor accommodation accommodating greater than 10 people per site inclusive of staff and visitors; dairies up to 100m2 gross floor area per site; care centres accommodating greater than 10 people per site excluding staff; community facilities; and healthcare facilities up to 200m2 gross floor area per site: (a) infrastructure and servicing: (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. (b) building ~~intensity~~, scale, location, form and appearance: (i) whether the intensity and scale of the activity, the building location, form and appearance is of a high-quality and compatible with the character and residential amenity provided for within the zone and compatible with the surrounding residential area. (c) traffic: (i) whether the activity avoids or mitigates high levels of additional non-residential traffic on local roads. (d) location and design ~~of parking~~ and access (including pedestrian access) and parking (if provided): (i) whether adequate ~~parking and~~ access is provided or required. (ii) whether car parking and accessways are integrated into the overall design of the development (iii) whether parking is located away from street frontages and screened from the street by buildings or landscaping (iv) Whether safe, well-lit pedestrian access is provided and integrated into the design of the development. (e) noise, lighting and hours of operation: (i) whether noise and lighting and the hours of operation of the activity avoids, remedies or mitigates adverse effects on the residential amenity of surrounding properties, by: • locating noisy activities away from neighbouring residential boundaries; • screening or other design features; and • controlling the hours of operation and operational measures (f) Safe access and walkability of routes to frequent public transport: (i) the extent to which the immediate urban road environment allows for safe pedestrian movement from the development to the nearest frequent public transport	Oppose in part	Support removal of 'intensity' though ensure remove from (1)(b)(i) for consistency. Remove requirement for off-site roading or pedestrian upgrades	Amend and retain text as identified in reasons for submission. ~~(f) Safe access and walkability of routes to frequent public transport:~~ ~~(i) the extent to which the immediate urban road environment allows for safe pedestrian movement from the development to the nearest frequent public transport stop (refer to the Regional Public Transport Plan) by a combination of the following:~~ ~~• Footpaths of at least 1.8m in width;~~ ~~• Facilities to safely and conveniently cross the road including pram crossings, and tactile paving;~~ ~~• Narrowed pedestrian crossing distances of vehicle carriageways;~~ ~~• Front berms to separate pedestrians from traffic; and~~ ~~• Other traffic management measures as relevant to improve the safety of pedestrians.~~	2040.117

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:
	stop (refer to the Regional Public Transport Plan) by a combination of the following: • Footpaths of at least 1.8m in width; • Facilities to safely and conveniently cross the road including pram crossings, and tactile paving; • Narrowed pedestrian crossing distances of vehicle carriageways; • Front berms to separate pedestrians from traffic; and • Other traffic management measures as relevant to improve the safety of pedestrians.			
109.	**H6.8.2. Assessment criteria** The Council will consider the assessment criteria below for restricted discretionary activities to the extent relevant to the proposal: (2) for four or more dwellings on a site: (a) the extent to which ~~or whether~~ the development achieves the purpose outlined in the ~~following~~ relevant standards specifies and identified in Table 6.4.1 or what alternatives are provided that result in the same or a better outcome.~~:~~ (i) [deleted]~~Standard H6.6.10 Maximum impervious areas;~~ (ii) [deleted]~~Standard H6.6.11 Building coverage;~~ (iii) [deleted]~~Standard H6.6.12 Landscaped area;~~ (iv) [deleted]~~Standard H6.6.13 Outlook space;~~ (v) [deleted]~~Standard H6.6.14 Daylight;~~ (vi) [deleted]~~Standard H6.6.15 Outdoor living space;~~ (vii) [deleted]~~Standard H6.6.16 Front, side and rear fences and walls; and~~ (viii) [deleted]~~Standard H6.6.17 Minimum dwelling size.~~ (aa) the extent to which the scale of the activity, the building location, form and appearance is of a high-quality and compatible with the planned urban built character and residential amenity of the surrounding residential area provided for within the zone. (ab) the extent to which buildings are designed to manage building length and bulk and visual dominance by: (i) placing taller buildings on the street front (ii) varying roof form and building height (iii) using modulation and architectural features to break up the mass of buildings into visually distinct elements (iv) using the proportions and arrangement of windows and doors to provide relief to building length and bulk (v) using other building elements including materials, surface detailing, architectural detail and roof design to provide visual interest along building facades including blank side/party walls (vi) providing adequate breaks in long continuous buildings to minimise the appearance of length (vii) locating deep soil areas and/or communal outdoor spaces around and between buildings to provide space and soften the built form (viii) designing balconies as an integral part of the building (ac) the extent to which buildings use quality, durable and easily maintainable materials. (ad) the extent to which buildings adjoining or across the street from an identified special character area or a scheduled historic heritage place are designed to respect the prevailing character of the area or key historic heritage design and location elements of that place. New and contemporary interpretations in form and detail may be used. (ae) the extent to which building frontage contribute positively to the visual amenity and safety of public streets, public open spaces, and private vehicle and pedestrian accessways by: (i) having clearly defined fronts that provide passive surveillance from windows and balconies . (ii) maximising doors, windows and balconies over all levels on the front façades whilst not impacting on privacy. (iii) maximising the number of dwellings on the site that directly front, align and orientate to public streets . ground level dwellings closest to the street each have direct and clearly defined pedestrian access from the street in preference to a single building entrance. (iv) where a site adjoins public open space, buildings include entrances, windows of habitable rooms and balconies facing the open space. (af) the extent to which site layout creates legible, visible attractive, safe and well-lit connections between dwellings and the street. .... (h) infrastructure and servicing: (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. (i) The extent to which the adjacent road network enables safe pedestrian movements. ... (m) Safe access and walkability of routes to frequent public transport:	Oppose in part	Oppose the references to: - Deep soil and communal open space in (ab)(vii) and (fe). - References to the need for wider upgrades of the adjacent road network under (d) and (gd). For the latter it is not considered that the quantum of effects corresponds to the activities it triggers. There are already matters for pedestrian access under (iii). The development contributions already include a component for local transport upgrades. - The additional assessment criteria under (ad) for the interface with an identified special character area or a scheduled historic heritage place is not considered an effective method nor warranted by an effect. The use of "quality, durable and easily maintainable materials" is a matter for the Building Act	Delete the relevant assessment criteria wording as noted: (aa) the extent to which the scale of the activity, the building location, form and appearance ~~is of a high-quality and~~ compatible with the planned urban built character and residential amenity of the surrounding residential area provided for within the zone. ... (ab) ~~(vii) locating deep soil areas and/or communal outdoor spaces around and between buildings to provide space and soften the built form~~ ... ~~(ac) the extent to which buildings use quality, durable and easily maintainable materials.~~ ~~(ad) the extent to which buildings adjoining or across the street from an identified special character area or a scheduled historic heritage place are designed to respect the prevailing character of the area or key historic heritage design and location elements of that place. New and contemporary interpretations in form and detail may be used.~~ ... ~~(i) The extent to which the adjacent road network enables safe pedestrian movements.~~ ~~(m) Safe access and walkability of routes to frequent public transport:~~ ~~(i) the extent to which the immediate urban road environment allows for safe pedestrian movement from the development to the nearest frequent public transport stop (refer to the Regional Public Transport Plan) by a combination of the following:~~ ~~• Footpaths of at least 1.8m in width;~~ ~~• Facilities to safely and conveniently cross the road including pram crossings, and tactile paving;~~ ~~• Narrowed pedestrian crossing distances of vehicle carriageways;~~ ~~• Front berms to separate pedestrians from traffic; and~~ ~~• Other traffic management measures as relevant to improve the safety of pedestrians.~~

2040.118

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	(i) the extent to which the immediate urban road environment allows for safe pedestrian movement from the development to the nearest frequent public transport stop (refer to the Regional Public Transport Plan) by a combination of the following: • Footpaths of at least 1.8m in width; • Facilities to safely and conveniently cross the road including pram crossings, and tactile paving; • Narrowed pedestrian crossing distances of vehicle carriageways; • Front berms to separate pedestrians from traffic; and • Other traffic management measures as relevant to improve the safety of pedestrians.				
110.	**H6.8.2. Assessment criteria** (3) for integrated residential development: … (l) Safe access and walkability of routes to frequent public transport: (i) the extent to which the immediate urban road environment allows for safe pedestrian movement from the development to the nearest frequent public transport stop (refer to the Regional Public Transport Plan) by a combination of the following: • Footpaths of at least 1.8m in width; • Facilities to safely and conveniently cross the road including pram crossings, and tactile paving; • Narrowed pedestrian crossing distances of vehicle carriageways; • Front berms to separate pedestrians from traffic; and • Other traffic management measures as relevant to improve the safety of pedestrians.	Oppose in part	Oppose the references to: - deep soil and communal open space in 3(g). - references to the need for wider upgrades of the adjacent road network under (l). It is not considered that the quantum of effects corresponds to the activities it triggers. The level of service within the existing road reserve is the responsibility of Auckland Transport. The development contributions already include a component for local transport upgrades. - Infrastructure provision is already included within existing assessment criteria (k) the cross reference under 3(jb) is unnecessary.	Delete the relevant assessment criteria. ~~(l) Safe access and walkability of routes to frequent public transport:~~ ~~(i) the extent to which the immediate urban road environment allows for safe pedestrian movement from the development to the nearest frequent public transport stop (refer to the Regional Public Transport Plan) by a combination of the following:~~ ~~• Footpaths of at least 1.8m in width;~~ ~~• Facilities to safely and conveniently cross the road including pram crossings, and tactile paving;~~ ~~• Narrowed pedestrian crossing distances of vehicle carriageways;~~ ~~• Front berms to separate pedestrians from traffic; and~~ ~~• Other traffic management measures as relevant to improve the safety of pedestrians.~~	2040.119
111.	**H6.8.2. Assessment criteria** (5) for building height: (aa) refer to Policy H6.3(1); (ba) refer to Policy H6.3(B1); (ca) refer to Policy H6.3(E1); (da) refer to Policy H6.3(6A); (a) ~~refer to Policy H6.3(2~~); (b) ~~refer to Policy H6.3(4).;~~ and **Visual dominance** (f) 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: (i) the planned urban built character of the zone; and (ii) the location, orientation and design of development. (iii) the effect of the proposed height on the surrounding and neighbouring development.	Oppose in part	Consideration of the effect of the proposed height on the surrounding and neighbouring development should only be required in terms of additional height over and above the zone standard.	Amend the proposed new assessment criteria to refer to: "iii. the effect of the proposed additional height above the zone standards on the surrounding and neighbouring development."	2040.120
112.	**H6.8.2. Assessment criteria** (6) for height in relation to boundary:	Oppose in part	Consideration of the effect of the proposed height in relation to boundary infringement on the surrounding and neighbouring development should only be required in terms of additional bulk over and above the zone standard.	Amend the proposed new assessment criteria to refer to additional HIRB infringements over the standard.	2040.121
113.	**H6.8.2. Assessment criteria** (12) for landscaped area: (e) the extent to which existing trees are retained; and	Oppose	The are no general tree protection controls.	Delete the additional assessment criteria.	2040.122
114.	**H6.8.2. Assessment criteria** (15) for outdoor living space: … (f) The extent to which dwellings provide private open space and communal open space that is useable, accessible from each dwelling and attractive for occupants.	Oppose in part	The inclusion of 'communal' open space is unnecessary with the private open space requirements sufficient. The provision for wider public open space is the responsibility of Council not developers. A specific open space development contribution is already payable for each dwelling.	Deletion of this text. (f) The extent to which dwellings provide private open space ~~and communal open space~~ that is useable, and accessible from each dwelling ~~and attractive~~ for occupants.	2040.123

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
			The use of the term attractive can be ambiguous and open to interpretation.		
115.	**H6.8.2. Assessment criteria** (15A) For windows to street and private vehicle and pedestrian accessways (a) refer to Policy H6.3(C1) (a) refer to Policy H6.3(6A); and (b) The extent to which the glazing: (i) allows views to the street and/or accessways to ensure passive surveillance; and (ii) provides a good standard of privacy for occupants.	Oppose in part	The text highlighted goes beyond MDRS in terms of referencing private vehicle and pedestrian accessways.	Deletion of the following text. H6.8.2. Assessment criteria (15A) For windows to street ~~and private vehicle and pedestrian accessways~~ (a) refer to Policy H5.3(C1) (b) refer to Policy H5.3(6A); and (c) The extent to which the glazing: (i) allows views to the street ~~and/or accessways~~ to ensure passive surveillance; and (ii) provides a good standard of privacy for occupants.	2040.124
116.	**H6.8.2. Assessment criteria** (18) for deep soil area and canopy tree (a) refer to Policy H5.3(6A); (b) The extent to which the proposed deep soil area uses or adds to existing deep soil areas to support canopy trees; and	Oppose	It is not a method retained in the MDRS. It is not efficient use of land and is neither effective or efficient.	Delete assessment entire criteria.	2040.125
117.	**H6.8.2. Assessment criteria** (19) for safety and privacy buffer from private pedestrian and vehicle accessways: (a) refer to Policy H5.3(6A); and (b) the extent to which the buffer is: (i) free of buildings, parking spaces, structures, servicing facilities and manoeuvring areas; (ii) planted with suitable and low level plants.	Oppose	It is not a method retained in the MDRS. This matter would be better placed as assessment criteria rather than as standards.	Delete entire assessment criteria.	2040.126
118.	**H6.8.2. Assessment criteria** (20) For residential waste management: (a) refer to Policy H6.3(A4) (b) refer to Policy H6.3(6A); (c) refer to Policy H6.3(10); (d) The extent to which sufficient space is provided for residential waste management that is suitably located for ease of movement to collection points; (e) The extent to which the waste management area is designed to minimise visibility; (f) How the development intends to ensure the on-going management and maintenance of any communal residential waste management area; (g) Whether waste storage areas are located outside windows or doors to bedrooms, living areas and outdoor living areas to avoid effects of odour and noise; and (h) Whether waste management vehicle can safely undertake collection.	Oppose in part	Consideration of matters related to waste should be included in the assessment criteria for 4+ dwellings and integrated residential development.	Delete section (20) and move necessary criteria to H6.8.2. (1), (2) and (3).	2040.127
119.	**H6.8.2. Assessment criteria** (21) For more than one dwelling per site in areas identified on the planning maps as being subject to the Infrastructure – Combined Wastewater Network Control or the Infrastructure – Water and Wastewater Constraints Control: (a) Whether there is adequate capacity in the existing public reticulated water supply and / or wastewater network to service the proposed dwelling(s). (b) Whether sufficient water supply and access to water supplies for firefighting purposes in accordance with the NZ Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 is available. (c) Whether there is the ability to connect the dwelling(s) to a reticulated water supply and / or wastewater network in the future.	Oppose	These effects are already managed by Chapter E8 and the assessment criteria under H5.8.2.(1), (2) and (3).	Delete proposed text.	2040.128
H5.9. Special information requirements					
120.	**Landscaped Plan as required by H6.6.12 Landscape area** (1) A scaled landscape plan must be provided that contains landscaped areas and includes: (a) Plant and tree species, number of each species to be planted and planting grades; (b) Canopy of existing trees to be retained; (c) Any area of grass; and (d) Any paths included in landscaped area.	Oppose	Chapter C1.2.(1) addresses this matter already - no need for a specific information requirement.	Delete proposed text.	2040.129

<table>
<tr><th></th><th>Issue / Provision</th><th>Position (Support / Oppose)</th><th>Reasons for submission</th><th>Relief sought:</th><th></th></tr>
<tr><td></td><td></td><td></td><td></td><td></td><td></td></tr>
<tr><td>121.</td><td><u>Deep Soil Area and Canopy Tree</u>

<u>(2) The deep soil area provided must be demonstrated on a scaled landscape plan that at a minimum identifies the following:</u>

<u>(a) plant and tree species, number of each species to be planted and planting grades;</u>
<u>(b) location of existing trees to be retained;</u>
<u>(c) dimensions of individual mature tree canopy;</u>
<u>(d) any areas of grass; and</u>
<u>(e) Minimum tree canopy dimensions are specified in Table H5.9(3) below.</u>

<u>Table H5.9(3) Minimum tree canopy dimension</u>

<table><tr><th></th><th>Minimum mature tree height</th><th>Minimum mature canopy diameter</th><th>Minimum tree height above ground when planted</th><th>Indicative tree planting grade</th></tr><tr><td>Small</td><td>8m</td><td>6m</td><td>2m</td><td>120L</td></tr><tr><td>Medium</td><td>10m</td><td>8m</td><td>2.5m</td><td>160L</td></tr><tr><td>Large</td><td>15m</td><td>12m</td><td>3m</td><td>200L</td></tr></table></td><td>Oppose</td><td>It is not a method retained in the MDRS.

It is not efficient use of land, and is neither effective or efficient.</td><td>Delete proposed text.</td><td>2040.130</td></tr>
<tr><td>122.</td><td>Residential waste management

<u>(3) Applications for where communal bins are proposed, must include calculations for required storage space as determined using the Auckland Council’s Solid Waste Calculator (Standard H5.6.21(1)(b)).</u>

<u>(4) When preparing the waste management and minimisation plan, applicants should refer to the Waste Management and Minimisation Bylaw 2019. The following information must be provided at a minimum:</u>

<u>a) the estimate of the volume of waste by the type of waste created, collected, received, stored or disposed of;</u>

<u>b) the frequency, location, access and on-site route of waste collection or transportation; and</u>

<u>c) the method of waste collection, transportation or disposal.</u></td><td>Neutral</td><td>Needs to be clear that provisions are only related to communal collection.</td><td>Clarify that this is only related to communal collection.</td><td>2040.131</td></tr>
<tr><td></td><td>H8. Business – City Centre Zone</td><td></td><td></td><td></td><td></td></tr>
<tr><td>123.</td><td>H8.6.10. <u>[Deleted]</u> ~~Basic floor area ratio~~</td><td>Support</td><td>Will give effect to NPS-UD</td><td>Confirm deletion of standard</td><td>2040.132</td></tr>
<tr><td>124.</td><td>H8.6.12. <u>[Deleted]</u> ~~Bonus floor area ratio – light and outlook~~</td><td>Support</td><td>Will give effect to NPS-UD</td><td>Confirm deletion of standard</td><td>2040.133</td></tr>
<tr><td>125.</td><td>H8.6.13. <u>[Deleted]</u> ~~Bonus floor area - use or transfer of historic heritage and special character floor space bonus~~</td><td>Support</td><td>Will give effect to NPS-UD</td><td>Confirm deletion of standard</td><td>2040.134</td></tr>
<tr><td>126.</td><td>H8.6.14. <u>[Deleted]</u> ~~Bonus floor area - securing historic heritage and special character floor space bonus~~</td><td>Support</td><td>Will give effect to NPS-UD</td><td>Confirm deletion of standard</td><td>2040.135</td></tr>
<tr><td>127.</td><td>H8.6.15. <u>[Deleted]</u> ~~Bonus floor area - bonus floor space calculation for scheduled heritage buildings~~</td><td>Support</td><td>Will give effect to NPS-UD</td><td>Confirm deletion of standard</td><td>2040.136</td></tr>
<tr><td>128.</td><td>H8.6.16. <u>[Deleted]</u> ~~Bonus floor area - bonus floor space calculation for identified special character buildings~~</td><td>Support</td><td>Will give effect to NPS-UD</td><td>Confirm deletion of standard</td><td>2040.137</td></tr>
<tr><td>129.</td><td>H8.6.17. <u>[Deleted]</u> ~~Bonus floor area - public open space~~</td><td>Support</td><td>Will give effect to NPS-UD</td><td>Confirm deletion of standard</td><td>2040.138</td></tr>
<tr><td>130.</td><td>H8.6.18. <u>[Deleted]</u> ~~Bonus floor area - through-site link~~</td><td>Support</td><td>Will give effect to NPS-UD</td><td>Confirm deletion of standard</td><td>2040.139</td></tr>
<tr><td>131.</td><td>H8.6.19. <u>[Deleted]</u> ~~Bonus floor area - through-site links through identified blocks~~</td><td>Support</td><td>Will give effect to NPS-UD</td><td>Confirm deletion of standard</td><td>2040.140</td></tr>
<tr><td>132.</td><td>H8.6.20. <u>[Deleted]</u> ~~Bonus floor area - works of art~~</td><td>Support</td><td>Will give effect to NPS-UD</td><td>Confirm deletion of standard</td><td>2040.141</td></tr>
<tr><td>133.</td><td>H8.6.21. <u>[Deleted]</u> ~~Maximum total floor area ratio~~</td><td>Support</td><td>Will give effect to NPS-UD</td><td>Confirm deletion of standard</td><td>2040.142</td></tr>
<tr><td>134.</td><td><u>Chapter H8. City Centre H8.6.24. Maximum tower dimension, setback from the street and tower separation in special height area (shown on Map H8.11.3) Chapter H8.6.24A Maximum east-west tower dimension and Chapter H8.6.25. Building frontage alignment and height and Chapter H8.6.25A Building setback from boundaries.</u></td><td>Oppose</td><td>The submitter is concerned that the proposed suite of tower standards have not be tested to ensure that they do not act as a defacto FAR or height restriction for the City Centre Zone.

The submitter is concerned that the proposed new standards fail to recognise gradient and solar orientation of the street frontages. The submitter considers that if the term ‘human scale’ is to be used, it should have a measurable and consistent benchmark. Changing this term based on the height of a street is considered arbitrary and it will compromise use of a site.

The submitter is concerned that the proposed requirement to manage development to “Ensure <u>adequate</u> <u>sun</u>light, <u>daylight</u>, and outlook around buildings” will be very difficult to meet given the</td><td>That Chapter H8. City Centre H8.6.24. Maximum tower dimension, setback from the street and tower separation in special height area (shown on Map H8.11.3), Chapter H8.6.24A Maximum east-west tower dimension, Chapter H8.6.25. Building frontage alignment and height and Chapter H8.6.25A Building setback from boundaries are all deleted and the tower standards revert to the operative AUP standards.</td><td>2040.143</td></tr>
</table>

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
			high intensity nature of the Centre zone. At the very least the provisions should allow for ***adequate sun****light,* ***or*** ***daylight***. This is to recognise the fact that not all buildings in the City Centre zone will get direct sun. The proposed 6% height setback is arbitrary and is considered irrelevant and also creates a de facto FAR control. As height increases, so do the side setbacks around the building and its max tower dimension, which requires a larger site. In this respect, the rule actually also creates a de fact maximum height restriction. It is considered that the degree of setbacks proposed has not been appropriately justified and should be reduced. The submitter opposes the East West Tower dimension for similar reasons. Overall, the submitter considers that the proposed Plan Change provisions should revert back to the operative tower controls until such time as further modelling and analysis has been completed to determine suitability of these tower controls. This is to ensure that do not unduly restrict sites in the City Centre Zone from being developed to the maximum extent possible as directed by the NPS-UD.		
135.	H8.6.34. Through-site links.	Oppose	The submitter is concerned that application of this standard is not clear. This standards applies to through site link shown on Map H8.11.9 but applies to any though site link, even if not identified on the map. It is unclear how and when this standard will be applied to sites. Given the uncertainty of this rule, it is considered that the rule should either be deleted or clarified. It is considered that it would be more appropriate to include consideration of the need for a through-site link as an assessment criteria when considering new buildings.	Chapter H8. City Centre H8.6.34. Through Site Links is deleted and replaced with assessment criteria for new buildings	2040.144
	H9. Business – Metropolitan Centre Zone				
136.	**H9.6.1. Building height** Purpose: • manage the effects of building height; • manage shadowing effects of building height on public open space, excluding streets; • manage visual dominance effects; • enable greater height in areas identified for intensification including within walkable catchments; and • provide for variations to the standard zone height through the Height Variation Control, to recognise the character and amenity of particular areas and provide a transition in building scale to lower density zones. (1) Buildings must not exceed 72.5m, unless otherwise specified in the Height Variation Control on the planning maps. (2) If the site is subject to the Height Variation Control, buildings must not exceed the height in metres, as shown in Table H9.6.1.1 below and for the site on the planning maps. (3) Any part of a building greater than the occupiable building height is to be used only for roof form, roof terraces, plant and other mechanical and electrical equipment.	Support in Part	It is considered appropriate to provide for unlimited height within the Metropolitan Centre The proposed HIRB controls will manage the effects at the edge of the Metropolitan Centre. Increasing the maximum building height is in line with the Policy directives of the NPS UD, Policy 3(c), which states that areas located within the walkable catchment must enable building heights of at least 6 storeys within the Metropolitan Centre. While the zone provides for 72.5 metres, there is no reason why the zone cannot facilitate even taller buildings. It is noted that some parts of the Metropolitan Centres are subject to the Volcanic Cone overlays or other height overlays. These are qualifying matters that would remain in place and would provide an additional height overlay that would continue to apply to the Metropolitan Centre. Outside of these areas, it is considered appropriate to maximise the height opportunities within the Metropolitan Centre Zone. It is noted that all new buildings are subject to a resource consent requirement to ensure that buildings are designed to a high standard, which enhances the quality of streets within the area and public open spaces.	Amend H9.6.1. Building height to provide for unlimited height within the Metropolitan Centre Zone.	2040.145
137.	**H11.6.1. Building height in relation to boundary**	Support in part	The submitter supports the 19metre, plus 60 degree HIRB control	Retain the 19metre, plus 60 degree HIRB control.	2040.146
	H10. Business – Town Centre Zone				
138.	**H10.6.1. Building height** Purpose: • manage the effects of building height;	Support in Part	It is considered appropriate to provide for greater height within the Town Centre Zones The proposed HIRB controls will manage the effect at the edge of the Town Centre Zones.	Amend H10.6.1. Building height to provide for a height of 32.5 metres within **all** Town Centre Zones.	2040.147

<table>
<tr><th></th><th>Issue / Provision</th><th>Position (Support / Oppose)</th><th>Reasons for submission</th><th>Relief sought:</th><th></th></tr>
<tr><td></td><td>• manage shadowing effects of building height on public open space, excluding streets;
• manage visual dominance effects;
• allow an occupiable height component to the height limit, and an additional height for roof forms that enables design flexibility, to provide variation and interest in building form when viewed from the street;
• enable greater height in areas identified for intensification <u>including within walkable catchments</u>; and
• provide for variations to the standard zone height through the Height Variation Control, to recognise the character and amenity of particular areas<u>, including Special Character Areas – Business</u>, and provide a transition in building scale to lower density zones

(1) Buildings must not exceed the height in metres as shown in Table H10.6.1.1 below for sites subject to the Height Variation Control on the planning maps.

<u>(1A) In walkable catchments, buildings must not exceed 21m (6 storeys) in height, unless otherwise specified in the Height Variation Control on the planning maps.</u>

(2) Any part of a building greater than the occupiable building height is to be used only for roof form, roof terraces, plant and other mechanical and electrical equipment.</td><td></td><td>Increasing the maximum building height is in line with the Policy directives of the NPS UD, Policy 3(c), which states that areas located within the walkable catchment must enable building heights of at least 6 storeys within the Town Centre Zones

While the zone provides for a range of heights, it is considered that the Town Centre Zones can facilitate even taller buildings.

It is noted that some parts of these Town Centre Zones are subject to the Volcanic Cone overlays or other height overlays. These are qualifying matters that would remain in place and would provide an additional height overlay that would continue to apply to the Town Centre Zones. Outside of these areas, it is considered appropriate to maximise the height opportunities within the Town Centre Zones

It is noted that all new buildings are subject to a resource consent requirement to ensure that buildings are designed to a high standard, which enhances the quality of streets within the area and public open spaces</td><td></td><td></td></tr>
<tr><td>139.</td><td>H10.6.2. Building height in relation to boundary</td><td>Support</td><td>The submitter supports the 19 metre, plus 60 degree HIRB control as this will give effect to the NPS-UD</td><td>Retain the 19 metres, plus 60 degree HIRB control.</td><td>2040.148</td></tr>
<tr><td></td><td>H11. Business – Local Centre Zone</td><td></td><td></td><td></td><td></td></tr>
<tr><td>140.</td><td>H11.6.1. Building height
Purpose:
• manage the effects of building height;
• manage shadowing effects of building height on public open space, excluding streets;
• manage visual dominance effects;
• allow an occupiable height component to the height limit, and an additional height for roof forms that enables design flexibility, to provide variation and interest in building form when viewed from the street;
• enable greater height in areas identified for intensification <u>including within walkable catchments</u>; and
• provide for variations to the standard zone height through the Height Variation Control, to recognise the character and amenity of particular areas<u>, including Special Character Areas – Business,</u> and provide a transition in building scale to lower density zones.

(1) Buildings must not exceed the height in metres specified in Table H11.6.1.1, unless otherwise specified in the Height Variation Control on the planning maps.

Table H11.6.1.1 Building height
<table><tr><th><u>Location</u></th><th>Occupiable building height</th><th>Height for roof form</th><th>Total building height</th></tr><tr><td><u>Buildings outside a walkable catchment</u></td><td>16m</td><td>2m</td><td>18m</td></tr><tr><td><u>Buildings in a walkable catchment</u></td><td><u>NA</u></td><td><u>NA</u></td><td><u>21m (6 storeys)</u></td></tr></table></td><td>Support in Part</td><td>It is considered appropriate to provide for greater height within the Local Centre Zones

The proposed HIRB controls will manage the effect at the edge of the Local Centre Zones.

Increasing the maximum building height is in line with the Policy directives of the NPS UD, Policy 3(c), which states that areas located within the walkable catchment must enable building heights of at least 6 storeys within the Local Centre Zones

While the zone provides for a range of heights, it is considered that that Local Centre Zones can facilitate even taller buildings.

It is noted that some parts of these Local Centre Zones are subject to the Volcanic Cone overlays or other height overlays. These are qualifying matters that would remain in place and would provide an additional height overlay that would continue to apply to the Local Centre Zones. Outside of these areas, it is considered appropriate to maximise the height opportunities within the Local Centre Zones

It is noted that all new buildings are subject to a resource consent requirement to ensure that buildings are designed to a high standard, which enhances the quality of streets within the area and public open spaces</td><td>Amend H10.6.1. Building height to provide for a height of 24 metres within <u>all</u> Local Centre Zones.</td><td>2040.149</td></tr>
<tr><td>141.</td><td>H11.6.2. Building height in relation to boundary</td><td>Support</td><td>The submitter supports the 19 metre, plus 60 degree HIRB control as this will give effect to the NPS-UD</td><td>Retain the 19 metres, plus 60 degree HIRB control.</td><td>2040.150</td></tr>
<tr><td>142.</td><td>Local Centre Zone Walkable Catchment
The walkable catchment for Local Centres is set at 200 metres.</td><td>Oppose</td><td>The walkable catchment for Local Centres is set at 200 metres. This is considered to be very restricted and limits the opportunities for further intensification around areas that generally have good access to a range of amenities.</td><td>Increase the walkable catchment of the Local Centres Zone to 400 metres and up zone those sites within the walkable catchment to provide for at least six storeys.</td><td>2040.151</td></tr>
<tr><td></td><td>H12 Business – Neighbourhood Centre Zone</td><td></td><td></td><td></td><td>2040.152</td></tr>
<tr><td>143.</td><td>H12.6.2. Building height in relation to boundary</td><td>Support</td><td>The submitter supports the 19 metre, plus 60 degree HIRB control as this will give effect to the NPS-UD</td><td>Retain the 19 metre, plus 60 degree HIRB control.</td><td>2040.153</td></tr>
<tr><td></td><td>H13. Business – Mixed Use Zone</td><td></td><td></td><td></td><td></td></tr>
<tr><td>144.</td><td>H13.6.1. Building height
Purpose:
• manage the effects of building height;
• manage shadowing effects of building height on public open space, excluding streets;
• manage visual dominance effects;</td><td>Support in Part</td><td>It is considered appropriate to provide for greater height within the Mixed Use

The proposed HIRB controls will manage the effect at the edge of the Mixed Use Zones</td><td>Amend H10.6.1. Building height to provide for a height of 24 metres within <u>all</u> Mixed Use Zones.</td><td>2040.154</td></tr>
</table>

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	• allow an occupiable height component to the height limit, and an additional height for roof forms that enables design flexibility, to provide variation and interest in building form when viewed from the street; • enable greater height in areas identified for intensification including within walkable catchments, unless a qualifying matter applies; and • provide for variations to the standard zone height through the Height Variation Control, to recognise the character and amenity of particular areas and provide a transition in building scale to lower density zones. (1) Buildings must not exceed the height in metres specified in Table H13.6.1.1 below, unless otherwise specified in the Height Variation Control on the planning maps. **Table H13.6.1.1 Building height** Location / Occupiable building height / Height for roof form / Total building height Buildings outside a walkable catchment / 16m / 2m / 18m Buildings in a walkable catchment / NA / NA / 21m (6 storeys)		Increasing the maximum building height is in line with the Policy directives of the NPS UD, Policy 3(c), which states that areas located within the walkable catchment must enable building heights of at least 6 storeys within the Mixed Use Zones While the zone provides for a range of heights, it is considered that that Mixed Use Zones can facilitate even taller buildings. It is noted that some parts of these Mixed Use Zones are subject to the Volcanic Cone overlays or other height overlays. These are qualifying matters that would remain in place and would provide an additional height overlay that would continue to apply to the Mixed Use Zones. Outside of these areas, it is considered appropriate to maximise the height opportunities within the Mixed Use Zones It is noted that all new buildings are subject to a resource consent requirement to ensure that buildings are designed to a high standard, which enhances the quality of streets within the area and public open spaces		
145.	**H13.6.2. Building height in relation to boundary**	Support	The submitter supports the 19 metre, plus 60 degree HIRB control as this will give effect to the NPS-UD	Retain the 19 metre, plus 60 degree HIRB control.	2040.155
	J1 Definitions				
146.	**Canopy tree** A tree that that has a minimum mature height of 8 metres and canopy diameter of 6 metres.	Oppose	The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete the definition	2040.156
147.	**Deep soil area** A vegetated or mulched area which supports tree growth and promotes infiltration of stormwater with no obstructing structure above or below ground level. Deep soil areas must be free of buildings, parking spaces, servicing and manoeuvring areas below or above them. The surface of deep soil areas must be either vegetated in natural grass, trees or plants or in a natural mulch. Artificial grass and pavers are excluded from the deep soil area.	Oppose	The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete the definition	2040.157
148.	**Landscaped area** In relation to any site, means an area that is in natural grass, plants or trees. The canopy of trees that are existing at the time of consent lodgement can be included in the landscaped area provided the trunks are surrounded by an area of grass, plants or mulch that extends to the diameter of the critical root zone. The critical root zone being a circular area extending from the base of the canopy tree with a diameter equal to twelve times the trunk diameter measured at 1.4m above ground level. Landscaped area can include pervious paths with a maximum width of 1.5m provided they do not make up more than 10 per cent of the landscaped area. Buildings, artificial grass, and structures including pools, paving (except for pervious paths), pergolas, decks and servicing area is excluded from the landscaped area. This definition does not apply to any development of up to 3 dwellings in accordance with the MDRS. ~~any part of that site not less than 5m² in area which is grassed and planted in trees, shrubs, or ground cover plants and may include:~~ ~~(1) One or more of the features in (a) (b) or (c) where the total land area occupied does not collectively cover more than 25 per cent of the landscaped area:~~ ~~(a) ornamental pools;~~ ~~(b) areas paved with open jointed slabs, bricks or gobi or similar blocks where the maximum dimension of any one paver does not exceed 650mm;~~ ~~(c) terraces or uncovered timber decks where no part of such terrace or deck exceeds more than 1m in height above the ground immediately below;~~ ~~(2) non permeable pathways not exceeding 1.5m in width;~~ ~~(3) permeable artificial lawn in the residential zones, except:~~ ~~(a) that permeable artificial lawn must not cover more than 50 per cent of the landscaped area of the front yard;~~ ~~(b) Permeable artificial lawn must:~~ ~~• be permeable;~~ ~~• resembles grass in colour including a mix of natural looking green tones;~~ ~~• have piles that are a minimum 30mm pile height, straight cut (not looped pile), and of a density and form that resembles grass;~~ ~~• is resistant to ultra violet degradation, weathering and ageing during its normal service life; and~~ ~~• is recyclable.~~ ~~(4) Any part of a landscaped area may be situated over an underground structure with adequate soil depth and drainage.~~ ~~Excludes any area which:~~ ~~• falls within the definition of building coverage;~~ ~~• is part of a non permeable pathway that is greater than 1.5m in width;~~ ~~• is used for the parking, manoeuvring or loading of motor vehicles.~~	Oppose in part	It is unclear what the intention of this definitions is, and what landscape definition will apply to any development of up to 3 dwellings in accordance with the MDRS	Clarify the definition and amended accordingly. In the alternative the existing definition is retained.	2040.158
	General Submission Points				
149.	**The provision of six storeys at 21 metres**	Oppose	Proposed Plan Change 78 ascribes 21 metres to apply to six storeys. It is considered that 21 metres is unduly restrictive in delivering a 6 storey building. It is noted that in the Mixed Use zone, commercial	That six storeys is ascribed a 24 metre height allowance (as a minimum) as part of any walkable catchment provisions. In the alternative, this could	2010.159

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
			developments are often encouraged on the ground floor. Such activities would typically be encouraged to have a floor to ceiling height in the order of 4.5 metres. A typical floor to floor height is in the order of 3.5 metres. Those would typically mean a total height of around 24 metres for 6 storey buildings (including two metres for roof form).	be applied to the Mixed Use zone within a walkable catchment, or the plan could also note six storey in height in addition to 24 metres to limit applications that try to squeeze in a 7th floor.	
150.	**Light Rail Exclusion**	Oppose	The submitter opposes the exclusion of the Light Rail Study Area from Plan Change 78. The submitter is unsure of the legal basis to exclude these areas.	Include the Light Rail Study Area into Plan Change 78.	2040.160
151.	**Special Housing Exclusion**	Oppose	The submitter opposes the exclusion of the Special Housing Areas from the Plan Change. The submitter is unsure of the legal basis to exclude these areas.	Include the Special Housing Areas into Plan Change 78.	2040.161
152.	**The definition of 'rapid transit service'**	Oppose	The NPS-UD Policy 3 defines a rapid transit service as "any existing or planned frequent, quick, reliable and high-capacity public transport service that operates on a permanent route (road or rail) that is largely separated from other traffic". In this Plan Change, Auckland Council has identified the following Rapid Transit Services: ● the three lines (Western, Southern, Eastern) of the heavy rail network between Swanson and Pukekohe, including the Central Rail Link ('CRL'). ● the Northern Busway (including the recent extension to Albany). ● the Eastern Busway. It is submitted that priority bus corridors should be considered Rapid Transit to enable more Walking Catchments and therefore more homes in accessible locations. The interpretation of what is a rapid transit service, as per NPS-UD Policy 3(d)), should include frequent bus services on the following key arterial corridors: - **Great North Road** (from Pt Chevalier to Ponsonby Road, served by the 18 Frequent Route and in future the 11 Frequent Route) - **Sandringham Road** (from Mt Albert Road to New North Road served by the 24 Frequent Route) - **Dominion Road** (from Denbigh Avenue to View Road, served by the 25 Frequent Route) - **Mt Eden Road** (from Mount Albert Road to Symonds Street, served by the 27 Frequent Route) - **Manukau Road** (from Onehunga to Broadway, served by the 30 Frequent Route) - **Great South Road** (from Ellerslie Main Highway to Broadway, served by the 70 Frequent Route)	Review definition of 'rapid transit service' to include frequent bus services on the identified key arterial corridors, and up zone those sites within the walkable catchment of the RTS to provide for at least six storeys.	2040.162

SUBMISSION ON PROPOSED PLAN CHANGE 78 TO THE AUCKLAND UNITARY PLAN

To: Auckland Council

Name of submitter: Neilston Homes

This submission relates to Proposed Plan Change 78 to the Auckland Unitary Plan (AUP).

The specific Plan Change provisions that this submission relates to are listed within the table provide at **Attachment A.**

The reasons for the submitter's support, where relevant, are set out within the table attached as Attachment A. In general, where the submitter supports the provisions as notified the submitter considers that:

1. The applicable provisions will promote the sustainable management of natural and physical resources, contrary to Part 2 of the Resource Management Act 1991 ('the Act");

2. The applicable provisions are soundly based on evidence or an appropriate cost benefit analysis as required by section 32 of the Act;

3. The applicable objectives, policies and rules of the AUP, as they relate to the Submitter's sites:

    i) will promote the sustainable management of natural and physical resources;
    ii) are consistent with the purpose and principles of the Act;
    iii) will not give rise to adverse effects on the environment that are not avoided, remedied or mitigated;
    iv) are appropriate and justified in terms of Section 32 of the Act.

4. The applicable provisions that are supported will give effect to the National Policy Statement: Urban Development (NPS-UD), the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021, and the Medium Density Residential Standards (MDRS).

The specific reasons for the submitter's concerns, where relevant, are set out within the table attached as Attachment A. In general, where the submitter opposes the provisions as notified the submitter considers that:

1. The applicable provisions do not promote the sustainable management of natural and physical resources, contrary to Part 2 of the Resource Management Act 1991 ('the Act");

2. The provisions are not soundly based on evidence or an appropriate cost benefit analysis as required by section 32 of the Act;

3. The applicable objectives, policies and rules of the AUP, as they relate to the Submitter's sites:

   i) will not promote the sustainable management of natural and physical resources;
   ii) are inconsistent with the purpose and principles of the Act;
   iii) will give rise to adverse effects on the environment that are not avoided, remedied or mitigated;
   iv) are inappropriate and unjustified in terms of Section 32 of the Act.

4. The submitter is of the opinion that the intention of the NPS-UD and MDRS is to simplify the planning process, not complicate it, by ensuring planning decisions improve housing affordability through supporting competitive land and development markets, and by *enabling* development and intensification. This in turn is expected to increase the supply and affordability of housing.

5. In contrast, the submitter is of the view that the provisions as proposed would place significant additional (and unreasonable) cost on a resource consent application and add to unaffordability, as well as risk further limiting the supply of housing and development to meet demand. The proposed approach is overly onerous and would lead to numerous, overly complicated and costly resource consent applications, as well as potential interpretation issues. This is not consistent with the NPS-UD nor MDRS. 2041.1

6. Furthermore, while being both costly and inefficient, the submitter considers that the provisions as notified risk encouraging lower density and less challenging development by making intensification too difficult to be achieved. This would not achieve the intensification nor affordability objectives sought by the NPS-UD and MDRS, nor would it amount to an efficient use of land.

7. The submitter considers that the proposed changes should go further to give effect to the NPS-UD. Objective 3 of the NPS-UD requires district plans to enable more people to live in, and more businesses and community services to be located in, areas of Auckland that are in or near a centre zone or other area with many employment opportunities, or are well-serviced by public transport, or where there is high demand for housing or for business land in the area. This is supported by Policy 3 of the NPS-UD. The submitter is of the view that there are numerous additional locations where intensification is appropriate, where the market will deliver intensification, and consequently where significant intensification should be provided for. These include Town Centre Zones, wider walkable catchments and additional corridors serviced by frequent bus services. among others. The submitter also considers that provision in the policy framework should be made for a contextual analysis of the appropriateness of additional height and intensity outside of walkable catchments and centres to ensure these opportunities are not lost by an overly prescriptive planning framework. 2041.3

2041.2

8. The submitter notes that Policy 6(b) of the NPSUD also states that the planned urban built form in those RMA planning documents may involve significant changes to an area, and those changes "*may detract from amenity values appreciated by some people but improve amenity values appreciated by other people, communities, and future generations, including by providing increased and varied housing densities and types and are not, of themselves, an adverse effect."* The submitter is concerned that a number of the changes ignore the intent of this policy.

The submitter seeks the following decision from the Auckland Council, regarding the Proposed Plan Change 78:

a) That the relief sought within the table attached as **Attachment A** is provided; and

b) Any other consequential changes that would give effect to the relief sought in this submission.

The submitter wishes to be heard in support of their submission. If others make a similar submission, the submitter will consider presenting a joint case with them at a hearing.

The submitter is not a trade competitor, and could not gain an advantage in trade competition through this submission.



Michael Campbell
Campbell Brown Planning Limited
For and on behalf of Neilston Homes as its duly authorised agent.

Date: 29 September 2022

Address for service of submitter:

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Attachment 1

Table 1: Identifies the specific proposed amendments or changes to the Auckland Unitary Plan under PC78 which the submitter either supports, seeks amendment to, or opposes.

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	Chapter C General Rules				2041.4
1.	**C1.6A Overlay and precinct rules** (1) Where an activity is subject to a rule in an overlay, the overlay may specify whether the overlay rule replaces a zone rule, a precinct rule or an Auckland-wide rule. (2) Where an activity is subject to a rule in a precinct, the precinct may specify whether the precinct rule replaces an overlay rule or a zone rule, or an Auckland-wide rule.	Support	The revised wording clarifies the status of precinct or Auckland Wide Rules.	Retain the proposed wording.	
	Chapter D Overlays - Natural Heritage				2041.5 2041.6
2.	**D14. ~~Volcanic~~ Maunga Viewshafts and Height and Building Sensitive Areas Overlay** **D14.4. Activity table [rcp/dp]** **Buildings in a height and building sensitive area, excluding network utilities, electricity generation facilities, broadcasting facilities and road networks** (A7) Buildings up to 9m in height except as specified in Standard D14.6.3. — P (A7A) Buildings that do not comply with standard D14.6.5 Building coverage — RD (A7B) Buildings that do not comply with standard D14.6.6 Landscaped area — RD (A7C) Buildings not complying with underlying zone Yards standards — RD (A7D) Buildings that do not comply with standard D14.6.7 Earthworks — RD	Oppose	The submitter opposes the additional activities in activity Table D14.5, being A7A, A7B, A7C and A7D. The submitter also opposes Standards D14.6.5 – D14.6.8 The additional standards for buildings are unnecessary and will not be efficient or effective in managing the effects on the Maunga View Shafts. The standards will reduce the ability to achieve the outcomes sought by the MDRS standards.	Delete the additional activities in activity Table D14.5, being A7A, A7B, A7C and A7D. Delete proposed Standards D14.6.5 – D14.6.8 Any other consequential changes that would give effect to the relief sought in this submission.	
	Chapter G RUB and Walkable Catchments				2041.7
3.	**G2. Walkable Catchments** Policy 3(c) of the National Policy Statement on Urban Development 2020, updated May 2022, requires regional policy statements and district plans in tier 1 urban environments to enable building heights of at least six storeys within at least a walkable catchment of the following: (i) existing and planned rapid transit stops (ii) the edge of city centre zones, and (iii) the edge of metropolitan centre zones. Auckland is a tier 1 urban environment. A walkable catchment of around 1,200m is applied from the edge of the Business – City Centre Zone. A walkable catchment of around 800m is applied from both the edge of the Business – Metropolitan Centre Zones and from the pedestrian access points to existing or planned rapid transit stops. Edge and route modifying factors such as property boundaries, road boundaries, severance, topography, block sizes, the walking environment and the mix of land use activities can affect these general walkable catchment distances. The depiction of walkable catchments in the planning maps is a district plan method pursuant to section 75(2) of the Resource Management Act 1991 for implementing the policies of the district and giving effect to the National Policy Statement on Urban Development 2020, updated May 2022. The planning maps show the location and extent of walkable catchment boundaries, many of which overlap with each other. The location or extent of a walkable catchment can only be amended by way of a plan change pursuant to Schedule 1 of the Resource Management Act 1991. Any amendment to the location or extent of a walkable catchment must give effect Policy 3(c) of the National Policy Statement on Urban Development 2020, updated May 2022.	Support in Part	The submitter considers that the explanation for walkable catchment should note that in some cases the RTN or centres (where slightly beyond an 800m or 1,200m walkable catchment distance) is connected by extensive cycleways that make micro mobility transportation a viable choice. 'Micro mobility' and 'active' transport modes (i.e., scooters, bikes etc) are expanding traditional 'walkable' distances and this is acknowledged by the MfE guidance on walkable catchments. The guidance notes that:[1] *…not all places are equal and different locations with different characteristics may often have different-sized walkable catchments […] a city or a metropolitan centre with a rapid transit stop located within or close by, is also likely to have a larger walkable catchment than a centre without a rapid transit stop.* The use of such alternative modes and their relationship to 'walkability' is also acknowledged within Auckland Transport's 'Urban Street and Road Design Guide' in which it is noted in relation to increased density of residential occupation:[2] Density (and a diversity of housing choices) gives people the opportunity to live in neighbourhoods that meet their lifestyle preferences and economic means. The goal should be to provide residents with the choice to live in amenity-rich neighbourhoods where they are a short walk *or* bike ride away from shopping, parks, schools and cafés, and take public transport or drive to work and regional destinations. Density allows for more options for more people. Prioritising investment in frequent, high-capacity public transport to support density is a mutually supportive strategy that can rapidly shift people from private cars to public transport and active modes [emphasis added].	That the following wording is added to G2: The suitability of a walkable catchment can vary depending on a number of factors, including topography, connectivity and access to a regular public transport network. In some cases, there may be sites that are located outside a 'walkable catchment' that are suitable for additional intensification and building height. Such sites should be considered on their merits having regard to their context and their ability to provide additional housing choice in an area that is well served by a range of amenities, including public transport. Any other consequential changes that would give effect to the relief sought in this submission.	

[1] Ministry for the Environment, *Understanding and implementing intensification provisions for NPS-UD*, clause 5.5.3 Different locations will have different-sized walkable catchments. https://environment.govt.nz/publications/understanding-and-implementing-intensification-provisions-for-the-national-policy-statement-on-urban-development/

[2] Auckland Transport 'Urban Street and Road Design Guide', page 51.

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
4.		Support in Part	The submitter considers that the walkable catchment should be amended to be 1200m from the edge of Metropolitan Centre Zones, as well as the City Centre Zone. The range of amenities, services, shops, cafés and the extent of employment within Business – Metropolitan Centre Zones is often comparable to that of the City Centre Zone. In fact, the edge of Business – Metropolitan Centre Zones is often more desirable to walk to than the edge of the City Centre zone from a destination and availability of services and amenity perspective. This availability of activities and amenities is acknowledged within the zone description of Chapter H9. Business – Metropolitan Centre Zone which states that the Business – City Centre Zones: *"act as focal points for community interaction and commercial growth and development and contain hubs serving high frequency transport. The zone provides for a wide range of activities including commercial, leisure, high density residential, tourist, cultural, community and civic services. Zone provisions, in conjunction with rules in the other business zones, reinforce metropolitan centres as locations for all scales of commercial activity. These centres are identified for growth and intensification."* Furthermore, taking into account the above points with respects to micro mobility (refer submission point 3 above), a 1200m 'walkable catchment' from Business – Metropolitan Centre zones is considered appropriate. Metropolitan Centre Zones are well serviced by micro mobility and also incorporate high frequency transport options (numerous bus services, train stations and bus ways, among others).	Amend the extent of a 'walkable catchment' to be 1200m from the edge of Business – Metropolitan Centre zones. Any other consequential changes that would give effect to the relief sought in this submission.	2041.8
	H3A. Residential – Low Density Residential Zone				
5.	**H3A.1. Zone description** In the urban environment, the Residential – Low Density Residential Zone is applied to identified sites within residential neighbourhoods, subject to relevant qualifying matters, with the purpose being to: • incorporate MDRS, and make development less enabling to the extent necessary to accommodate the qualifying matter(s) that are present; • protect significant ecological areas and outstanding natural features and landscapes and high natural landscapes; • protect areas of distinct cultural, historic and natural heritage; • protect areas subject to risks from natural hazards including coastal hazards, coastal erosion, overland flow paths and flood plains; • maintain and enhance special character residential areas; and • provide for low density residential activities and buildings consistent with a suburban scale and subdivision pattern, such as one to two storey houses. It is applied in the urban environment where the relevant qualifying matters have resulted in a lower intensity of development. Limiting levels of re-development is necessary to accommodate one or more qualifying matters while enabling residential development. The zone applies to: • the Waitakere Ranges Heritage Area; • neighbourhoods with special character based on past development patterns; • a coastal setting; • sites containing cultural values or substantial proportions of significant ecological areas; • sites that are subject to high natural character, outstanding natural features or landscapes; or, • other factors such as natural hazards risks in the coastal environment and from flooding. To respond to the identified purpose the Residential – Low Density Residential zone may also be applied in plan changes that rezone Future Urban zone land to a residential zone where relevant qualifying matters exist. Within the zone, MDRS are incorporated to the extent qualifying matters can be accommodated. The activities and standards are limited by Auckland-wide provisions and overlays as the Residential - Low Density Residential Zone works with other plan provisions to provide for dwellings while accommodating relevant qualifying matters. To support the purpose of the zone, development is managed with additional dwellings provided for only where dwellings and other buildings do not detract from the values of the identified qualifying matter. The zone is generally characterised by residential activities and buildings consistent with a suburban scale and subdivision pattern, such as one to two storey high buildings with yards and landscaping consistent with a low intensity built character, except where the zone exhibits high landscape or natural heritage values.	Oppose in Part	The submitter notes that the Low Density Residential Zone has been applied to a range of Qualifying Matters. Consistent with the current approach of the Auckland Unitary Plan, the submitter considers that rezoning should be based on land use principles and issues such as flooding or the presence of an SEA over part of the site should not determine the zoning, unless there is clear evidence of significant risk from natural hazards, or if the site is completely covered in an SEA. In its interim guidance on flooding and hazards as part of the hearings for the Auckland Unitary Plan, the Auckland Unitary Plan Independent Hearings Panel noted that it was not convinced about the degree of restriction on use and development in existing built up areas under the natural hazard and flooding provisions. The Panel considered that more consideration should be given to enabling design-led solutions using controlled or restricted discretionary activity status, with appropriately limited matters of control or discretion, and clear and succinct assessment criteria that assist with giving effect to the objectives and policies for natural hazards and flooding. It is noted that there are existing examples of high density residential and business zones that are presently featured in the current Unitary Plan that have a SEA, flood plain or OLFP restriction. In some cases, increases in heights can provide greater flexibility in terms of managing the effects of natural hazards, such as the provision of higher freeboard levels.	That the Auckland Council reviews **all** OLFP's, flood plain and SEA areas identified as Qualifying Matters on the planning maps within Plan Change 78, and any areas that have been downzoned to a Low Density Residential Zone due to the flood plain, OLFP or SEA overlay, are rezoned to a zoning that is based on the most appropriate zone based on accepted land use principles. Any other consequential changes that would give effect to the relief sought in this submission.	2041.9 2041.10 2041.11 2041.12

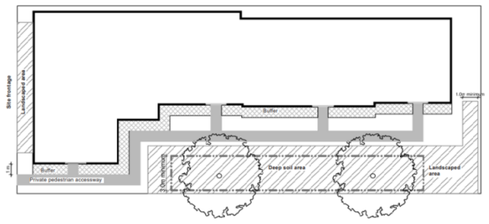
	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
			It is further noted that the SEA is currently located on some sites proposed within MHU and THAB zones. The current Unitary Plan includes objectives, policies and methods to manage the effects on these Qualifying Matters. It is considered more appropriate to manage the effects on these features through overlays or controls, rather than downzoning an area. It may well be that a special overlay reduces all or part of a site from being developed to the full extent of the underlying zoning, but the submitter considers that this is a more efficient and effective approach than downzoning an entire site, on the basis that part of the site is impacted by a particular overlay or control.		
H5. Residential – Mixed Housing Urban Zone					
H5.2. Objectives					
6.	(1) Land ~~near the Business – Metropolitan Centre Zone and the Business – Town Centre Zone, high-density residential areas and close to the public transport network~~ is efficiently used for higher density residential living and to provide urban living that increases housing capacity and choice and access to public transport.	Support	Consistent with the MDRS.	Retain the revised wording.	2041.13
7.	(3) Development provides **high-**quality **amenity**: **(a)** on-site ~~residential amenity~~ for residents and **(b) to** adjoining sites; and **(c) to** the street.	Oppose	The inclusion of 'high' and 'amenity' does not reconcile with the outcomes of the MDRS standards of the zone as they exist or are proposed. The term 'high-quality amenity' is open to subjectivity and will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Retain existing wording.	2041.14
8.	**(6) Development contributes to a high-quality built environment that is resilient to the effects of climate change.**	Oppose	The term 'high-quality built environment' is open to subjectivity and will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete the proposed wording or reword to delete reference to high quality built environment.	2041.15
9.	**(8) Enable a safe street environment for pedestrians.**	Oppose	The policy addresses aspects of a site that are located outside the zone boundary. Chapter 27 Transportation addresses pedestrian safety for developments that adjoin the road.	Delete the proposed wording.	2041.16
10.	**(9) Development is enabled on sites within significant ecological areas where it provides for the protection and management of the significant ecological values.**	Oppose	It is considered that effects of development on SEA are already suitably dealt with via Chapter D9 and E15. The inclusion in the zone is not necessary and undermines the existing AUP framework and the efficient use of land.	Delete the proposed wording.	2041.17
11.	**(10) Intensification is avoided in areas with significant transport infrastructure constraints.**	Oppose	Objective should clearly identify the Beachlands area identified in the mapping control for transport constraints.	Delete the proposed objective or amend to specifically refer to Beachlands only.	2041.18
H5.3. Policies					
12.	(6A) 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; (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.	Oppose in part	The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Amend the text of Policy 6A as follows (6A) Require development to achieve a built form that contributes to the planned outcomes of the zone ~~high-quality built environment outcomes~~ by: (a) maintaining reasonable 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, commensurate with the expectations of the zone; (e) minimising visual dominance effects of carparking and garage doors to streets ~~and private accessways~~; ~~(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~~;	2041.19

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
				(h) designing practical, sufficient space for residential waste management; and ~~(i) designing practical, sufficient space for internal storage and living areas~~. Any other consequential changes that would give effect to the relief sought in this submission.	2041.19
13.	(12) Require dwellings to be provided with access to safe and reliable drinking water, wastewater and stormwater disposal services.	Oppose	Infers that the quality of the drinking water is able to be influenced by the applicant. This is the responsibility of Watercare. Any wording should be similar to that already identified in the existing assessment criteria.	Delete the proposed wording	2041.20
14.	(14) Require development of four or more dwellings per site to contribute to a safe urban road environment for pedestrians through improvements to the adjacent road network.	Oppose	This does not correspond to an effect from the construction of four dwellings. The development contributions already include a component for local transport upgrades.	Delete the policy in its entirety.	2041.21
15.	(15) Require buildings on sites subject to significant ecological areas to be of a scale that protects and maintains the significant ecological values of those areas.	Oppose	It is considered that effects of development on an SEA are already suitably dealt with via Chapter D9 and E15. The inclusion in the zone is not necessary and undermines the existing AUP framework and the efficient use of land.	Delete the policy in its entirety.	2041.22
16.	(16) Avoid developments of more than one dwelling per site in areas identified on the planning maps as subject to significant transport infrastructure constraints.	Oppose in part	Policy should clearly identify the Beachlands area identified in the mapping control.	Delete the proposed objective or amend to specifically refer to Beachlands only.	2041.23
H5.4. Activity table					
17.	(A1) activities not provided for.	Oppose	It is considered activities not provided for should be DA as per Chapter C.	Amend A1 to be a Discretionary Activity	2041.24
18.	(A2A) One dwelling per site subject to a Significant Ecological Area Overlay which complies with Standards E15.4.2(A29) and E15.6.5	Oppose	It is considered that effects of development on SEA are already suitably dealt with via Chapter D9 and E15. The inclusion in the zone is not necessary and undermines the existing AUP framework and the efficient use of land. Additional Standards added beyond the MDRS requirement. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Delete the activity from the table.	2041.25
19.	(A2B) Two or more dwellings per site subject to a Significant Ecological Area Overlay (refer to Vegetation management and biodiversity E15.4.2(A43) and E15.6.5) (A33B) New buildings and additions and alterations to buildings in a Significant Ecological Area Overlay which do not comply with H5.6.10(2) Building coverage.	Oppose	It is considered that effects of development on SEA are already suitably dealt with via Chapter D9 and E15. The inclusion in the zone is not necessary and undermines the existing AUP framework and the efficient use of land. Additional Standards added beyond the MDRS requirement for activity (A2B). The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Delete the activities from the table.	2041.26
20.	Activity Table - Standards to be complied with (multiple activities) Standard H5.6.3A Number of dwellings per site; H5.6.3B Dwellings within the Infrastructure – Combined Wastewater Network Control as identified on the planning maps; H5.6.3C Dwellings within the Infrastructure – Stormwater Disposal Constraints Control as identified on the planning maps; Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; ~~Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones;~~ Standard H5.6.8 Yards; Standard H5.6.9 Maximum impervious areas; Standard H5.6.10(1) Building coverage; Standard H5.6.11(3) and (4) Landscaped area; Standard H5.6.12(A1) Outlook space; ~~Standard H5.6.13 Daylight~~; Standard H5.6.14 Outdoor living space(A1) and (B1); Standard H5.6.15 Front, side and rear fences and walls; Standard H5.6.18(1) Windows to street and private vehicle and pedestrian accessways; Standard H5.6.19 Deep soil area and canopy tree; Standard H5.6.20 Safety and privacy buffer from private pedestrian vehicle accessways; Standard H5.6.21 Residential waste management.	Oppose	Additional standards beyond the MDRS are not required as directed by government. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Delete all standards that are not identified within the MDRS.	2041.27
21.	(A4) Four or more dwellings per site H5.6.3B Dwellings within the Infrastructure – Combined Wastewater Network Control as identified on the planning maps; H5.6.3C Dwellings within the Infrastructure – Stormwater Disposal Constraints Control as identified on the planning maps; Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.6 Alternative height in relation to boundary Standard H5.6.8 Yards; Standard H5.6.9 Maximum impervious areas; Standard H5.6.10(1) Building coverage; Standard	Oppose	The additional standards for: - Infrastructure standards: - Deep soil area and canopy tree; - Safety and privacy buffer	Delete standards that are not identified within the MDRS.	2041.28

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	H5.6.11(5), (6) and (7) Landscaped Area; H5.6.12(1) – (9) Outlook space; Standard H5.6.13 Daylight; H5.6.14(1) – (4) Outdoor living space; Standard H5.6.15 Front, side and rear fences and walls; Standard H5.6.16 Minimum Dwelling Size: Standard H5.6.18(2) Windows to street and private vehicle and pedestrian accessways; Standard H5.6.19 Deep soil area and canopy tree; Standard H5.6.20 Safety and privacy buffer from private pedestrian vehicle accessways; Standard H5.6.21 Residential waste management.		- Residential waste management Shall be deleted as identified below. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards		
H5.5. Notification					
22.	(5) 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 resource consent is precluded if the application is for the construction and use of four or more dwellings that comply with the following standards: (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 H5.6.9 Maximum impervious area; (v) Standard H5.6.10 Building coverage; (vi) Standard H5.6.11 (5), (6) and (7) Landscaped area; (vii)Standard H5.6.12 (1) – (9) Outlook space; (viii) Standard H5.6.13 Daylight;5 (ix) Standard H5.6.14(1) – (4) Outdoor living space; (x) Standard H5.6.15 Front, side and rear fences and walls; (xi) Standard H5.6.16 Minimum dwelling size; (xii)Standard H5.6.18(2) Windows to street and private vehicle and pedestrian accessways; (xiii) Standard H5.6.19 Deep soil area and canopy tree; (xiv) Standard H5.6.20 Safety and privacy buffer from private vehicle and pedestrian accessways (xv) Standard H5.6.21 Residential waste management.	Oppose	Compliance should only be for the bulk and form and adjacent site amenity standards being: (i) Standard H5.6.4 Building height; (ii) Standard H5.6.5 Height in relation to boundary; (iii) Standard H5.6.8(1) Yards; (v) Standard H5.6.10 Building coverage; (vii)Standard H5.6.12 (1) – (9) Outlook space; The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards Amend notification standard to make it clear that restricted discretionary matters such as earthworks, contamination flood plains and technical parking infringements do not remove the notification exclusions. The notifications effects of this technical elements of an application will be considered in accordance with their restricted discretionary status.	Delete standards that are not identified within the MDRS. Amend the notification standard to make it clear that restricted discretionary matters such as earthworks, contamination, flood plains and technical parking infringements do not remove the notification exclusions. In terms of notification, those effects outside the zone standards that form part of a bundled application will be considered in accordance with their particularly restricted discretionary status and the associated matters for discretion for those particular consent matters.	2041.29 2041.30
23.	(6) Any application for a resource consent which is listed in H5.5(4) or H5.5(5) 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.	Oppose	All developments will likely trigger additional AUP reasons for consent. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete.	2041.31
24.	H5.6.3B Dwellings within the Infrastructure – Combined Wastewater Network Control as identified on the planning maps	Oppose	These effects are already managed by Chapter E8. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Delete.	2041.32
25.	H5.6.3C Dwellings within the Infrastructure – Stormwater Disposal Constraints Control	Oppose	These effects are already managed by Chapter E8. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Delete.	2041.33
26.	**H5.6.5. 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.	Oppose	Oppose addition of 'privacy' not required by the MDRS wording within Schedule 3A.	Delete wording and retain existing purpose.	2041.34
27.	**H5.6.5. Height in relation to boundary** (1) Buildings must not project beyond a ~~45~~ 60 degree recession plane measured from a point ~~3~~ 4m vertically above ground level alongside and rear boundaries, as shown in Figure H5.6.5.1 Height in relation to boundary below.	Support	The proposed wording will be efficient and effective in achieving the outcomes sought by the MDRS standards	Accept the proposed text changes	2041.35
28.	~~(b)~~ [Deleted] ~~sites within the Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or the Open Space – Community Zone:~~ ~~(i) that are greater than 2000m²;~~ ~~(ii) where that part of the site in (i) is greater than 20 metres in width, when measured perpendicular to the shared boundary; and~~ ~~(iii) Where an open space comprises multiple sites but has a common open space zoning, the entire zone will be treated as a single site for the purpose of applying the standards listed below.~~ ~~(5)~~ [Deleted] ~~A gable end, dormer or roof may project beyond the recession plane where that portion beyond the recession plan is: (a) no greater than 1.5m2 in area and no greater than 1m in height; and (b) no greater than 2.5m cumulatively in length measured along the edge of the roof as shown in Figure H5.6.5.2 Exceptions for gable ends and dormers and roof projections below.~~ ~~(6) No more than two gable end, dormer or roof projections are allowed for every 6m length of site boundary.~~	Oppose	The exclusions should be retained, as they deal with minor protrusions and they are helpful on sloping sites. It is beneficial to provide activation to Open Space zones.	Retain the existing minor protrusions HIRB is excluded from applying where the site adjoins open space more than 2,000m² area in accordance with the current standard.	2041.36
29.	**H5.6.9. Maximum impervious area** (1) The maximum impervious area must not exceed 60 per cent of site area	Oppose	The retention of this standard is not an efficient use of land and is not demonstrated by an adverse effect. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Amend standard to 70%.	2041.37

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
30.	**H5.6.10. 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.	Oppose	It is considered that effects of development in proximity to an SEA are already suitably dealt with via Chapter D9 and E15. The inclusion is not necessary and undermines the existing AUP framework and the efficient use of land.	Delete the additional wording.	2041.38
31.	(1) The maximum building coverage must not exceed ~~45~~ 50 per cent of the net site area.	Support	The proposed wording will be efficient and effective in achieving the outcomes sought by the MDRS standards	Accept the proposed text changes.	2041.39
32.	H5.6.10. Building coverage (2) On a site subject to a Significant Ecological Areas Overlay: (a) the maximum building coverage must not exceed 50 per cent of the net site area; and (b) building coverage must not be located in any area within 3m of vegetation within a significant ecological area, including following the alteration or removal of up to 300m2 of vegetation for a dwelling per site provided for under E15.3.2(A29) and E15.6.5; and (c) other than provided for in H5.6.10(2)(b), building coverage must not be located within a significant ecological area.	Oppose	It is considered that effects of development in proximity to an SEA are already suitably dealt with via Chapter D9 and E15. The inclusion is not necessary and undermines the existing AUP framework and the efficient use of land. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Delete the proposed text changes relating to the SEA..	2041.40
33.	**H5.6.11. Landscaped area** **Development containing four or more dwellings and any other developments must comply with the following:** (5) The minimum landscaped area must be at least 20 per cent of the net site area and comprise natural grass, plants or trees and can include the canopy of existing trees regardless of the surface underneath provided the surface of the protected root zone is in natural grass, plants or natural mulch. (6) Any part of the landscaped area must have a minimum dimension of 1m and minimum area of 4m^2 as shown below in Figure H5.6.19.1 Example of Deep soil area requirements and the relationship with Landscaped area and the Safety and privacy buffer.	Oppose	The standard wording should match the MDRS standard that applies for 1-3 dwellings. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Amend the proposed text changes to match the MDRS standard.	2041.41
34.	**H5.6.12. Outlook space** Development containing four or more dwellings and any other development must comply with the following: Development containing four or more dwellings and any other development must comply with the following: (1) An outlook space must be provided from the face of a building containing windows **or balconies** to a habitable room. Where the room has two or more external faces with windows **or balconies** the outlook space must be provided from, **in order of priority,** the face with the largest **balcony or** area of glazing. (2) The minimum dimensions for a required outlook space are as follows: (a) a principal living room of a dwelling or main living and dining area within a boarding house or supported residential care must have a outlook space with a minimum dimension of: **i.** 6m in depth and 4m in width **as shown below in Figure H5.6.12.1 Outlook space from habitable room windows for four or more dwellings and any other development**; ~~and~~ **or** **ii. Where the principal living room outlook is on the ground floor and is defined by a boundary fence, outlook depth may be reduced to 5m.** (b) a principal bedroom of a dwelling or a bedroom within a boarding house or supported residential care unit must have an outlook space with a minimum dimension of 3m in depth and 3m in width; and (c) all other habitable rooms must have an outlook space with a minimum dimension of 1m in depth and 1m in width. (3) The depth of the outlook space is measured at right angles to and horizontal from the window to which it applies. (4) The width of the outlook space is measured from: (a) the centre point of the largest window on the building face to which it applies **where outlook depth is reduced to 5m as provided for under H5.6.12A(2)(ii) above; or** **(b) the centre line of the facade of the largest window or balcony edge whichever is closer to the boundary or opposing building.** (5) The height of the outlook space is the same as the floor height, measured from floor to ceiling, of the building face to which the standard applies. (6) Outlook spaces may be within the site, over a public street, or other public open space.	Oppose	The standard wording should match the MDRS standard that applies for 1-3 dwellings. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Amend the proposed text changes to match the MDRS standard.	2041.42

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	(7) Outlook spaces required from different rooms within the same building may overlap. (8) Outlook spaces may overlap where they are on the same wall plane. (9) Outlook spaces must: (a) be clear and unobstructed by buildings **and servicing area;** and (b) not extend over adjacent sites, except for where the outlook space is over a public street or public open space as outlined in H5.6.12(15) above; and (c) not extend over an outlook spaces or outdoor living space required by another dwelling; **and** (d) **must align with private outdoor living space, except for where the outlook space is over a public street or public open space as outlined in H6.6.12(15) above.**				
35.	**H5.6.13. Daylight**	Oppose	It is not a method retained in the MDRS. The proposed standard will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete the daylight standard.	2041.43
36.	**H5.6.14. Outdoor living space** Purpose: to provide dwellings, integrated residential development, supported residential care and boarding houses 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:** ~~is accessible from the dwelling.7~~ • 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.	Oppose	The addition of communal outdoor living space requirements is opposed. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Amend the proposed text changes to match the MDRS standard	2041.44
37.	**H5.6.14. Outdoor living space** (4) In addition to H5.6.14(1) and H5.6.14(2) above, developments of 20 or more dwellings, including integrated residential development of 20 or more dwellings, must provide a communal outdoor living space that: (a) is located in a communally accessible location; (b) is at least 10m2 for every five dwellings it serves; (c) is a minimum dimension of 4m; (d) free of buildings, parking spaces and servicing and manoeuvring areas; (e) for at least 20m2 of the communal living space must receive a minimum of 3 hours of sunlight per day between the hours of 9am – 4pm on 21 June; (f) has a gradient not exceeding 1 in 20; and (g) may be split into no more than two outdoor communal living spaces per development.	Oppose	This additional standard is unnecessary, with the private open space requirements sufficient. The provision for wider public open space is the responsibility of Council not developers. A specific open space development contribution is already payable for each dwelling.	Amend the proposed text changes to match the match the MDRS standard and delete the communal outdoor living space requirements.	2041.45
38.	**H5.6.18 Windows to street and private vehicle and pedestrian accessways** Development contained four or more dwellings and any other development must comply with the following: 2) Any dwelling, integrated residential development, supported residential care, boarding house and visitor accommodation facing the street or private vehicle accessway or private pedestrian accessway, must have a minimum of 20 per cent of the relevant façade in glazing. This can be in the form of windows or doors.	Oppose	Any additional text beyond MDRS wording should be captured via assessment criteria not as a standard.	Delete standard and rely on MDRS wording.	2041.46 2041.47
39.	**H5.6.19 Deep soil area and canopy tree** Purpose: To build resilience to climate change effects through provision of deep soil areas that support canopy trees, which assist in removing carbon, reducing urban heat island effects and enabling the infiltration of stormwater. (1) Any site greater than 200m2 must provide a deep soil area that must comply with the following: (a) 10 per cent of the site area must be provided as 1 contiguous deep soil area with minimum 3m dimensions; (b) Except that sites 1,200m2 or greater may have more than 1 deep soil area provided that: (i) each deep soil area is a minimum of 60m2 with 3m dimensions; and (ii) the combined total deep soil area is a minimum 10 per cent of the site area; (c) Deep soil areas must not be provided in private outdoor living spaces but can be provided as part of communal outdoor living spaces and landscape areas as shown below in Figure H5.6.19.1 Example of Deep soil; area requirements and the relationship with Landscaped Area and the Safety and privacy buffer; and (d) The deep soil area(s) must contain a canopy tree(s) that meets the minimum requirements as set out in Table H5.6.9.1 Minimum requirements for canopy trees; and (2) Trees required by H5.6.19(1) can be existing canopy trees or new canopy trees in accordance with Table H5.9(3).	Oppose	It is not a method retained in the MDRS. The proposed standard will not be efficient or effective in achieving the outcomes sought by the MDRS standards. The proposed Deep Soil Area and Canopy Tree standards (and allied Special Information requirements) will result in disparate landscaping outcomes and do not foster sustainable landscape design solutions. The Deep Soil Area and Canopy Tree requirements as proposed are generic and do not reflect an understanding of landscaping and arboricultural/horticultural techniques and the different abilities of a range of canopy trees to exist successfully in varied conditions. Also using a formula relating the number of trees to site area is inappropriate as the number, size and location of trees is driven by building location and size, the shape of buildings and the location and spatial context of land areas available for plantings. The Deep Soil Area and Canopy Tree provisions are unnecessary and go to a level of detail that is better addressed through detailed landscape design which is already covered in the Plan provisions.	Delete the proposed new standard.	2041.48

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	Table H5.6.19.1 Minimum requirements for canopy trees **Site Area (prior to development or re-development)** / **Minimum canopy tree requirements** 200m² – 600m² / 1 small canopy tree per 200m² of site 601m² – 1,500m² / 1 medium canopy tree per 300m² of site 1,501m² or more / 1 large canopy tree or 2 medium canopy trees per 500m² of site **Figure H5.6.19.1 Example of the Deep soil area requirements and the relationship with Landscaped area and the Safety and privacy buffer** 				
40.	**H5.6.20 Safety and privacy buffer from private pedestrian and vehicle accessways** Purpose: to provide a reasonable standard of safety and privacy for ground floor dwellings located adjacent to pedestrian and vehicle accessways. (1) A minimum 1m buffer areas must be provided between a dwelling and private pedestrian and/or vehicle accessways as shown in Figure H5.6.19.1 Example of Deep soil area requirements and the relationship with Landscape area and the Safety and privacy buffer above. (2) The buffer area must be: (a) free of buildings, parking spaces, servicing and manoeuvring areas. (b) Planted with shrubs or ground cover plants.	Oppose	It is not a method retained in the MDRS. This matter would be better placed as assessment criteria rather than as standards. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete the proposed new standard.	2041.49 2041.50
41.	**H5.6.21 Residential waste management** Purpose: To provide accessible on-site storage space for waste bins and safe vehicle access for the collection of waste (refuse, recyclables and food scraps) for dwellings. (1) On-site waste storage using individual or communal waste bins must be provided as follows: (a) Where individual bins are used, a total storage space of 1.4m2 per dwelling. (b) Where communal bins are used, the total storage space provided must be calculated in accordance with the Auckland Council's Solid Waste Calculator. (c) The location of bins must: (i) be visually screened from within the site, from the street and/or adjacent sites. (ii) not require bins to be transported through dwellings, across unpaved surfaces or up and down stairs or steep gradients (refer to Transport E27.6.6.2) (iii) be accessible for collectors and residents with a minimum on-site footpath width of 1.35m; and (v) provide lighting (refer to Lighting E24.6.2) between storage locations and collection points. (2) Where kerbside collection is used, there must be kerbside space of at least 1m per dwelling, contained within the road frontage of the site without impeding the public footpath. Developments that cannot comply with this will instead need to comply with H5.6.21(3) and either H5.6.21(4) or (5). (3) Four or more dwellings using a private collection service must provide a waste management and minimisation plan. (4) Where on-site collection of individual waste bins is used, there must be a space of at least 1m2 per dwelling in an accessible location for the collection vehicle for collection of individual bins from shared driveways within the site. (5) Where on-site collection of communal waste bins is used, there must be an accessible location for collection of communal bins by a collection vehicle within the site. (6) A waste management and minimisation plan must be provided and implemented for 10 or more dwellings.	Oppose	It is not a method retained in the MDRS. This matter would be better placed as a broader assessment criteria rather than as standards. The new information requirement for a waste minimisation plan for 10+ dwellings is an additional cost that is not warranted and would not be monitored following grant of consent. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete the proposed new standard.	2041.51 2041.52 2041.53

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
42.	**H5.7. Assessment – controlled activities** ~~There are no controlled activities in this zone.~~ H5.7.1. Matters of control The Council will restrict its control to all of the following matters when assessing a controlled activity resource consent application: (1) For one dwelling per site subject to a Significant Ecological Area Overlay: (a) The extent to which the built development is designed to minimise or mitigate adverse effects on the ecological values of the relevant significant ecological area; (b) The location, bulk and scale of built development relative to the surrounding ecological values H5.7.2 Assessment criteria The Council will consider the assessment criteria below for controlled activities to the extent relevant to the proposal: (1) For one or more dwellings per site subject to a Significant Ecological Area Overlay: (a) refer to Policy H5.3(15)	Oppose	It is considered that effects of development in proximity to an SEA are already suitably dealt with via Chapter D9 and E15. The inclusion is not necessary and undermines the existing AUP framework and the efficient use of land.	Delete the proposed new assessment criteria	2041.54
H5.8. Assessment – restricted discretionary activities					
43.	**H5.8. Assessment – restricted discretionary activities** H5.8.1. Matters of discretion The Council will restrict its discretion to all of the following matters when assessing a restricted discretionary activity resource consent application: (1) (c) the effects of the development on the safe access for pedestrians on the adjacent road network.	Oppose	This does not correspond to an effect from the activities identified in H5(1) on the wider adjacent network. The existing matters for discretion already include traffic and access (Chapter E27 Transportation). The development contributions already include a component for local transport upgrades. It is inequitable and inefficient to target one developer to upgrade infrastructure that will likely benefit a wider area.	Delete the proposed new assessment criteria	2041.55
44.	**H5.8. Assessment – restricted discretionary activities** **H5.8.1. Matters of discretion** (2) for four or more dwellings per site: (a) the effects on the neighbourhood character, residential amenity, safety, and the surrounding residential area from all of the following: (i) building ~~intensity~~, scale and location, including: A. the way in which buildings are orientated to the street and adjoining sites, and B. the extent to which the height, roof form and design of buildings respond to the local streetscape and the planned urban built character of the surrounding area, (ia) building form and appearance including: A. use of built elements such as materials, surface and architectural detailing and roof design to create visual interest; B. use of deep soil and/or outdoor living areas, modulation, architectural features, windows, doors and breaks in building length to minimise bulk and visual dominance; C. whether design provides for the balance between resident's privacy and opportunities for passive surveillance; D. whether the design provides for privacy, and sunlight and daylight access for adjoining sites; E. the interface with an identified special character area or a scheduled historic heritage place; (ib) the extent to which the functional, day to day needs of residents are provided for in terms of: A. the size and dimensions of living areas relative to the likely occupancy levels of the dwellings; B. internal storage; C. residential waste management, including the kerbside and/or on-site capacity for residential waste management (ii) traffic; and (iii) location and design of ~~parking and~~ access (including pedestrian access) and parking (if provided). b) [deleted] ~~all of the following standards:~~ ~~(i) Standard H5.6.9 Maximum impervious areas;~~ ~~(ii) Standard H5.6.10 Building coverage;~~ ~~(iii) Standard H5.6.11 Landscaped area;~~ ~~(iv) Standard H5.6.12 Outlook space;~~	Oppose in part	Oppose the inclusion of: - deep soil within B; - introduction of interfaces with identified special character area or a scheduled historic heritage place; and - references to wider upgrades of the adjacent road network under (d) do not correspond to the quantum of effects from the activities this is triggered by i.e. 4 dwellings. There are already matters for pedestrian access under (iii). The development contributions already include a component for local transport upgrades. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete the proposed new assessment criteria (ia) building form and appearance including: A. use of built elements such as materials, surface and architectural detailing and roof design to create visual interest; B. ~~use of deep soil and~~/or outdoor living areas, modulation, architectural features, windows, doors and breaks in building length to minimise bulk and visual dominance; C. whether design provides for the balance between resident's privacy and opportunities for passive surveillance; D. whether the design provides for privacy, and sunlight and daylight access for adjoining sites; ~~E. the interface with an identified special character area or a scheduled historic heritage place;~~ (ib) the extent to which the functional, day to day needs of residents are provided for in terms of: ~~A. the size and dimensions of living areas relative to the likely occupancy levels of the dwellings;~~ ~~B. internal storage;~~ C. residential waste management, including the kerbside and/or on-site capacity for residential waste management. … ~~(d) the effects of the development on the safe access for pedestrians on the adjacent road network.~~	2041.56

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	~~(v) Standard H5.6.13 Daylight; (vi) Standard H5.6.14 Outdoor living space;~~ ~~(vii) Standard H5.6.15 Front, side and rear fences and walls; and~~ ~~(viii) Standard H5.6.16 Minimum dwelling size~~ (c)~~.~~ the effects on infrastructure and servicing including: (i) Existing infrastructure capacity. (d) the effects of the development on the safe access for pedestrians on the adjacent road network.				
45.	**H5.8. Assessment – restricted discretionary activities** **H5.8.1. Matters of discretion** (3) for integrated residential development: (a) the effects on the neighbourhood character, residential amenity, safety, and the surrounding residential area from all of the following: (i) building ~~intensity,~~ scale, location, form and appearance including the extent to which buildings as viewed from the street or public places are designed to minimise visual dominance effects taking into account: A. the planned urban built character of the zone; B. the location, orientation and design of development; and C. the effect of the proposed height on the surrounding and neighbouring development. (ii) traffic; (iii) location and design of parking and access (including pedestrian access) and parking (if provided); and (iv) noise, lighting and hours of operation. (b) [deleted] ~~all of the following standards:~~ ~~(i) Standard H5.6.9 Maximum impervious areas;~~ ~~(ii) Standard H5.6.10 Building coverage;~~ ~~(iii) Standard H5.6.11 Landscaped area;~~ ~~(iv) Standard H5.6.12 Outlook space;~~ ~~(v) Standard H5.6.13 Daylight;~~ ~~(vi) Standard H5.6.14 Outdoor living space;~~ ~~(vii) Standard H5.6.15 Front, side and rear fences and walls; and~~ ~~(viii) Standard H5.6.16 Minimum dwelling size.~~ (c) Infrastructure and servicing (d) the effects of the development on the safe access for pedestrians on the adjacent road network.	Oppose in part	the effect of the proposed height on the surrounding and neighbouring development should only be required in terms of additional height over and above the zone standard.	Amend the proposed new assessment criteria to refer to "C. the effect of the proposed additional height above the zone standards on the surrounding and neighbouring development." ~~(d) the effects of the development on the safe access for pedestrians on the adjacent road network.~~	2041.57
46.	**H5.8. Assessment – restricted discretionary activities** **H5.8.1. Matters of discretion** (6) For more than one dwelling per site in areas identified on the planning maps as being subject to the Infrastructure –Combined Wastewater Network Control or the Infrastructure – Water and Wastewater Constraints Control. (a) Infrastructure and servicing. (7) For more than one dwelling per site in areas identified on the planning maps as being subject to the Infrastructure –Stormwater Disposal Constraints Control. (a) Stormwater disposal.	Oppose	These effects are already managed by Chapter E8 for 1 dwellings and additions and alternations to. Furthermore, **H5.8. Assessment – restricted discretionary activities** for four or more dwellings per site deals with infrastructure capacity.	Delete the proposed new assessment criteria	2041.58
47.	**H5.8.2. Assessment criteria** (1) for supported residential care accommodating greater than 10 people per site inclusive of staff and residents; boarding houses accommodating greater than 10 people per site inclusive of staff and residents; visitor accommodation accommodating greater than 10 people per site inclusive of staff and visitors; dairies up to 100m2 gross floor area per site; care centres accommodating greater than 10 people per site excluding staff; community facilities; and healthcare facilities up to 200m2 gross floor area per site: (a) infrastructure and servicing: (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. (b) building ~~intensity~~, scale, location, form and appearance:	Support in part	Support removal of 'intensity' though ensure remove from (1)(b)(i) for consistency. Remove requirement for off-site roading or pedestrian upgrades	Amend and retain text as identified in reasons for submission. ~~(f) The extent to which the adjacent road network provides safe pedestrian movements~~.	2041.59

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:
	(i) whether the intensity and scale of the activity, the building location, form and appearance is of a high-quality and compatible with the character and residential amenity provided for within the zone and compatible with the surrounding residential area. (c) traffic: (i) whether the activity avoids or mitigates high levels of additional non-residential traffic on local roads. (d) location and design ~~of parking~~ and access (including pedestrian access) and parking (if provided): (i) whether adequate ~~parking and~~ access is provided or required. (ii) whether car parking and accessways are integrated into the overall design of the development (iii) whether parking is located away from street frontages and screened from the street by buildings or landscaping (iv) Whether safe, well-lit pedestrian access is provided and integrated into the design of the development. (e) noise, lighting and hours of operation: (i) whether noise and lighting and the hours of operation of the activity avoids, remedies or mitigates adverse effects on the residential amenity of surrounding properties, by: • locating noisy activities away from neighbouring residential boundaries; • screening or other design features; and • controlling the hours of operation and operational measures (f) The extent to which the adjacent road network provides safe pedestrian movements.			
48.	**H5.8.2. Assessment criteria** The Council will consider the assessment criteria below for restricted discretionary activities to the extent relevant to the proposal: (2) for four or more dwellings on a site: (a) the extent to which or whether the development achieves the purpose outlined in the ~~following~~ relevant standards identified in Table 5.4.1 or what alternatives are provided that result in the same or a better outcome.~~:~~ (i) [deleted]~~Standard H5.6.9 Maximum impervious areas;~~ (ii) [deleted]~~Standard H5.6.10 Building coverage;~~ (iii) [deleted]~~Standard H5.6.11 Landscaped area;~~ (iv) [deleted]~~Standard H5.6.12 Outlook space;~~ (v) [deleted]~~Standard H5.6.13 Daylight;~~ (vi) [deleted]~~Standard H5.6.14 Outdoor living space;~~ (vii) [deleted]~~Standard H5.6.15 Front, side and rear fences and walls; and~~ (viii) [deleted]~~Standard H5.6.16 Minimum dwelling size.~~ (aa) the extent to which the scale of the activity, the building location, form and appearance is of a high-quality and compatible with the planned urban built character and residential amenity of the surrounding residential area provided for within the zone. (ab) the extent to which buildings are designed to manage building length and bulk and visual dominance by: (i) placing taller buildings on the street front (ii) varying roof form and building height (iii) using modulation and architectural features to break up the mass of buildings into visually distinct elements (iv) using the proportions and arrangement of windows and doors to provide relief to building length and bulk (v) using other building elements including materials, surface detailing, architectural detail and roof design to provide visual interest along building facades including blank side/party walls (vi) providing adequate breaks in long continuous buildings to minimise the appearance of length (vii) locating deep soil areas and/or communal outdoor spaces around and between buildings to provide space and soften the built form (viii) designing balconies as an integral part of the building (ac) the extent to which buildings use quality, durable and easily maintainable materials. (ad) the extent to which buildings adjoining or across the street from an identified special character area or a scheduled historic heritage place are designed to respect the prevailing character of the area or key historic heritage design and location elements of that place. New and contemporary interpretations in form and detail may be used. (ae) the extent to which building frontage contribute positively to the visual amenity and safety of public streets, public open spaces, and private vehicle and pedestrian accessways by: (i) having clearly defined fronts that provide passive surveillance from windows and balconies .	Oppose in part	Oppose the references to: - Deep soil and communal open space in (ab)(vii) and (fe). - References to the need for wider upgrades of the adjacent road network under (d) and (gd). For the latter it is not considered that the quantum of effects corresponds to the activities it triggers. There are already matters for pedestrian access under (iii). The development contributions already include a component for local transport upgrades. - The additional assessment criteria under (ad) for the interface with an identified special character area or a scheduled historic heritage place is not considered an effective method nor warranted by an effect.	Delete the relevant assessment criteria wording as noted: (aa) the extent to which the scale of the activity, the building location, form and appearance ~~is of a high-quality and~~ compatible with the planned urban built character and residential amenity of the surrounding residential area provided for within the zone. … (ab) ~~(vii) locating deep soil areas and/or communal outdoor spaces around and between buildings to provide space and soften the built form~~ … ~~(ac) the extent to which buildings use quality, durable and easily maintainable materials.~~ ~~(ad) the extent to which buildings adjoining or across the street from an identified special character area or a scheduled historic heritage place are designed to respect the prevailing character of the area or key historic heritage design and location elements of that place. New and contemporary interpretations in form and detail may be used.~~ … ~~(i) The extent to which the adjacent road network enables safe pedestrian movements.~~

2041.60

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:
	(ii) maximising doors, windows and balconies over all levels on the front façades whilst not impacting on privacy. (iii) maximising the number of dwellings on the site that directly front, align and orientate to public streets . (iv) ground level dwellings closest to the street each have direct and clearly defined pedestrian access from the street in preference to a single building entrance. (v) where a site adjoins public open space, buildings include entrances, windows of habitable rooms and balconies facing the open space. (af) the extent to which site layout creates legible, visible attractive, safe and well-lit connections between dwellings and the street. (b) [deleted]~~The extent to which the development contributes to a variety of housing types at higher densities in the zone and is in keeping with the neighbourhood's planned urban built character of predominantly three storey buildings (attached or detached) by limiting the height, bulk and form of the development and managing the design and appearance as well as providing sufficient setbacks and landscaped areas.~~ (c) [deleted]~~The extent to which development achieves attractive and safe streets and public open space by:~~ ~~(i) providing doors, windows and/or balconies facing the street and public open spaces~~ ~~(ii) minimising tall, visually impermeable fences~~ ~~(iii) designing large scale development (generally more than 15 dwellings) to provide for variations in building form and/or façade design as viewed from streets and public open spaces.~~ ~~(iv) optimising front yard landscaping (v) providing safe pedestrian access to buildings from the street~~ ~~(vi) minimising the visual dominance of garage doors, walkways or staircases to upper level dwellings, and carparking within buildings a viewed from streets or public open spaces~~ (d) [deleted]~~The extent to which the height, bulk and location of the development maintains a reasonable standard of sunlight access and privacy and minimises visual dominance to adjoining sites;~~ (e) [deleted]~~The extent to which dwellings:~~ ~~(i) Orientate and locate windows to optimise privacy and encourage natural cross ventilation within the dwelling~~ ~~(ii) Optimise sunlight and daylight access based on orientation, function, window design and location, and depth of the dwelling floor space~~ ~~(iii) Provide secure and conveniently accessible storage for the number and type of occupants the dwelling is designed to accommodate.~~ ~~(iv) Provide the necessary waste collection and recycling facilities in locations conveniently accessible and screens from streets and public open spaces.~~ (f) [deleted]~~The extent to which outdoor living space:~~ ~~(i) Provides for access to sunlight~~ ~~(ii) Provides privacy between the outdoor living space of adjacent dwellings on the same site and between outdoor living space and the street.~~ ~~(iii) When provided at ground level, is located on generally flat land or otherwise functional~~ (fa) refer to Policy H5.3(A1); (fb) refer to Policy H5.3(C1); (fc) refer to Policy H5.3(D1); (fd) refer to Policy H5.3(E1); (fe) refer to Policy H5.3(6A) (g) [deleted]~~refer to Policy H5.3(7); and~~ (ga) refer to Policy H5.3(10); (gb) refer to Policy H5.3(11); (gc) refer to Policy H5.3(12); (gd) refer to Policy H5.3(14); (h) infrastructure and servicing: (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. (i) The extent to which the adjacent road network enables safe pedestrian movements.			
49.	**H5.8.2. Assessment criteria** (3) for integrated residential development: (a) the extent to which or whether the development achieves the purpose outlined in the following relevant standards and identified in Table H5.4.1 or what alternatives are provided that result in the same or a better outcome: (i) [deleted] ~~Standard H5.6.9 Maximum impervious areas;~~ (ii) [deleted] ~~Standard H5.6.10 Building coverage;~~ (iii) [deleted] ~~Standard H5.6.11 Landscaped area;~~ (iv) [deleted] ~~Standard H5.6.12 Outlook space;~~ (v) [deleted] ~~Standard H5.6.13 Daylight;~~ (vi) [deleted] ~~Standard H5.6.14 Outdoor living space;~~	Oppose in part	Oppose the references to: - deep soil and communal open space in 3(g). - references to the need for wider upgrades of the adjacent road network under (l). It is not considered that the quantum of effects corresponds to the activities it triggers. The level of service within the existing road reserve is the responsibility of Auckland Transport. The development contributions already include a component for local transport upgrades.	Delete the relevant assessment criteria. ~~(l) The extent to which the adjacent road network enable safe pedestrian movements, including:~~ ~~i. Footpaths of at least 1.8m in width~~ ~~ii. Facilities to safely and conveniently cross the road including pram crossings, and tactile paving,~~ ~~iii. Narrowed pedestrian crossing distances of vehicle carriageways~~ ~~iv. Front berms to separate pedestrians from traffic.~~

2041.61

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	(vii)[deleted] ~~Standard H5.6.15 Front, side and rear fences and walls; and~~ (viii) [deleted] ~~Standard H5.6.16 Minimum dwelling size (excluding retirement villages).~~ (aa) refer to Policy H5.3(C1) (ab) refer to Policy H5.3(D1) (ac) refer to Policy H5.3(E1) (b) [deleted] ~~refer to Policy H5.3(1);~~ (c) [deleted] ~~refer to Policy H5.3(2);~~ (d) [deleted] ~~refer to Policy H5.3(3);~~ (e) [deleted] ~~refer to Policy H5.3(4);~~ (f) [deleted] ~~refer to Policy H5.3(5);~~ (g) refer to Policy H5.3(6A); (h) [deleted] ~~refer to Policy H5.3(7);13~~ (i) refer to Policy H5.3(8); (j) refer to Policy H5.3(9); ~~and~~ (ja) refer to Policy H5.3(11); (jb) refer to Policy H5.3(12); (ic) refer to Policy H5.3(14); and (k) infrastructure and servicing: (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. (l) The extent to which the adjacent road network enable safe pedestrian movements, including: i. Footpaths of at least 1.8m in width ii. Facilities to safely and conveniently cross the road including pram crossings, and tactile paving, iii. Narrowed pedestrian crossing distances of vehicle carriageways iv. Front berms to separate pedestrians from traffic.		- Infrastructure provision is already included within existing assessment criteria (k) the cross reference under 3(jb) is unnecessary.		
50.	**H5.8.2. Assessment criteria** (4) for building height: (aa) refer to Policy H5.3(A1); (ba) refer to Policy H5.3(B1); (ca) refer to Policy H5.3(E1); (da) refer to Policy H5.3(6A); (a) ~~refer to Policy H5.3~~(2); (b) ~~refer to Policy H5.3(4).;~~ and **Visual dominance** (4) 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: (i) the planned urban built character of the zone; and (ii) the location, orientation and design of development. (iii) the effect of the proposed height on the surrounding and neighbouring development.	Oppose in part	Consideration of the effect of the proposed height on the surrounding and neighbouring development should only be required in terms of additional height over and above the zone standard.	Amend the proposed new assessment criteria to refer to: "iii. the effect of the proposed additional height above the zone standards on the surrounding and neighbouring development."	2041.62
51.	**H5.8.2. Assessment criteria** (6) for height in relation to boundary: (aa) refer to Policy H5.3(A1); (ba) refer to Policy H5.3(E1); (ba) refer to Policy H5.3(6A) and (a) ~~refer to Policy H5.3(2);~~ (b) ~~refer to Policy H5.3(4); and~~ (c) ~~refer to Policy H5.3(5).~~ **Sunlight access** (d) Whether sunlight access to the outdoor living space of an existing dwelling on a neighbouring site satisfies the following criterion:13 Four hours of sunlight is retained between the hours of 9am – 4pm during the Equinox (22 September): (i) over 75% of the existing outdoor living space where the area of the space is greater than the minimum required by Standard H5.6.4: or	Oppose in part	Consideration of the effect of the proposed height in relation to boundary infringement on the surrounding and neighbouring development should only be required in terms of additional bulk over and above the zone standard.	Amend the proposed new assessment criteria to refer to additional HIRB infringements over the standard.	2041.63

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	(ii) over 100% of existing outdoor living space where the area of this space is equal to or less than the minimum required by Standard H5.6.14. (e) 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 (a): (i) 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 Height in relation to boundary control; and (ii) 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. **Visual dominance** (f) 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: (i) the planned urban built character of the zone; (ii) the location, orientation and design of development; and (iii) the physical characteristics of the site and the neighbouring site. (iv) the design of side and rear walls, including appearance and dominance; and (v) providing adequate visual and/or physical break up of long continuous building forms. **Overlooking and privacy** (g) 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.				
52.	**H5.8.2. Assessment criteria** (12) for landscaped area: (aa) refer to Policy H5.3(A1); (ba) refer to Policy H5.3(C1); (ca) refer to Policy H5.3(6A); (da) refer to Policy H5.3(10); and (a) [deleted] ~~refer to Policy H5.3(2);~~ (b) [deleted] ~~refer to Policy H5.3(4); and~~ (c) [deleted] ~~refer to Policy H5.3(5).~~ (d) the extent to which existing trees are retained.	Oppose	The are no general tree protection controls.	Delete the additional assessment criteria.	2041.64
53.	**H5.8.2. Assessment criteria** (14) for daylight: (aa) refer to Policy H5.3(D1); (ab) refer to Policy H5.3(6A); and (a) [deleted] ~~refer to Policy H5.3(2);~~ (b) [deleted] ~~refer to Policy H5.3(4); and~~ (c) [deleted] ~~refer to Policy H5.3(5).~~	Oppose	It is not a method retained in the MDRS.	Delete H5.8.2. in its entirety	2041.65
54.	**H5.8.2. Assessment criteria** (15) for outdoor living space: (aa) refer to Policy H5.3(A1); (ba) refer to Policy H5.3(D1); and (a) [deleted] ~~refer to Policy H5.3(2);~~ (b) [deleted] ~~refer to Policy H5.3(4);~~ (c) [deleted] ~~refer to Policy H5.3(5); and~~ (d) [deleted] ~~refer to Policy H5.3(6). and;~~ (e) The extent to which dwellings provide private open space and communal open space that is useable, accessible from each dwelling and attractive for occupants.	Oppose in part	The inclusion of 'communal' open space is unnecessary with the private open space requirements sufficient. The provision for wider public open is the responsibility of Council not developers. A specific open space development contribution is already payable for each dwelling. The use of the term attractive can be ambiguous and open to interpretation.	Deletion of this text. (e) The extent to which dwellings provide private open space ~~and communal open space~~ that is useable, and accessible from each dwelling ~~and attractive~~ for occupants.	2041.66
55.	**H5.8.2. Assessment criteria** (15A) For windows to street and private vehicle and pedestrian accessways (a) refer to Policy H5.3(C1) (b) refer to Policy H5.3(6A); and	Oppose in part	The text goes beyond MDRS in terms of referencing private vehicle and pedestrian accessways.	Deletion of the following text. H5.8.2. Assessment criteria (15A) For windows to street ~~and private vehicle and pedestrian accessways~~	2041.67

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	(c) The extent to which the glazing: (i) allows views to the street and/or accessways to ensure passive surveillance; and (ii) provides a good standard of privacy for occupants.			(a) refer to Policy H5.3(C1) (b) refer to Policy H5.3(6A); and (c) The extent to which the glazing: (i) allows views to the street ~~and/or accessways~~ to ensure passive surveillance; and (ii) provides a good standard of privacy for occupants.	2041.67
56.	**H5.8.2. Assessment criteria** (18) for deep soil area and canopy tree (a) refer to Policy H5.3(6A); (b) The extent to which the proposed deep soil area uses or adds to existing deep soil areas to support canopy trees; and	Oppose	It is not a method retained in the MDRS. It is not efficient use of land, and is neither effective or efficient.	Delete entire assessment criteria.	2041.68
57.	**H5.8.2. Assessment criteria** (19) for safety and privacy buffer from private pedestrian and vehicle accessways: (a) refer to Policy H5.3(6A); and (b) the extent to which the buffer is: (i) free of buildings, parking spaces, structures, servicing facilities and manoeuvring areas; (ii) planted with suitable and low level plants.	Oppose	It is not a method retained in the MDRS. This matter would be better placed as assessment criteria rather than as standards.	Delete entire assessment criteria.	2041.69
58.	**H5.8.2. Assessment criteria** (20) For residential waste management: (a) refer to Policy H5.3(D1) (b) refer to Policy H5.3(6A); (c) refer to Policy H5.3(10); (d) The extent to which sufficient space is provided for residential waste management that is suitably located for ease of movement to collection points; (e) The extent to which the waste management area is designed to minimise visibility; (f) How the development intends to ensure the on-going management and maintenance of any communal residential waste management area; (g) Whether waste storage areas are located outside windows or doors to bedrooms, living areas and outdoor living areas to avoid effects of odour and noise; and (h) Whether waste management vehicle can safely undertake collection.	Oppose in part	Consider matters related to waste should be included in the assessment criteria for 4+ dwellings and integrated residential development.	Delete section (20) and move necessary criteria to H5.8.2. (1), (2) and (3).	2041.70
59.	**H5.8.2. Assessment criteria** (21) For more than one dwelling per site in areas identified on the planning maps as being subject to the Infrastructure – Combined Wastewater Network Control or the Infrastructure – Water and Wastewater Constraints Control: (a) Whether there is adequate capacity in the existing public reticulated water supply and / or wastewater network to service the proposed dwelling(s). (b) Whether sufficient water supply and access to water supplies for firefighting purposes in accordance with the NZ Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 is available. (c) Whether there is the ability to connect the dwelling(s) to a reticulated water supply and / or wastewater network in the future.	Oppose	These effects are already managed by Chapter E8 and the assessment criteria under H5.8.2.(1), (2) and (3).	Delete proposed text.	2041.71
60.	**H5.8.2. Assessment criteria** (22) For more than one dwelling per site in areas identified on the planning maps as being subject to the Infrastructure – Stormwater Disposal Constraints Control. (a) Whether stormwater can be disposed via a connection to the public stormwater network. (b) Whether stormwater from the site can be disposed of in accordance with the current version of Guideline Document 007 Stormwater Soakage and Groundwater Recharge in the Auckland Region, and the Auckland Stormwater Code of Practice.	Oppose	These effects are already managed by Chapter E8 and the assessment criteria under H5.8.2.(1), (2) and (3).	Delete proposed text.	2041.72
H5.9. Special information requirements					
61.	**Landscaped Plan as required by H5.6.11 Landscape area** (1) A scaled landscape plan must be provided that contains landscaped areas and includes: (a) Plant and tree species, number of each species to be planted and planting grades; (b) Canopy of existing trees to be retained; (c) Any area of grass; and15 (d) Any paths included in landscaped area.	Oppose	Chapter C1.2.(1) already addresses this matter - no need for a specific information requirement.	Delete proposed text.	2041.73

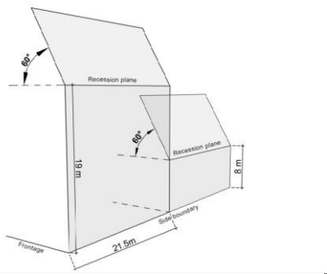
	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
62.	**Deep Soil Area and Canopy Tree** (2) The deep soil area provided must be demonstrated on a scaled landscape plan that at a minimum identifies the following: (a) plant and tree species, number of each species to be planted and planting grades; (b) location of existing trees to be retained; (c) dimensions of individual mature tree canopy; (d) any areas of grass; and (e) Minimum tree canopy dimensions are specified in Table H5.9(3) below. **Table H5.9(3) Minimum tree canopy dimension** | | Minimum mature tree height | Minimum mature canopy diameter | Minimum tree height above ground when planted | Indicative tree planting grade | | --- | --- | --- | --- | --- | | Small | 8m | 6m | 2m | 120L | | Medium | 10m | 8m | 2.5m | 160L | | Large | 15m | 12m | 3m | 200L |	Oppose	It is not a method retained in the MDRS. It is not efficient use of land, and is neither effective or efficient.	Delete proposed text.	2041.74
63.	**Residential waste management** (3) Applications for where communal bins are proposed, must include calculations for required storage space as determined using the Auckland Council's Solid Waste Calculator (Standard H5.6.21(1)(b)). (4) When preparing the waste management and minimisation plan, applicants should refer to the Waste Management and Minimisation Bylaw 2019. The following information must be provided at a minimum: a) the estimate of the volume of waste by the type of waste created, collected, received, stored or disposed of; b) the frequency, location, access and on-site route of waste collection or transportation; and c) the method of waste collection, transportation or disposal.	Neutral	Needs to be clear that it only relates to communal collection.	Clarify that this is only related to communal collection.	2041.75
	H6. Residential – Terrace Housing and Apartment Buildings Zone				
64.	**H6.1. Zone Description** The Residential – Terrace Housing and Apartment Buildings Zone is a high-intensity zone enabling a ~~greater~~ high ~~-~~ intensity of residential development ~~than previously provided for~~. This zone provides for urban residential living in a range of ~~the~~ forms ~~of~~ including terrace housing and apartments. The zone is predominantly located around metropolitan, town and local centres and the public transport network to support the highest levels of intensification. The purpose of the zone is to make efficient use of land and infrastructure, increase the capacity of housing and ensure that residents have convenient access to services, employment, education facilities, retail and entertainment opportunities, public open space and public transport. This will promote walkable neighbourhoods and increase the vitality of centres. The zone provides for the greatest density, height and scale of development of all the residential zones. Within walkable catchments, as identified on the planning maps, development of at least six storeys is enabled unless qualifying matters apply. Outside the walkable catchments, ~~B~~buildings are enabled up to at least five storeys ~~six or seven storeys in~~. In identified Height Variation Control areas buildings of seven or more storeys are enabled. Permitted height standards vary depending on the scale of the adjoining centre, to achieve a transition in height from the centre to adjoining ~~lower scale~~ residential zones. ~~This form of development will, o~~The zone anticipates the greater intensity of development will transition neighbourhoods ~~and over time~~, ~~result in a change~~ from a suburban character to urban built character with a corresponding ~~a high~~ degree of visual change. The zone enables a mix of housing types including three-storey attached and detached dwellings, terraced housing and apartment buildings and integrated residential developments such as retirement villages and Papakāinga. The Residential – Terrace Housing and Apartment Buildings Zone is a relevant residential zone as defined in the RMA. The zone incorporates Medium Density Residential Standards (MDRS). The development outcomes anticipated by the RMA are enabled in the zone and are less enabling of development where one or more qualifying matters apply. Standards are applied to all buildings and resource consent is required for ~~all~~ developments with four or more dwellings and for other specified buildings and activities in order to: • achieve the planned urban built character of the zone;	Support in part	The suitability of a walkable catchment can vary depending on a number of factors, including topography, connectivity and access to a regular public transport network. In some cases, there may be sites that are located outside a 'walkable catchment' that are suitable for additional intensification and building height. Such sites should be considered on their merits having regard to their context and their ability to provide additional housing choice in an area that is well served by a range of amenities, including public transport.	Amend the zone description as follows: The zone provides for the greatest density, height and scale of development of all the residential zones. Within walkable catchments, as identified on the planning maps, development of at least six storeys is enabled unless qualifying matters apply. Outside the walkable catchments, ~~B~~buildings are enabled up to at least five storeys ~~six or seven storeys in~~. In identified Height Variation Control areas buildings of seven or more storeys are enabled or where appropriate, additional height, having regard to the context of the site and the ability to provide additional housing choice in an area that is well served by a range of amenities, including public transport. Permitted height standards vary depending on the scale of the adjoining centre, to achieve a transition in height from the centre to adjoining ~~lower scale~~ residential zones. Any other consequential changes that would give effect to the relief sought in this submission	2041.76

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	• achieve attractive and safe streets and public open spaces; • manage the effects of development on adjoining sites, including visual amenity, privacy and access to daylight and sunlight; and • achieve high quality on-site living environments. The resource consent requirements for four or more dwellings enable the design and layout of the development to be assessed; recognising that the need to achieve a quality design is increasingly important as the scale of development increases. This zone also provides for a range of non-residential activities so that residents have convenient access to these activities and services while maintaining the urban residential character of these areas.				
H6.2. Objectives					
65.	(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 three-storey buildings.	Support in part	Additional wording proposed to clarify the objectives of the zone.	Amend the text as follows: ii The neighbourhood's planned urban built character, including three-storey attached and detached dwellings, terraced housing and apartment buildings and integrated residential developments such as retirement villages and Papakāinga; and iii Walkable catchments and/or other accessibility to frequent public transport to enable multilevel apartment typologies featuring a range of building heights that respond to the context of the site.	2041.77
66.	(1A) Development of at least six storeys is enabled within walkable catchments, with seven or more storey buildings in identified areas, while also achieving a high-quality built environment.	Oppose in part	The term 'high-quality built environment' is open to subjectivity and will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete the proposed wording or reword to delete reference to high quality building.	2041.78
67.	(2) Development outside walkable catchments is in keeping with the areas' changing planned urban built character of predominantly five storeys or six or seven storey buildings where specified in identified areas, in a variety of forms.	Oppose in part	The suitability of a walkable catchment can vary depending on a number of factors, including topography, connectivity and access to a regular public transport network. In some cases, there may be sites that are located outside a 'walkable catchment' that are suitable for additional intensification and building height. Such sites should be considered on their merits having regard to their context and their ability to provide additional housing choice in an area that is well served by a range of amenities, including public transport.	(2) Development outside walkable catchments is in keeping with the areas' changing planned urban built character of predominantly five storeys or six or seven storey buildings where specified in identified areas, or where appropriate, having regard to the context of the site and the ability to provide additional housing choice in an area that is well served by a range of amenities, including public transport.~~in a variety of forms.~~	2041.79
68.	(3) Development provides high-quality amenity: a. on-site ~~residential amenity~~ for residents; b. to adjoining sites; and c. to the street.	Oppose	The inclusion of 'high' and 'amenity' does not reconcile with the outcomes of the MDRS standards of the zone as they exist or are proposed. The term 'high-quality amenity' is open to subjectivity and will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Retain existing wording.	2041.80
69.	(4) Non-residential activities provide for the community's social, economic and cultural well-being, while being compatible with the scale and intensity of development anticipated by the zone so as to contribute to the amenity of the neighbourhood.	Support	Providing for non-residential activities will provide for the community's social, economic and cultural well-being of the community and support the MDRS outcomes.	Retain existing wording.	2041.81
70.	(5) Development contributes to a high-quality built environment that is resilient to the effects of climate change.	Oppose	The term 'high-quality built environment' is open to subjectivity and will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete the proposed wording or reword to delete reference to high quality building.	2041.82
71.	(8) (Enable safer pedestrian movement within the immediate locality of higher density developments to ensure ease of pedestrian movement to the rapid transport stops.	Oppose	The policy addresses aspects of a site that are located outside the zone boundary. Chapter 27 Transportation addresses pedestrian safety for developments that adjoin the road.	Delete the proposed wording	2041.83
72.	(9) Development is enabled on sites subject to significant ecological areas where it provides for the protection and management of the significant ecological values.	Oppose	It is considered that effects of development on SEA are already suitably dealt with via Chapter D9 and E15. The inclusion in the zone is not necessary and undermines the existing AUP framework and the efficient use of land.	Delete the proposed wording	2041.84
H6.3. Policies					

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
73.	(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.	Support in part	Will generally give effect to the MDRS and the NPSUD	Retain proposed Policy	2041.85
74.	(1) Enable a variety of housing types at high densities including terrace housing and low to mid-rise and higher rise apartments within walkable catchments and integrated residential development such as retirement villages.	Oppose in part	Additional wording proposed to recognise that some sites located outside the walkable catchment may still be suitable for additional intensity.	(1) Enable a variety of housing types at high densities including terrace housing and low to mid-rise and higher rise apartments within walkable catchments and integrated residential development such as retirement villages or where appropriate, having regard to the context of the site and the ability to provide additional housing choice in an area that is well served by a range of amenities, including public transport.	2041.86
75.	(2) Require the height, bulk, form and appearance of multi-unit development ~~and the provision of setbacks and landscaped areas~~ to achieve a high-quality built environment: (a) with a high-density urban built character of predominantly five, six or seven storey buildings in identified areas; and (b) through building and site design which locates bulk and mass towards the street and provides for setbacks, outlook spaces, private and communal outdoor spaces and landscaped areas~~., in a variety of forms.~~	Oppose	The term 'high-quality built environment' is open to subjectivity and will not be efficient or effective in achieving the outcomes sought by the MDRS standards. Additional wording proposed to recognise that some sites located outside the walkable catchment may still be suitable for additional intensity.	Reword the policy as follows: (2) Require the height, bulk, form and appearance of multi-unit development ~~and the provision of setbacks and landscaped areas~~ to achieve a reasonable ~~high~~-quality built environment: (a) with a high-density urban built character of predominantly five, six or seven storey buildings in identified areas or where appropriate, having regard to the context of the site and the ability to provide additional housing choice in an area that is well served by a range of amenities, including public transport.; and (b) through building and site design which locates bulk and mass towards the street and provides for setbacks, outlook spaces, private and communal outdoor spaces and landscaped areas~~., in a variety of forms.~~	2041.87
76.	(A4) 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 resident's' safety and privacy while enabling passive surveillance on the street; (c) minimising visual dominance effects on 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; (f) minimising the maximum impervious area on a site in order to manage 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; and (h) designing practical, sufficient space for residential waste management; and (i) designing practical, sufficient space for internal storage and living areas.	Oppose	The term 'high-quality built environment' is open to subjectivity and will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	(A4) Require development to achieve a ~~built~~ planned urban form that contributes to reasonable ~~high~~-quality built environment outcomes by: (a) maintaining a reasonable level of 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 on adjoining sites; (d) maintaining a reasonable 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; (f) minimising the maximum impervious area on a site in order to manage 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;	2041.88

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
				(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~~; and (h) designing practical, sufficient space for residential waste management; and (ii) designing practical, sufficient space for internal storage and living areas.	2041.88
77.	(4) In identified locations adjacent to centres, enable greater building height ~~through~~ ~~the~~ of five storey's outside walkable catchments, at least six storeys within walkable catchments and the application of the Height Variation Control where additional development potential is enabled and which: (a) provides an appropriate transition in building scale from the adjoining higher density business zone to neighbouring lower intensity residential zones, and; (b) supports public transport networks, social infrastructure and the vitality of the adjoining centre.	Support in part	Additional wording proposed to recognise that some sites located outside the walkable catchment may still be suitable for additional intensity.	(4) In identified locations adjacent to centres, enable greater building height ~~through~~ ~~the~~ of five storey's outside walkable catchments, at least six storeys within walkable catchments and the application of the Height Variation Control where additional development potential is enabled or where appropriate, having regard to the context of the site and the ability to provide additional housing choice in an area that is well served by a range of amenities, including public transport and which: (a) provides an appropriate transition in building scale from the adjoining higher density business zone to neighbouring lower intensity residential zones, and; (b) supports public transport networks, social infrastructure and the vitality of the adjoining centre.	2041.89
78.	(9) Provide for non-residential activities that: (a) support the social and economic well-being of the community; (b) are in keeping with the with the scale and intensity of development anticipated within the zone; (c) avoid, remedy or mitigate adverse effects on residential amenity; and (d) will not detract from the vitality of the Business – City Centre Zone, Business – Metropolitan Centre Zone and Business – Town Centre Zone.	Support	Providing small scale non-residential activities will support the social and economic wellbeing of the community	Retain the wording	2041.90
79.	(12) Require dwellings to be provided with access to safe and reliable drinking water and wastewater services.	Oppose	Infers that the quality of the drinking water is able to be influenced by the applicant. This is the responsibility of Watercare. Any wording should be similar to that already identified in the existing assessment criteria.	Delete the policy in its entirety.	2041.91
80.	(13) Require development of new dwellings in areas identified on the planning maps as subject to water, wastewater or stormwater infrastructure constraints, to be provided with appropriate infrastructure.	Oppose	Matters of infrastructure already addressed by Chapter E8 and assessment criteria.	Delete the policy in its entirety.	2041.92
81.	(14) Require development to contribute to safety improvements of the immediate urban road environment to achieve pedestrian connectivity to public transport.	Oppose	Requirement for the need for wider upgrades of the adjacent road network needs to be linked to an effect. The level of service within the existing road reserve is the responsibility of Auckland Transport. The development contributions already include a component for local transport upgrades.	Delete the policy in its entirety.	2041.93
82.	(15) Require buildings on sites subject to significant ecological areas to be of a scale that protects and maintains the significant ecological values of those	Oppose	It is considered that effects of development on SEA are already suitably dealt with via Chapter D9 and E15. The inclusion in the zone is not necessary and undermines the existing AUP framework and the efficient use of land.	Delete the policy in its entirety.	2041.94
H6.4 Activity Table					
83.	(A1) activities not provided for.	Oppose	It is considered activities not provided for should be DA as per Chapter C.	Amend A1 to be a Discretionary Activity	2041.95
84.	Commercial Activities	Oppose	In order to create sustainable local communities and in doing so support the intrinsic principle imbedded in the purposes of PC 78 there needs to be greater flexibility in the THAB provisions to enable a range of small-scale commercial activities to occur as permitted activities at ground level in residential developments in the walkable catchment of the THAB zone.	The submitter seeks that a wider range of commercial activities (at a small scale) are provided for in the walkable catchment of the THAB Zone as permitted activities. New Standards to be introduced to reflect the relief sought by the submitter to give effect to all commercial activities at ground level and/or street level up to 100m2 GFA	2041.96

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
				per premises to be provided for as a Permitted Activity in Table H6.4.1 with consequential amendments	
85.	**(A2A) <u>One dwelling per site subject to a Significant Ecological Area Overlay which complies with Standards E15.4.2(A29) and E15.6.5</u>**	Oppose	It is considered that effects of development on SEA are already suitably dealt with via Chapter D9 and E15. The inclusion in the zone is not necessary and undermines the existing AUP framework and the efficient use of land. Additional standards should not be added beyond the MDRS requirement. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Delete the activity from the table.	2041.97
86.	**<u>(A2B) Two or more dwellings per site subject to a Significant Ecological Area Overlay (refer to Vegetation management and biodiversity E15.4.2(A43) and E15.6.5)</u> <u>(A32B) New buildings and additions and alterations to buildings in a Significant Ecological Area Overlay which do not comply with H5.6.10(2) Building coverage.</u>**	Oppose	It is considered that effects of development on SEA are already suitably dealt with via Chapter D9 and E15. The inclusion in the zone is not necessary and undermines the existing AUP framework and the efficient use of land. Additional standards should not be added beyond the MDRS requirement for activity (A2B). The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Delete the activities from the table.	2041.98
87.	**Activity Table - Standards to be complied with (multiple activities)** <u>Standard H6.6.4A.(1) Number of dwellings per site; Standard H6.6.4B Dwellings within the Infrastructure – Combined Wastewater Network Control as identified on the planning maps; Standard H6.6.4C Dwellings within the Infrastructure – Stormwater Disposal Constraints Controls; Standard H6.6.5(1)(a) Building height; Standard H6.6.6(1) Height in relation to boundary; Standard H6.6.9 Yards; Standard H6.6.10(3) Maximum impervious area; Standard H6.6.11(2) Building coverage; Standard H6.6.12(A1), (A2) and (4) Landscaped area; Standard H6.6. 13(A1) Outlook space; Standard H6.6.15(A1) – (B1) Outdoor living space; Standard H6.6.19(1) Windows to street and private vehicle and pedestrian accessways; Standard H6.6.20 Deep soil area and canopy tree; Standard H6.6.21 Safety and privacy buffer to private pedestrian and vehicle accessways; and Standard H6.6.20 Residential waste management.</u>	Oppose	Additional standards beyond the MDRS are not required as directed by government. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Delete standards that are not identified within the MDRS.	2041.99
88.	**H6.5. Notification**	Oppose	Compliance should only be for the bulk and form and adjacent site amenity standards. Amend notification standard to make it clear that restricted discretionary matters such as earthworks, contamination, flood plains, and technical parking infringements do not remove the notification exclusions. The notification effects of these technical elements of an application will be considered in accordance with their restricted discretionary status.	Delete standards that are not identified within the MDRS. Amend the notification standard to make it clear that restricted discretionary matters such as earthworks, contamination, flood plains, and technical parking infringements do not remove the notification exclusions. In terms of notification, those effects outside the zone standards that form part of a bundled application will be considered in accordance with their particular restricted discretionary status and the associated matters for discretion for those consent matters.	2041.100
89.	**<u>H6.6.4B Dwellings within the Infrastructure – Combined Wastewater Network Control as identified on the planning maps</u>** <u>Purpose: to restrict development in any area served by a combined sewer network where public sewer separation has not occurred while enabling new dwellings where separation is in progress and the new dwelling can connect to a separated local stormwater pipe that is part of the public stormwater network.</u> <u>(1) A new dwelling in an area served by the combined sewer network must be able to connect to an existing separated local stormwater pipe that is part of the public stormwater network.</u>	Oppose	The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Delete standard.	2041.101
90.	**<u>H6.6.4C Dwellings within the Infrastructure - Stormwater Disposal Constraints Control</u>** <u>Purpose: to manage development in any area where stormwater disposal is constrained by the lack of any connection or ability to connect to a public stormwater network and where on-site soakage capacity is insufficient to ensure adequate provision for stormwater disposal from the site.</u> (1) <u>A new dwelling in an area identified as having no current connection to the public stormwater network and poor on-site soakage capacity must either be able to connect to the public stormwater network or provide sufficient stormwater disposal capacity on-site.</u>	Oppose	These effects are already managed by Chapter E8. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Delete standard.	2041.102

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
91.	**H6.6.6. Height in relation to boundary** ~~(b)~~ [Deleted] ~~sites within the Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or the Open Space – Community Zone:~~ ~~(i) that are greater than 2000m²;~~ ~~(ii) where that part of the site in (i) is greater than 20 metres in width, when measured perpendicular to the shared boundary; and~~ ~~(iii) Where an open space comprises multiple sites but has a common open space zoning, the entire zone will be treated as a single site for the purpose of applying the standards listed below.~~ ~~(5)~~ [Deleted] ~~A gable end, dormer or roof may project beyond the recession plane where that portion beyond the recession plan is: (a) no greater than 1.5m2 in area and no greater than 1m in height; and (b) no greater than 2.5m cumulatively in length measured along the edge of the roof as shown in Figure H5.6.5.2 Exceptions for gable ends and dormers and roof projections below.~~ ~~(6) No more than two gable end, dormer or roof projections are allowed for every 6m length of site boundary.~~	Oppose	The exclusions should be retained, as they deal with minor protrusions and they are helpful on sloping sites. It is beneficial to provide activation to Open Space zones.	Retain the existing minor protrusion exclusions HIRB is excluded from applying where the site adjoins open space greater than 2,000m² in accordance with the current standard.	2041.103
92.	**H6.6.6. Height in relation to boundary** Figure H6.6.6.1B Height in relation to boundary for four or more dwellings and any other development within walkable catchments  	Support in part	Support new HIRB control within Walkable catchments. New HIRB will give effect to the NPS-UD. However, the recession plane standard for the first 21.5m of site from the frontage, and corresponding limitation applied for any part of the site, farther than 21.5m from the frontage of any site is not justifiable in respect to apartment building typologies, configurations/floor layouts and dimensions, also having regard to lot sizes and shapes. Based on design experience a 25m offset as applied to this standard is a more realistic and pragmatic method to achieve the intended outcomes of the THAB Zone.	Amend the proposed new HIRB standard of 19 metres and 60 degrees for the first 25 metres of the site.	2041.104
93.	**H6.6.11. Building coverage** (1) the maximum building coverage must not exceed 50 per cent of the net site area (2) On a site subject to a Significant Ecological Areas Overlay: (a) the maximum building coverage must not exceed 50 per cent of the net site area; and (b) building coverage must not be located in any area within 3m of vegetation within a significant ecological area, including following the alteration or removal of up to 300m2 of vegetation for a dwelling per site provided for under E15.3.2(A29) and E15.6.5; and (c) other than provided for in H5.6.10(2)(b), building coverage must not be located within a significant ecological area.	Oppose	In order to enable greater intensification, building coverage should be increased to 60% within the walkable catchment. It is considered that effects of development in proximity to an SEA are already suitably dealt with via Chapter D9 and E15. The inclusion is not necessary and undermines the existing AUP framework and the efficient use of land. The SEA proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Amend the proposed text changes. (1) the maximum building coverage must not exceed 50 per cent of the net site area outside the walkable catchment and 60% inside a walkable catchment. ~~(2) On a site subject to a Significant Ecological Areas Overlay:~~ ~~(a) the maximum building coverage must not exceed 50 per cent of the net site area; and~~ ~~(b) building coverage must not be located in any area within 3m of vegetation within a significant ecological area, including following the alteration or removal of up to 300m2 of vegetation for a dwelling per site provided for under E15.3.2(A29) and E15.6.5; and~~ ~~(c) other than provided for in H5.6.10(2)(b), building coverage must not be located within a significant ecological area.~~	2041.105
94.	**H6.6.12. Landscaped area**	Oppose	The standard wording should match the MDRS standard that applies for 1-3 dwellings. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Amend the proposed text changes to match the MDRS standard.	2041.106
95.	**H6.6.13. Outlook space**	Oppose	The proposed outlook space standard for four or more dwellings and in relation to buildings over 3 levels as set out in H6.6.13(2)(a)(ii) as proposed require an 8m outlook depth from main living spaces for dwellings at 4 levels and above. The new THAB Zone outlook standard will also introduce a test for where the outlook standard is applied, adding the 'external face of a balcony' where provided closer to an external boundary as the start	In the THAB Zone, the relevant outlook standards should be amended so that the proposed residential dwellings main outlook area, for level 4 and above, should be for a 6m depth x 4m width and the depth (at whichever level it is applied) should be measured from the largest portion of glazing as opposed to from the edge of any balcony.	2041.107

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
			point for outlook depth. In combination both of these amendments proposed to the THAB Zone outlook standard will unfairly alienate and impact on overall building design when considered in relation to lot size and shape variations across the Isthmus. While the intent of the prescription of the amendments to the outlook standards, is acknowledged, the actual application of the amended standards has not been justified by Auckland Council or tested with any basis on achieving good design outcomes, protecting amenity and/or any improvement in creating attractive streetscape. There is no evidential basis for shifting to an 8m outlook depth above 3 levels nor is there a sound rationale for testing this depth from the edge of a balcony as opposed to the main glazing from a living space. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS.		
96.	**H6.6.14. Daylight**	Oppose	It is not a method retained in the MDRS. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete the standard.	2041.108
97.	**H6.6.15. Outdoor living space**	Oppose	The addition of communal outdoor living space requirements is opposed. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Amend the proposed text changes to match the MDRS standard and delete the communal outdoor living space requirements.	2041.109
98.	**H6.6.19 Windows to street and private vehicle and pedestrian accessways** Development contained four or more dwellings and any other development must comply with the following: 2) Any dwelling, integrated residential development, supported residential care, boarding house and visitor accommodation facing the street or private vehicle accessway or private pedestrian accessway, must have a minimum of 20 per cent of the relevant façade in glazing. This can be in the form of windows or doors.	Oppose	Any additional text beyond MDRS wording should be captured via assessment criteria not as a standard.	Delete standard and rely on MDRS wording.	2041.110
99.	**H6.6.20 Deep soil area and canopy tree**	Oppose	It is not a method retained in the MDRS. The proposed standard will not be efficient or effective in achieving the outcomes sought by the MDRS standards. The proposed Deep Soil Area and Canopy Tree standards (and allied Special Information requirements) will result in disparate landscaping outcomes and do not foster sustainable landscape design solutions. The Deep Soil Area and Canopy Tree requirements as proposed are generic and do not reflect an understanding of landscaping and arboricultural/horticultural techniques and the different abilities of a range of canopy trees to exist successfully in varied conditions. Also using a formula relating the number of trees to site area is inappropriate as the number, size and location of trees is driven by building location and size, the shape of buildings and the location and spatial context of land areas available for plantings. The Deep Soil Area and Canopy Tree provisions are unnecessary and go to a level of detail that is better addressed through detailed landscape design which is already enshrined in the Plan provisions.	Delete the proposed new standard.	2041.111
100.	**H6.6.21 Safety and privacy buffer from private pedestrian and vehicle accessways** Purpose: to provide a reasonable standard of safety and privacy for ground floor dwellings located adjacent to pedestrian and vehicle accessways. (3) A minimum 1m buffer areas must be provided between a dwelling and private pedestrian and/or vehicle accessways as shown in Figure H5.6.19.1 Example of Deep soil area requirements and the relationship with Landscape area and the Safety and privacy buffer above. (4) The buffer area must be: (c) free of buildings, parking spaces, servicing and manoeuvring areas. (d) Planted with shrubs or ground cover plants.	Oppose	It is not a method retained in the MDRS. This matter would be better placed as assessment criteria rather than as standards. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete the proposed new standard.	2041.112

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
101.	**H6.6.22 Residential waste management**	Oppose	It is not a method retained in the MDRS. This matter would be better placed as assessment criteria rather than as standards. The new information requirement for a waste minimisation plan for 10+ dwellings is an additional cost that is not warranted and would not be monitored following grant of consent. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete the proposed new standard.	2041.113
102.	**H6 Residential – Terrace Housing and Apartment Buildings Zone - Assessment matters**	Oppose in part	SEA assessment criteria It is considered that effects of development in proximity to an SEA are already suitably dealt with via Chapter D9 and E15. The inclusion is not necessary and undermines the existing AUP framework and the efficient use of land. The pedestrian network This does not correspond to an effect from the activities identified in H5(1) on the wider adjacent network. The existing matters for discretion already include traffic and access (Chapter E27 Transportation). The development contributions already include a component for local transport upgrades. It is inequitable and inefficient to target one developer to upgrade infrastructure that will likely benefit a wider area. Reference to - deep soil within B; - introduction of interfaces with an identified special character area or a scheduled historic heritage place; and	Delete the proposed new assessment criteria	2041.114
103.	**H6.7. Assessment – controlled activities** ~~There are no controlled activities in this zone.~~ H6.7.1. Matters of control The Council will restrict its control to all of the following matters when assessing a controlled activity resource consent application: (1) For one dwelling per site subject to a Significant Ecological Area Overlay: (a) The extent to which the built development is designed to minimise or mitigate adverse effects on the ecological values of the relevant significant ecological area; (b) The location, bulk and scale of built development relative to the surrounding ecological values H6.7.2 Assessment criteria The Council will consider the assessment criteria below for controlled activities to the extent relevant to the proposal: (1) For one or more dwellings per site subject to a Significant Ecological Area Overlay: (a) refer to Policy H5.3(15)	Oppose	It is considered that effects of development in proximity to an SEA are already suitably dealt with via Chapter D9 and E15. The inclusion is not necessary and undermines the existing AUP framework and the efficient use of land.	Delete the proposed new assessment criteria	2041.115
104.	**H6.8. Assessment – restricted discretionary activities** H6.8.1. Matters of discretion The Council will restrict its discretion to all of the following matters when assessing a restricted discretionary activity resource consent application: (1) (c) the effects of the development on the safe access for pedestrians on the adjacent road network.	Oppose	This does not correspond to an effect from the activities identified in H5(1) on the wider adjacent network. The existing matters for discretion already include traffic and access (Chapter E27 Transportation). The development contributions already include a component for local transport upgrades.	Delete the proposed new assessment criteria	2041.116

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
			It is inequitable and inefficient to target one developer to upgrade infrastructure that will likely benefit a wider area.		
105.	**H6.8. Assessment – restricted discretionary activities** **H6.8.1. Matters of discretion** (2) for four or more dwellings per site: (a) the effects on the neighbourhood character, residential amenity, safety, and the surrounding residential area from all of the following: (i) building ~~intensity~~, scale and location, including: A. the way in which buildings are orientated to the street and adjoining sites, and B. the extent to which the height, roof form and design of buildings respond to the local streetscape and the planned urban built character of the surrounding area, (ia) building form and appearance including: A. use of built elements such as materials, surface and architectural detailing and roof design to create visual interest; B. use of deep soil and/or outdoor living areas, modulation, architectural features, windows, doors and breaks in building length to minimise bulk and visual dominance; C. whether design provides for the balance between resident's privacy and opportunities for passive surveillance; D. whether the design provides for privacy, and sunlight and daylight access for adjoining sites; E. the interface with an identified special character area or a scheduled historic heritage place; (ib) the extent to which the functional, day to day needs of residents are provided for in terms of: A. the size and dimensions of living areas relative to the likely occupancy levels of the dwellings; B. internal storage; C. residential waste management, including the kerbside and/or on-site capacity for residential waste management (ii) traffic; and (iii) location and design of ~~parking and~~ access (including pedestrian access) and parking (if provided). b) [deleted] ~~all of the following standards:~~ ~~(i) Standard H6.6.10 Maximum impervious areas;~~ ~~(ii) Standard H6.6.11 Building coverage;~~ ~~(iii) Standard H6.6.12 Landscaped area;~~ ~~(iv) Standard H6.6.13 Outlook space;~~ ~~(vi) Standard H6.6.14 Daylight;~~ ~~(vii) Standard H5.6.15 Outdoor living space;~~ ~~(vii) Standard H6.6.16 Front, side and rear fences and walls; and~~ ~~(viii) Standard H6.6.17 Minimum dwelling size~~ (c)~~I~~ the effects on infrastructure and servicing including: (i) Existing infrastructure capacity. (d) the effects of the development on the safe access for pedestrians on the adjacent road network.	Oppose in part	Oppose the inclusion of: - deep soil within B; - introduction of interfaces identified special character area or a scheduled historic heritage place; and - references to wider upgrades of the adjacent road network under (d) do not correspond to the quantum of effects from the activities this is triggered by i.e. 4 dwellings. There are already matters for pedestrian access under (iii). The development contributions already include a component for local transport upgrades. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete the proposed new assessment criteria (ia) building form and appearance including: A. use of built elements such as materials, surface and architectural detailing and roof design to create visual interest; B. ~~use of deep soil and~~/or outdoor living areas, modulation, architectural features, windows, doors and breaks in building length to minimise bulk and visual dominance; C. whether design provides for the balance between resident's privacy and opportunities for passive surveillance; D. whether the design provides for privacy, and sunlight and daylight access for adjoining sites; ~~E. the interface with an identified special character area or a scheduled historic heritage place;~~ (ib) the extent to which the functional, day to day needs of residents are provided for in terms of: ~~A. the size and dimensions of living areas relative to the likely occupancy levels of the dwellings;~~ ~~B. internal storage;~~ C. residential waste management, including the kerbside and/or on-site capacity for residential waste management. … ~~(d) the effects of the development on the safe access for pedestrians on the adjacent road network.~~	2041.117
106.	**H6.8. Assessment – restricted discretionary activities** **H6.8.1. Matters of discretion** (3) for integrated residential development: (a) the effects on the neighbourhood character, residential amenity, safety, and the surrounding residential area from all of the following: (i) building ~~intensity,~~ scale, location, form and appearance including the extent to which buildings as viewed from the street or public places are designed to minimise visual dominance effects taking into account: A. the planned urban built character of the zone; B. the location, orientation and design of development; and C. the effect of the proposed height on the surrounding and neighbouring development. (ii) traffic; (iii) location and design of parking and access (including pedestrian access) and parking (if provided); and	Oppose	The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Amend the proposed new assessment criteria as follows: "C. the effect of the proposed additional height above the zone standards on the surrounding and neighbouring development." ~~(d) the effects of the development on the safe access for pedestrians on the adjacent road network.~~ ~~(d) the effects of the development on the safe access for pedestrians on the adjacent road network.~~	2041.118

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	(iv) noise, lighting and hours of operation. (b) [deleted] ~~all of the following standards:~~ ~~(i) Standard H6.6.10 Maximum impervious areas;~~ ~~(ii) Standard H6.6.11 Building coverage;~~ ~~(iii) Standard H6.6.12 Landscaped area;~~ ~~(iv) Standard H6.6.13 Outlook space;~~ ~~(v) Standard H6.6.14 Daylight;~~ ~~(vi) Standard H6.6.15 Outdoor living space;~~ ~~(viii) Standard H6.6.16 Front, side and rear fences and walls; and~~ ~~(ix) Standard H5.6.17 Minimum dwelling size.~~ (c) Infrastructure and servicing (d) the effects of the development on the safe access for pedestrians on the adjacent road network.				
107.	**H6.8. Assessment – restricted discretionary activities** **H6.8.1. Matters of discretion** (6) For more than one dwelling per site in areas identified on the planning maps as being subject to the Infrastructure –Combined Wastewater Network Control or the Infrastructure – Water and Wastewater Constraints Control. (a) Infrastructure and servicing. (7) For more than one dwelling per site in areas identified on the planning maps as being subject to the Infrastructure –Stormwater Disposal Constraints Control. (a) Stormwater disposal.	Oppose	These effects are already managed by Chapter E8 for 1 dwellings and additions and alternations to. **H5.8. Assessment – restricted discretionary activities** for four or more dwellings per site deals with infrastructure capacity.	Delete the proposed new assessment criteria	2041.119
108.	**H6.8.2. Assessment criteria** (1) for supported residential care accommodating greater than 10 people per site inclusive of staff and residents; boarding houses accommodating greater than 10 people per site inclusive of staff and residents; visitor accommodation accommodating greater than 10 people per site inclusive of staff and visitors; dairies up to 100m2 gross floor area per site; care centres accommodating greater than 10 people per site excluding staff; community facilities; and healthcare facilities up to 200m2 gross floor area per site: (a) infrastructure and servicing: (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. (b) building ~~intensity~~, scale, location, form and appearance: (i) whether the intensity and scale of the activity, the building location, form and appearance is of a high-quality and compatible with the character and residential amenity provided for within the zone and compatible with the surrounding residential area. (c) traffic: (i) whether the activity avoids or mitigates high levels of additional non-residential traffic on local roads. (d) location and design ~~of parking~~ and access (including pedestrian access) and parking (if provided): (i) whether adequate ~~parking and~~ access is provided or required. (ii) whether car parking and accessways are integrated into the overall design of the development (iii) whether parking is located away from street frontages and screened from the street by buildings or landscaping (iv) Whether safe, well-lit pedestrian access is provided and integrated into the design of the development. (e) noise, lighting and hours of operation: (i) whether noise and lighting and the hours of operation of the activity avoids, remedies or mitigates adverse effects on the residential amenity of surrounding properties, by: • locating noisy activities away from neighbouring residential boundaries; • screening or other design features; and • controlling the hours of operation and operational measures (f) Safe access and walkability of routes to frequent public transport: (i) the extent to which the immediate urban road environment allows for safe pedestrian movement from the development to the nearest frequent public transport	Oppose in part	Support removal of 'intensity' though ensure remove from (1)(b)(i) for consistency. Remove requirement for off-site roading or pedestrian upgrades	Amend and retain text as identified in reasons for submission. ~~(f) Safe access and walkability of routes to frequent public transport:~~ ~~(i) the extent to which the immediate urban road environment allows for safe pedestrian movement from the development to the nearest frequent public transport stop (refer to the Regional Public Transport Plan) by a combination of the following:~~ ~~• Footpaths of at least 1.8m in width;~~ ~~• Facilities to safely and conveniently cross the road including pram crossings, and tactile paving;~~ ~~• Narrowed pedestrian crossing distances of vehicle carriageways;~~ ~~• Front berms to separate pedestrians from traffic; and~~ ~~• Other traffic management measures as relevant to improve the safety of pedestrians.~~	2041.120

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:
	stop (refer to the Regional Public Transport Plan) by a combination of the following: • Footpaths of at least 1.8m in width; • Facilities to safely and conveniently cross the road including pram crossings, and tactile paving; • Narrowed pedestrian crossing distances of vehicle carriageways; • Front berms to separate pedestrians from traffic; and • Other traffic management measures as relevant to improve the safety of pedestrians.			
109.	**H6.8.2. Assessment criteria** The Council will consider the assessment criteria below for restricted discretionary activities to the extent relevant to the proposal: (2) for four or more dwellings on a site: (a) the extent to which ~~or whether~~ the development achieves the purpose outlined in the ~~following~~ relevant standards specifies and identified in Table 6.4.1 or what alternatives are provided that result in the same or a better outcome.~~:~~ (i) [deleted]~~Standard H6.6.10 Maximum impervious areas;~~ (ii) [deleted]~~Standard H6.6.11 Building coverage;~~ (iii) [deleted]~~Standard H6.6.12 Landscaped area;~~ (iv) [deleted]~~Standard H6.6.13 Outlook space;~~ (v) [deleted]~~Standard H6.6.14 Daylight;~~ (vi) [deleted]~~Standard H6.6.15 Outdoor living space;~~ (vii) [deleted]~~Standard H6.6.16 Front, side and rear fences and walls; and~~ (viii) [deleted]~~Standard H6.6.17 Minimum dwelling size.~~ (aa) the extent to which the scale of the activity, the building location, form and appearance is of a high-quality and compatible with the planned urban built character and residential amenity of the surrounding residential area provided for within the zone. (ab) the extent to which buildings are designed to manage building length and bulk and visual dominance by: (i) placing taller buildings on the street front (ii) varying roof form and building height (iii) using modulation and architectural features to break up the mass of buildings into visually distinct elements (iv) using the proportions and arrangement of windows and doors to provide relief to building length and bulk (v) using other building elements including materials, surface detailing, architectural detail and roof design to provide visual interest along building facades including blank side/party walls (vi) providing adequate breaks in long continuous buildings to minimise the appearance of length (vii) locating deep soil areas and/or communal outdoor spaces around and between buildings to provide space and soften the built form (viii) designing balconies as an integral part of the building (ac) the extent to which buildings use quality, durable and easily maintainable materials. (ad) the extent to which buildings adjoining or across the street from an identified special character area or a scheduled historic heritage place are designed to respect the prevailing character of the area or key historic heritage design and location elements of that place. New and contemporary interpretations in form and detail may be used. (ae) the extent to which building frontage contribute positively to the visual amenity and safety of public streets, public open spaces, and private vehicle and pedestrian accessways by: (i) having clearly defined fronts that provide passive surveillance from windows and balconies . (ii) maximising doors, windows and balconies over all levels on the front façades whilst not impacting on privacy. (iii) maximising the number of dwellings on the site that directly front, align and orientate to public streets . ground level dwellings closest to the street each have direct and clearly defined pedestrian access from the street in preference to a single building entrance. (iv) where a site adjoins public open space, buildings include entrances, windows of habitable rooms and balconies facing the open space. (af) the extent to which site layout creates legible, visible attractive, safe and well-lit connections between dwellings and the street. .... (h) infrastructure and servicing: (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. (i) The extent to which the adjacent road network enables safe pedestrian movements. ... (m) Safe access and walkability of routes to frequent public transport:	Oppose in part	Oppose the references to: - Deep soil and communal open space in (ab)(vii) and (fe). - References to the need for wider upgrades of the adjacent road network under (d) and (gd). For the latter it is not considered that the quantum of effects corresponds to the activities it triggers. There are already matters for pedestrian access under (iii). The development contributions already include a component for local transport upgrades. - The additional assessment criteria under (ad) for the interface with an identified special character area or a scheduled historic heritage place is not considered an effective method nor warranted by an effect. The use of "quality, durable and easily maintainable materials" is a matter for the Building Act	Delete the relevant assessment criteria wording as noted: (aa) the extent to which the scale of the activity, the building location, form and appearance ~~is of a high-quality and~~ compatible with the planned urban built character and residential amenity of the surrounding residential area provided for within the zone. ... (ab) ~~(vii) locating deep soil areas and/or communal outdoor spaces around and between buildings to provide space and soften the built form~~ ... ~~(ac) the extent to which buildings use quality, durable and easily maintainable materials.~~ ~~(ad) the extent to which buildings adjoining or across the street from an identified special character area or a scheduled historic heritage place are designed to respect the prevailing character of the area or key historic heritage design and location elements of that place. New and contemporary interpretations in form and detail may be used.~~ ... ~~(i) The extent to which the adjacent road network enables safe pedestrian movements.~~ ~~(m) Safe access and walkability of routes to frequent public transport:~~ ~~(i) the extent to which the immediate urban road environment allows for safe pedestrian movement from the development to the nearest frequent public transport stop (refer to the Regional Public Transport Plan) by a combination of the following:~~ ~~• Footpaths of at least 1.8m in width;~~ ~~• Facilities to safely and conveniently cross the road including pram crossings, and tactile paving;~~ ~~• Narrowed pedestrian crossing distances of vehicle carriageways;~~ ~~• Front berms to separate pedestrians from traffic; and~~ ~~• Other traffic management measures as relevant to improve the safety of pedestrians.~~

2041.121

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	(i) the extent to which the immediate urban road environment allows for safe pedestrian movement from the development to the nearest frequent public transport stop (refer to the Regional Public Transport Plan) by a combination of the following: • Footpaths of at least 1.8m in width; • Facilities to safely and conveniently cross the road including pram crossings, and tactile paving; • Narrowed pedestrian crossing distances of vehicle carriageways; • Front berms to separate pedestrians from traffic; and • Other traffic management measures as relevant to improve the safety of pedestrians.				
110.	**H6.8.2. Assessment criteria** (3) for integrated residential development: **…** (l) Safe access and walkability of routes to frequent public transport: (i) the extent to which the immediate urban road environment allows for safe pedestrian movement from the development to the nearest frequent public transport stop (refer to the Regional Public Transport Plan) by a combination of the following: • Footpaths of at least 1.8m in width; • Facilities to safely and conveniently cross the road including pram crossings, and tactile paving; • Narrowed pedestrian crossing distances of vehicle carriageways; • Front berms to separate pedestrians from traffic; and • Other traffic management measures as relevant to improve the safety of pedestrians.	Oppose in part	Oppose the references to: - deep soil and communal open space in 3(g). - references to the need for wider upgrades of the adjacent road network under (l). It is not considered that the quantum of effects corresponds to the activities it triggers. The level of service within the existing road reserve is the responsibility of Auckland Transport. The development contributions already include a component for local transport upgrades. - Infrastructure provision is already included within existing assessment criteria (k) the cross reference under 3(jb) is unnecessary.	Delete the relevant assessment criteria. ~~(l) Safe access and walkability of routes to frequent public transport:~~ ~~(i) the extent to which the immediate urban road environment allows for safe pedestrian movement from the development to the nearest frequent public transport stop (refer to the Regional Public Transport Plan) by a combination of the following:~~ ~~• Footpaths of at least 1.8m in width;~~ ~~• Facilities to safely and conveniently cross the road including pram crossings, and tactile paving;~~ ~~• Narrowed pedestrian crossing distances of vehicle carriageways;~~ ~~• Front berms to separate pedestrians from traffic; and~~ ~~• Other traffic management measures as relevant to improve the safety of pedestrians.~~	2041.122
111.	**H6.8.2. Assessment criteria** (5) for building height: (aa) refer to Policy H6.3(1); (ba) refer to Policy H6.3(B1); (ca) refer to Policy H6.3(E1); (da) refer to Policy H6.3(6A); (a) ~~refer to Policy H6.3(2)~~; (b) ~~refer to Policy H6.3(4).;~~ and **Visual dominance** (f) 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: (i) the planned urban built character of the zone; and (ii) the location, orientation and design of development. (iii) the effect of the proposed height on the surrounding and neighbouring development.	Oppose in part	Consideration of the effect of the proposed height on the surrounding and neighbouring development should only be required in terms of additional height over and above the zone standard.	Amend the proposed new assessment criteria to refer to: "iii. the effect of the proposed additional height above the zone standards on the surrounding and neighbouring development."	2041.123
112.	**H6.8.2. Assessment criteria** (6) for height in relation to boundary:	Oppose in part	Consideration of the effect of the proposed height in relation to boundary infringement on the surrounding and neighbouring development should only be required in terms of additional bulk over and above the zone standard.	Amend the proposed new assessment criteria to refer to additional HIRB infringements over the standard.	2041.124
113.	**H6.8.2. Assessment criteria** (12) for landscaped area: (e) the extent to which existing trees are retained; and	Oppose	The are no general tree protection controls.	Delete the additional assessment criteria.	2041.125
114.	**H6.8.2. Assessment criteria** (15) for outdoor living space: … (f) The extent to which dwellings provide private open space and communal open space that is useable, accessible from each dwelling and attractive for occupants.	Oppose in part	The inclusion of 'communal' open space is unnecessary with the private open space requirements sufficient. The provision for wider public open space is the responsibility of Council not developers. A specific open space development contribution is already payable for each dwelling.	Deletion of this text. (f) The extent to which dwellings provide private open space ~~and communal open space~~ that is useable, and accessible from each dwelling ~~and attractive~~ for occupants.	2041.126

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
			The use of the term attractive can be ambiguous and open to interpretation.		
115.	**H6.8.2. Assessment criteria** (15A) For windows to street and private vehicle and pedestrian accessways (a) refer to Policy H6.3(C1) (a) refer to Policy H6.3(6A); and (b) The extent to which the glazing: (i) allows views to the street and/or accessways to ensure passive surveillance; and (ii) provides a good standard of privacy for occupants.	Oppose in part	The text highlighted goes beyond MDRS in terms of referencing private vehicle and pedestrian accessways.	Deletion of the following text. H6.8.2. Assessment criteria (15A) For windows to street ~~and private vehicle and pedestrian accessways~~ (a) refer to Policy H5.3(C1) (b) refer to Policy H5.3(6A); and (c) The extent to which the glazing: (i) allows views to the street ~~and/or accessways~~ to ensure passive surveillance; and (ii) provides a good standard of privacy for occupants.	2041.127
116.	**H6.8.2. Assessment criteria** (18) for deep soil area and canopy tree (a) refer to Policy H5.3(6A); (b) The extent to which the proposed deep soil area uses or adds to existing deep soil areas to support canopy trees; and	Oppose	It is not a method retained in the MDRS. It is not efficient use of land and is neither effective or efficient.	Delete assessment entire criteria.	2041.128
117.	**H6.8.2. Assessment criteria** (19) for safety and privacy buffer from private pedestrian and vehicle accessways: (a) refer to Policy H5.3(6A); and (b) the extent to which the buffer is: (i) free of buildings, parking spaces, structures, servicing facilities and manoeuvring areas; (ii) planted with suitable and low level plants.	Oppose	It is not a method retained in the MDRS. This matter would be better placed as assessment criteria rather than as standards.	Delete entire assessment criteria.	2041.129
118.	**H6.8.2. Assessment criteria** (20) For residential waste management: (a) refer to Policy H6.3(A4) (b) refer to Policy H6.3(6A); (c) refer to Policy H6.3(10); (d) The extent to which sufficient space is provided for residential waste management that is suitably located for ease of movement to collection points; (e) The extent to which the waste management area is designed to minimise visibility; (f) How the development intends to ensure the on-going management and maintenance of any communal residential waste management area; (g) Whether waste storage areas are located outside windows or doors to bedrooms, living areas and outdoor living areas to avoid effects of odour and noise; and (h) Whether waste management vehicle can safely undertake collection.	Oppose in part	Consideration of matters related to waste should be included in the assessment criteria for 4+ dwellings and integrated residential development.	Delete section (20) and move necessary criteria to H6.8.2. (1), (2) and (3).	2041.130
119.	**H6.8.2. Assessment criteria** (21) For more than one dwelling per site in areas identified on the planning maps as being subject to the Infrastructure – Combined Wastewater Network Control or the Infrastructure – Water and Wastewater Constraints Control: (a) Whether there is adequate capacity in the existing public reticulated water supply and / or wastewater network to service the proposed dwelling(s). (b) Whether sufficient water supply and access to water supplies for firefighting purposes in accordance with the NZ Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 is available. (c) Whether there is the ability to connect the dwelling(s) to a reticulated water supply and / or wastewater network in the future.	Oppose	These effects are already managed by Chapter E8 and the assessment criteria under H5.8.2.(1), (2) and (3).	Delete proposed text.	2041.131
H5.9. Special information requirements					
120.	**Landscaped Plan as required by H6.6.12 Landscape area** (1) A scaled landscape plan must be provided that contains landscaped areas and includes: (a) Plant and tree species, number of each species to be planted and planting grades; (b) Canopy of existing trees to be retained; (c) Any area of grass; and (d) Any paths included in landscaped area.	Oppose	Chapter C1.2.(1) addresses this matter already - no need for a specific information requirement.	Delete proposed text.	2041.132

<table>
<tr><th></th><th>Issue / Provision</th><th>Position (Support / Oppose)</th><th>Reasons for submission</th><th>Relief sought:</th><th></th></tr>
<tr><td></td><td></td><td></td><td></td><td></td><td></td></tr>
<tr><td>121.</td><td><u>Deep Soil Area and Canopy Tree</u>

<u>(2) The deep soil area provided must be demonstrated on a scaled landscape plan that at a minimum identifies the following:</u>

<u>(a) plant and tree species, number of each species to be planted and planting grades;</u>
<u>(b) location of existing trees to be retained;</u>
<u>(c) dimensions of individual mature tree canopy;</u>
<u>(d) any areas of grass; and</u>
<u>(e) Minimum tree canopy dimensions are specified in Table H5.9(3) below.</u>

<u>Table H5.9(3) Minimum tree canopy dimension</u>

<table><tr><th></th><th><u>Minimum mature tree height</u></th><th><u>Minimum mature canopy diameter</u></th><th><u>Minimum tree height above ground when planted</u></th><th><u>Indicative tree planting grade</u></th></tr><tr><td><u>Small</u></td><td><u>8m</u></td><td><u>6m</u></td><td><u>2m</u></td><td><u>120L</u></td></tr><tr><td><u>Medium</u></td><td><u>10m</u></td><td><u>8m</u></td><td><u>2.5m</u></td><td><u>160L</u></td></tr><tr><td><u>Large</u></td><td><u>15m</u></td><td><u>12m</u></td><td><u>3m</u></td><td><u>200L</u></td></tr></table></td><td>Oppose</td><td>It is not a method retained in the MDRS.

It is not efficient use of land, and is neither effective or efficient.</td><td>Delete proposed text.</td><td>2041.133</td></tr>
<tr><td>122.</td><td>Residential waste management

<u>(3) Applications for where communal bins are proposed, must include calculations for required storage space as determined using the Auckland Council’s Solid Waste Calculator (Standard H5.6.21(1)(b)).</u>

<u>(4) When preparing the waste management and minimisation plan, applicants should refer to the Waste Management and Minimisation Bylaw 2019. The following information must be provided at a minimum:</u>

<u>a) the estimate of the volume of waste by the type of waste created, collected, received, stored or disposed of;</u>

<u>b) the frequency, location, access and on-site route of waste collection or transportation; and</u>

<u>c) the method of waste collection, transportation or disposal.</u></td><td>Neutral</td><td>Needs to be clear that provisions are only related to communal collection.</td><td>Clarify that this is only related to communal collection.</td><td>2041.134</td></tr>
<tr><td></td><td>H8. Business – City Centre Zone</td><td></td><td></td><td></td><td></td></tr>
<tr><td>123.</td><td>H8.6.10. <u>[Deleted]</u> ~~Basic floor area ratio~~</td><td>Support</td><td>Will give effect to NPS-UD</td><td>Confirm deletion of standard</td><td>2041.135</td></tr>
<tr><td>124.</td><td>H8.6.12. <u>[Deleted]</u> ~~Bonus floor area ratio – light and outlook~~</td><td>Support</td><td>Will give effect to NPS-UD</td><td>Confirm deletion of standard</td><td>2041.136</td></tr>
<tr><td>125.</td><td>H8.6.13. <u>[Deleted]</u> ~~Bonus floor area - use or transfer of historic heritage and special character floor space bonus~~</td><td>Support</td><td>Will give effect to NPS-UD</td><td>Confirm deletion of standard</td><td>2041.137</td></tr>
<tr><td>126.</td><td>H8.6.14. <u>[Deleted]</u> ~~Bonus floor area - securing historic heritage and special character floor space bonus~~</td><td>Support</td><td>Will give effect to NPS-UD</td><td>Confirm deletion of standard</td><td>2041.138</td></tr>
<tr><td>127.</td><td>H8.6.15. <u>[Deleted]</u> ~~Bonus floor area - bonus floor space calculation for scheduled heritage buildings~~</td><td>Support</td><td>Will give effect to NPS-UD</td><td>Confirm deletion of standard</td><td>2041.139</td></tr>
<tr><td>128.</td><td>H8.6.16. <u>[Deleted]</u> ~~Bonus floor area - bonus floor space calculation for identified special character buildings~~</td><td>Support</td><td>Will give effect to NPS-UD</td><td>Confirm deletion of standard</td><td>2041.140</td></tr>
<tr><td>129.</td><td>H8.6.17. <u>[Deleted]</u> ~~Bonus floor area - public open space~~</td><td>Support</td><td>Will give effect to NPS-UD</td><td>Confirm deletion of standard</td><td>2041.141</td></tr>
<tr><td>130.</td><td>H8.6.18. <u>[Deleted]</u> ~~Bonus floor area - through-site link~~</td><td>Support</td><td>Will give effect to NPS-UD</td><td>Confirm deletion of standard</td><td>2041.142</td></tr>
<tr><td>131.</td><td>H8.6.19. <u>[Deleted]</u> ~~Bonus floor area - through-site links through identified blocks~~</td><td>Support</td><td>Will give effect to NPS-UD</td><td>Confirm deletion of standard</td><td>2041.143</td></tr>
<tr><td>132.</td><td>H8.6.20. <u>[Deleted]</u> ~~Bonus floor area - works of art~~</td><td>Support</td><td>Will give effect to NPS-UD</td><td>Confirm deletion of standard</td><td>2041.144</td></tr>
<tr><td>133.</td><td>H8.6.21. <u>[Deleted]</u> ~~Maximum total floor area ratio~~</td><td>Support</td><td>Will give effect to NPS-UD</td><td>Confirm deletion of standard</td><td>2041.145</td></tr>
<tr><td>134.</td><td><u>Chapter H8. City Centre H8.6.24. Maximum tower dimension, setback from the street and tower separation in special height area (shown on Map H8.11.3) Chapter H8.6.24A Maximum east-west tower dimension and Chapter H8.6.25. Building frontage alignment and height and Chapter H8.6.25A Building setback from boundaries.</u></td><td>Oppose</td><td>The submitter is concerned that the proposed suite of tower standards have not be tested to ensure that they do not act as a defacto FAR or height restriction for the City Centre Zone.

The submitter is concerned that the proposed new standards fail to recognise gradient and solar orientation of the street frontages. The submitter considers that if the term ‘human scale’ is to be used, it should have a measurable and consistent benchmark. Changing this term based on the height of a street is considered arbitrary and it will compromise use of a site.

The submitter is concerned that the proposed requirement to manage development to “Ensure <u>adequate</u> <u>sun</u>light, <u>daylight</u>, and outlook around buildings” will be very difficult to meet given the</td><td>That Chapter H8. City Centre H8.6.24. Maximum tower dimension, setback from the street and tower separation in special height area (shown on Map H8.11.3), Chapter H8.6.24A Maximum east-west tower dimension, Chapter H8.6.25. Building frontage alignment and height and Chapter H8.6.25A Building setback from boundaries are all deleted and the tower standards revert to the operative AUP standards.</td><td>2041.146</td></tr>
</table>

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
			high intensity nature of the Centre zone. At the very least the provisions should allow for ***adequate sun****light,* ***or*** ***daylight***. This is to recognise the fact that not all buildings in the City Centre zone will get direct sun. The proposed 6% height setback is arbitrary and is considered irrelevant and also creates a de facto FAR control. As height increases, so do the side setbacks around the building and its max tower dimension, which requires a larger site. In this respect, the rule actually also creates a de fact maximum height restriction. It is considered that the degree of setbacks proposed has not been appropriately justified and should be reduced. The submitter opposes the East West Tower dimension for similar reasons. Overall, the submitter considers that the proposed Plan Change provisions should revert back to the operative tower controls until such time as further modelling and analysis has been completed to determine suitability of these tower controls. This is to ensure that do not unduly restrict sites in the City Centre Zone from being developed to the maximum extent possible as directed by the NPS-UD.		
135.	H8.6.34. Through-site links.	Oppose	The submitter is concerned that application of this standard is not clear. This standards applies to through site link shown on Map H8.11.9 but applies to any though site link, even if not identified on the map. It is unclear how and when this standard will be applied to sites. Given the uncertainty of this rule, it is considered that the rule should either be deleted or clarified. It is considered that it would be more appropriate to include consideration of the need for a through-site link as an assessment criteria when considering new buildings.	Chapter H8. City Centre H8.6.34. Through Site Links is deleted and replaced with assessment criteria for new buildings	2041.147
	H9. Business – Metropolitan Centre Zone				
136.	**H9.6.1. Building height** Purpose: • manage the effects of building height; • manage shadowing effects of building height on public open space, excluding streets; • manage visual dominance effects; • enable greater height in areas identified for intensification including within walkable catchments; and • provide for variations to the standard zone height through the Height Variation Control, to recognise the character and amenity of particular areas and provide a transition in building scale to lower density zones. (1) Buildings must not exceed 72.5m, unless otherwise specified in the Height Variation Control on the planning maps. (2) If the site is subject to the Height Variation Control, buildings must not exceed the height in metres, as shown in Table H9.6.1.1 below and for the site on the planning maps. (3) Any part of a building greater than the occupiable building height is to be used only for roof form, roof terraces, plant and other mechanical and electrical equipment.	Support in Part	It is considered appropriate to provide for unlimited height within the Metropolitan Centre The proposed HIRB controls will manage the effects at the edge of the Metropolitan Centre. Increasing the maximum building height is in line with the Policy directives of the NPS UD, Policy 3(c), which states that areas located within the walkable catchment must enable building heights of at least 6 storeys within the Metropolitan Centre. While the zone provides for 72.5 metres, there is no reason why the zone cannot facilitate even taller buildings. It is noted that some parts of the Metropolitan Centres are subject to the Volcanic Cone overlays or other height overlays. These are qualifying matters that would remain in place and would provide an additional height overlay that would continue to apply to the Metropolitan Centre. Outside of these areas, it is considered appropriate to maximise the height opportunities within the Metropolitan Centre Zone. It is noted that all new buildings are subject to a resource consent requirement to ensure that buildings are designed to a high standard, which enhances the quality of streets within the area and public open spaces.	Amend H9.6.1. Building height to provide for unlimited height within the Metropolitan Centre Zone.	2041.148
137.	**H11.6.1. Building height in relation to boundary**	Support in part	The submitter supports the 19metre, plus 60 degree HIRB control	Retain the 19metre, plus 60 degree HIRB control.	2041.149
	H10. Business – Town Centre Zone				
138.	**H10.6.1. Building height** Purpose: • manage the effects of building height;	Support in Part	It is considered appropriate to provide for greater height within the Town Centre Zones The proposed HIRB controls will manage the effect at the edge of the Town Centre Zones.	Amend H10.6.1. Building height to provide for a height of 32.5 metres within **all** Town Centre Zones.	2041.150

<table>
<tr><th></th><th>Issue / Provision</th><th>Position (Support / Oppose)</th><th>Reasons for submission</th><th>Relief sought:</th><th></th></tr>
<tr><td></td><td>• manage shadowing effects of building height on public open space, excluding streets;
• manage visual dominance effects;
• allow an occupiable height component to the height limit, and an additional height for roof forms that enables design flexibility, to provide variation and interest in building form when viewed from the street;
• enable greater height in areas identified for intensification <u>including within walkable catchments</u>; and
• provide for variations to the standard zone height through the Height Variation Control, to recognise the character and amenity of particular areas<u>, including Special Character Areas – Business</u>, and provide a transition in building scale to lower density zones

(1) Buildings must not exceed the height in metres as shown in Table H10.6.1.1 below for sites subject to the Height Variation Control on the planning maps.

<u>(1A) In walkable catchments, buildings must not exceed 21m (6 storeys) in height, unless otherwise specified in the Height Variation Control on the planning maps.</u>

(2) Any part of a building greater than the occupiable building height is to be used only for roof form, roof terraces, plant and other mechanical and electrical equipment.</td><td></td><td>Increasing the maximum building height is in line with the Policy directives of the NPS UD, Policy 3(c), which states that areas located within the walkable catchment must enable building heights of at least 6 storeys within the Town Centre Zones

While the zone provides for a range of heights, it is considered that the Town Centre Zones can facilitate even taller buildings.

It is noted that some parts of these Town Centre Zones are subject to the Volcanic Cone overlays or other height overlays. These are qualifying matters that would remain in place and would provide an additional height overlay that would continue to apply to the Town Centre Zones. Outside of these areas, it is considered appropriate to maximise the height opportunities within the Town Centre Zones

It is noted that all new buildings are subject to a resource consent requirement to ensure that buildings are designed to a high standard, which enhances the quality of streets within the area and public open spaces</td><td></td><td></td></tr>
<tr><td>139.</td><td>H10.6.2. Building height in relation to boundary</td><td>Support</td><td>The submitter supports the 19 metre, plus 60 degree HIRB control as this will give effect to the NPS-UD</td><td>Retain the 19 metres, plus 60 degree HIRB control.</td><td>2041.151</td></tr>
<tr><td></td><td>H11. Business – Local Centre Zone</td><td></td><td></td><td></td><td></td></tr>
<tr><td>140.</td><td>H11.6.1. Building height
Purpose:
• manage the effects of building height;
• manage shadowing effects of building height on public open space, excluding streets;
• manage visual dominance effects;
• allow an occupiable height component to the height limit, and an additional height for roof forms that enables design flexibility, to provide variation and interest in building form when viewed from the street;
• enable greater height in areas identified for intensification <u>including within walkable catchments</u>; and
• provide for variations to the standard zone height through the Height Variation Control, to recognise the character and amenity of particular areas<u>, including Special Character Areas – Business,</u> and provide a transition in building scale to lower density zones.

(1) Buildings must not exceed the height in metres specified in Table H11.6.1.1, unless otherwise specified in the Height Variation Control on the planning maps.

Table H11.6.1.1 Building height
<table><tr><th><u>Location</u></th><th>Occupiable building height</th><th>Height for roof form</th><th>Total building height</th></tr><tr><td><u>Buildings outside a walkable catchment</u></td><td>16m</td><td>2m</td><td>18m</td></tr><tr><td><u>Buildings in a walkable catchment</u></td><td><u>NA</u></td><td><u>NA</u></td><td><u>21m (6 storeys)</u></td></tr></table></td><td>Support in Part</td><td>It is considered appropriate to provide for greater height within the Local Centre Zones

The proposed HIRB controls will manage the effect at the edge of the Local Centre Zones.

Increasing the maximum building height is in line with the Policy directives of the NPS UD, Policy 3(c), which states that areas located within the walkable catchment must enable building heights of at least 6 storeys within the Local Centre Zones

While the zone provides for a range of heights, it is considered that that Local Centre Zones can facilitate even taller buildings.

It is noted that some parts of these Local Centre Zones are subject to the Volcanic Cone overlays or other height overlays. These are qualifying matters that would remain in place and would provide an additional height overlay that would continue to apply to the Local Centre Zones. Outside of these areas, it is considered appropriate to maximise the height opportunities within the Local Centre Zones

It is noted that all new buildings are subject to a resource consent requirement to ensure that buildings are designed to a high standard, which enhances the quality of streets within the area and public open spaces</td><td>Amend H10.6.1. Building height to provide for a height of 24 metres within <u>all</u> Local Centre Zones.</td><td>2041.152</td></tr>
<tr><td>141.</td><td>H11.6.2. Building height in relation to boundary</td><td>Support</td><td>The submitter supports the 19 metre, plus 60 degree HIRB control as this will give effect to the NPS-UD</td><td>Retain the 19 metres, plus 60 degree HIRB control.</td><td>2041.153</td></tr>
<tr><td>142.</td><td>Local Centre Zone Walkable Catchment
The walkable catchment for Local Centres is set at 200 metres.</td><td>Oppose</td><td>The walkable catchment for Local Centres is set at 200 metres. This is considered to be very restricted and limits the opportunities for further intensification around areas that generally have good access to a range of amenities.</td><td>Increase the walkable catchment of the Local Centres Zone to 400 metres and up zone those sites within the walkable catchment to provide for at least six storeys.</td><td>2041.154
2041.155</td></tr>
<tr><td></td><td>H12 Business – Neighbourhood Centre Zone</td><td></td><td></td><td></td><td></td></tr>
<tr><td>143.</td><td>H12.6.2. Building height in relation to boundary</td><td>Support</td><td>The submitter supports the 19 metre, plus 60 degree HIRB control as this will give effect to the NPS-UD</td><td>Retain the 19 metre, plus 60 degree HIRB control.</td><td>2041.156</td></tr>
<tr><td></td><td>H13. Business – Mixed Use Zone</td><td></td><td></td><td></td><td></td></tr>
<tr><td>144.</td><td>H13.6.1. Building height
Purpose:
• manage the effects of building height;
• manage shadowing effects of building height on public open space, excluding streets;
• manage visual dominance effects;</td><td>Support in Part</td><td>It is considered appropriate to provide for greater height within the Mixed Use

The proposed HIRB controls will manage the effect at the edge of the Mixed Use Zones</td><td>Amend H10.6.1. Building height to provide for a height of 24 metres within <u>all</u> Mixed Use Zones.</td><td>2041.157</td></tr>
</table>

<table>
<tr><th></th><th>Issue / Provision</th><th>Position (Support / Oppose)</th><th>Reasons for submission</th><th>Relief sought:</th><th></th></tr>
<tr><td></td><td>

allow an occupiable height component to the height limit, and an additional height for roof forms that enables design flexibility, to provide variation and interest in building form when viewed from the street;
enable greater height in areas identified for intensification <u>including within walkable catchments, unless a qualifying matter applies</u>; and
provide for variations to the standard zone height through the Height Variation Control, to recognise the character and amenity of particular areas and provide a transition in building scale to lower density zones.

(1) Buildings must not exceed the height in metres specified in Table H13.6.1.1 below, unless otherwise specified in the Height Variation Control on the planning maps.

Table H13.6.1.1 Building height
<table>
<tr><th><u>Location</u></th><th>Occupiable building height</th><th>Height for roof form</th><th>Total building height</th></tr>
<tr><td><u>Buildings outside a walkable catchment</u></td><td>16m</td><td>2m</td><td>18m</td></tr>
<tr><td><u>Buildings in a walkable catchment</u></td><td><u>NA</u></td><td><u>NA</u></td><td><u>21m (6 storeys)</u></td></tr>
</table>
</td><td></td><td>Increasing the maximum building height is in line with the Policy directives of the NPS UD, Policy 3(c), which states that areas located within the walkable catchment must enable building heights of at least 6 storeys within the Mixed Use Zones

While the zone provides for a range of heights, it is considered that that Mixed Use Zones can facilitate even taller buildings.

It is noted that some parts of these Mixed Use Zones are subject to the Volcanic Cone overlays or other height overlays. These are qualifying matters that would remain in place and would provide an additional height overlay that would continue to apply to the Mixed Use Zones. Outside of these areas, it is considered appropriate to maximise the height opportunities within the Mixed Use Zones

It is noted that all new buildings are subject to a resource consent requirement to ensure that buildings are designed to a high standard, which enhances the quality of streets within the area and public open spaces</td><td></td><td></td></tr>
<tr><td>145.</td><td>H13.6.2. Building height in relation to boundary</td><td>Support</td><td>The submitter supports the 19 metre, plus 60 degree HIRB control as this will give effect to the NPS-UD</td><td>Retain the 19 metre, plus 60 degree HIRB control.</td><td>2041.158</td></tr>
<tr><td></td><td>J1 Definitions</td><td></td><td></td><td></td><td></td></tr>
<tr><td>146.</td><td><u>Canopy tree</u>
<u>A tree that that has a minimum mature height of 8 metres and canopy diameter of 6 metres.</u></td><td>Oppose</td><td>The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.</td><td>Delete the definition</td><td>2041.159</td></tr>
<tr><td>147.</td><td><u>Deep soil area</u>
<u>A vegetated or mulched area which supports tree growth and promotes infiltration of stormwater with no obstructing structure above or below ground level.</u>
<u>Deep soil areas must be free of buildings, parking spaces, servicing and manoeuvring areas below or above them.</u>
<u>The surface of deep soil areas must be either vegetated in natural grass, trees or plants or in a natural mulch. Artificial grass and pavers are excluded from the deep soil area.</u></td><td>Oppose</td><td>The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.</td><td>Delete the definition</td><td>2041.160</td></tr>
<tr><td>148.</td><td><u>Landscaped area</u>
<u>In relation to any site, means an area that is in natural grass, plants or trees. The canopy of trees that are existing at the time of consent lodgement can be included in the landscaped area provided the trunks are surrounded by an area of grass, plants or mulch that extends to the diameter of the critical root zone. The critical root zone being a circular area extending from the base of the canopy tree with a diameter equal to twelve times the trunk diameter measured at 1.4m above ground level.</u>
<u>Landscaped area can include pervious paths with a maximum width of 1.5m provided they do not make up more than 10 per cent of the landscaped area.</u>
<u>Buildings, artificial grass, and structures including pools, paving (except for pervious paths), pergolas, decks and servicing area is excluded from the landscaped area.</u>
<u>This definition does not apply to any development of up to 3 dwellings in accordance with the MDRS.</u>

~~any part of that site not less than 5m^2 in area which is grassed and planted in trees, shrubs, or ground cover plants and may include:~~
~~(1) One or more of the features in (a) (b) or (c) where the total land area occupied does not collectively cover more than 25 per cent of the landscaped area:~~
~~(a) ornamental pools;~~
~~(b) areas paved with open jointed slabs, bricks or gobi or similar blocks where the maximum dimension of any one paver does not exceed 650mm;~~
~~(c) terraces or uncovered timber decks where no part of such terrace or deck exceeds more than 1m in height above the ground immediately below;~~
~~(2) non permeable pathways not exceeding 1.5m in width;~~
~~(3) permeable artificial lawn in the residential zones, except:~~
~~(a) that permeable artificial lawn must not cover more than 50 per cent of the landscaped area of the front yard;~~
~~(b) Permeable artificial lawn must:~~
~~• be permeable;~~
~~• resembles grass in colour including a mix of natural looking green tones;~~
~~• have piles that are a minimum 30mm pile height, straight cut (not looped pile), and of a density and form that resembles grass;~~
~~• is resistant to ultra violet degradation, weathering and ageing during its normal service life; and~~
~~• is recyclable.~~
~~(4) Any part of a landscaped area may be situated over an underground structure with adequate soil depth and drainage.~~
~~Excludes any area which:~~
~~• falls within the definition of building coverage;~~
~~• is part of a non permeable pathway that is greater than 1.5m in width;~~
~~• is used for the parking, manoeuvring or loading of motor vehicles.~~</td><td>Oppose in part</td><td>It is unclear what the intention of this definitions is, and what landscape definition will apply to any development of up to 3 dwellings in accordance with the MDRS</td><td>Clarify the definition and amended accordingly. In the alternative the existing definition is retained.</td><td>2040.161</td></tr>
<tr><td colspan="2"><u>General Submission Points</u></td><td></td><td></td><td></td><td></td></tr>
<tr><td>149.</td><td>The provision of six storeys at 21 metres</td><td>Oppose</td><td>Proposed Plan Change 78 ascribes 21 metres to apply to six storeys. It is considered that 21 metres is unduly restrictive in delivering a 6 storey building. It is noted that in the Mixed Use zone, commercial</td><td>That six storeys is ascribed a 24 metre height allowance (as a minimum) as part of any walkable catchment provisions. In the alternative, this could</td><td>2041.162
2041.163
2041.164</td></tr>
</table>

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
			developments are often encouraged on the ground floor. Such activities would typically be encouraged to have a floor to ceiling height in the order of 4.5 metres. A typical floor to floor height is in the order of 3.5 metres. Those would typically mean a total height of around 24 metres for 6 storey buildings (including two metres for roof form).	be applied to the Mixed Use zone within a walkable catchment, or the plan could also note six storey in height in addition to 24 metres to limit applications that try to squeeze in a 7th floor.	
150.	**Light Rail Exclusion**	Oppose	The submitter opposes the exclusion of the Light Rail Study Area from Plan Change 78. The submitter is unsure of the legal basis to exclude these areas.	Include the Light Rail Study Area into Plan Change 78.	2041.165
151.	**Special Housing Exclusion**	Oppose	The submitter opposes the exclusion of the Special Housing Areas from the Plan Change. The submitter is unsure of the legal basis to exclude these areas.	Include the Special Housing Areas into Plan Change 78.	2041.166
152.	**The definition of 'rapid transit service'**	Oppose	The NPS-UD Policy 3 defines a rapid transit service as "any existing or planned frequent, quick, reliable and high-capacity public transport service that operates on a permanent route (road or rail) that is largely separated from other traffic". In this Plan Change, Auckland Council has identified the following Rapid Transit Services: ● the three lines (Western, Southern, Eastern) of the heavy rail network between Swanson and Pukekohe, including the Central Rail Link ('CRL'). ● the Northern Busway (including the recent extension to Albany). ● the Eastern Busway. It is submitted that priority bus corridors should be considered Rapid Transit to enable more Walking Catchments and therefore more homes in accessible locations. The interpretation of what is a rapid transit service, as per NPS-UD Policy 3(d)), should include frequent bus services on the following key arterial corridors: - **Great North Road** (from Pt Chevalier to Ponsonby Road, served by the 18 Frequent Route and in future the 11 Frequent Route) - **Sandringham Road** (from Mt Albert Road to New North Road served by the 24 Frequent Route) - **Dominion Road** (from Denbigh Avenue to View Road, served by the 25 Frequent Route) - **Mt Eden Road** (from Mount Albert Road to Symonds Street, served by the 27 Frequent Route) - **Manukau Road** (from Onehunga to Broadway, served by the 30 Frequent Route) - **Great South Road** (from Ellerslie Main Highway to Broadway, served by the 70 Frequent Route)	Review definition of 'rapid transit service' to include frequent bus services on the identified key arterial corridors, and up zone those sites within the walkable catchment of the RTS to provide for at least six storeys.	2041.167 2041.168

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

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

Auckland Council
Te Kaunihera o Tāmaki Makaurau

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

Attn: Planning Technician
Auckland Council
Level 24, 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) Submitter's Agent: Sukhi Singh (Babbage Consultants Limited)

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

NZ Storage Holdings Limited

Address for service of Submitter

Agent: Babbage Consultants Limited, Level 4, 68 Beach Road, Auckland 1010, Attention: Sukhi Singh

Telephone: 21801904 Fax/Email: sukhi.singh@babbage.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 78
Plan Change/Variation Name	Intensification

The specific provisions that my submission relates to are:
(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)	Oppose the entirety of PC78.
Or Property Address	
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:

The use of qualifying matters as proposed to reduce height and density of development is not supported. This approach contradicts the current AUP structure, which relies on overlays methodology to manage effects, reather then using these as a reason for reducing density.

(continue on a separate sheet if necessary)

2042.1
2024.2
2024.3
2024.4

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. ☐

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 ☒

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

09/29/2022
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.

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

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

Auckland Council
Te Kaunihera o Tāmaki Makaurau

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

Attn: Planning Technician
Auckland Council
Level 24, 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) Ronald Evan Young

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

NA

Address for service of Submitter

84 Arney Road, Remuera
Auckland 1050

Telephone: 0274 913 105 Fax/Email: 84youngfam@gmail.com

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 78
Plan Change/Variation Name	Intensification

The specific provisions that my submission relates to are:
(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)	
Or Property Address	84 Arney Road Remuera
Or Map	

Or **Other** *(specify)*

Retain Historical and Special Character. 2044.13

Submission

See Special Character Areas Overlay 2044.14

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: The Auckland Unitary Plan in operation 15/11/2016 provides for the growth of Auckland through to 2050. It was to be reviewed after ten years (2026). Any changes should be held pending that review.

(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. ☐

There should be no change to the Auckland Unitary Plan until a review in 2026

2044.12

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 ☐

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

29th September 2022
Date

Notes to person making submission:

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

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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.

Submission to:
Auckland Council on Changes to the Auckland Unitary Plan (AUP)
Closing midnight 29th September 2022
Email to:

From:
Name: R.E. & P.K. Young
Address: 84 Arney Road, Remuera, Auckland 1050
Email: 84youngfam@gmail.com
Telephone: 0274 913 105

I/We are concerned at proposed significant changes to the Auckland Unitary Plan (AUP) as proposed in PC 78

In particular:

• We oppose the loss of special character overlay areas across the city and consequent loss of Auckland's special character built and natural qualities. With only 3% of the city's zoning with special character overlay, none should be lost. The assessment process appears significantly inadequate.	2044.1 2044.2
• We oppose the significant density increase provision across Auckland suburbs. The AUP provides very adequately for future demand and growth of residential dwelling units to 2050.	2044.3
• Auckland and in particular Remuera does not have the infrastructure to support increased density on the scale proposed.	2044.4
• While densification close to transport hubs is generally supported, the proposed zone changes to densify the entire city are excessive.	2044.5
• Of particular interest are the proposed changes that apply to Remuera including Seaview, Bassett, Middleton and Arney Roads.	2044.6
• The lack of provision for parking in new development on such a large scale is not supported.	2044.7
• The proposed changes do not support a sustainable future in Auckland, and additionally, they place added financial burden on ratepayers	2044.8
• Auckland has very different needs from elsewhere in New Zealand and one-size-does not-fit-all across the nation. Centralized government mandates on Auckland are not supported and will undermine the integrity of the built form and social and environmental wellbeing and erode heritage of the city.	2044.9
• The special character and density provisions of the Auckland Unitary Plan 2016 are supported.	2044.10 2044.11

I wish to be heard in support of this submission.

Signature
Date: 27th September 2022

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

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

Auckland Council
Te Kaunihera o Tāmaki Makaurau

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

Attn: Planning Technician
Auckland Council
Level 24, 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) GARRY RAYMOND QUEENIN

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

Address for service of Submitter

32 EMPIRE ROAD, DEVONPORT, AUCKLAND 0624.

Telephone: 223005958 Fax/Email: gazqueenin@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 78
Plan Change/Variation Name	Intensification

The specific provisions that my submission relates to are:
(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)	Chapter D18 Special Character Overlay Residential as it relates to Devonport.
Or Property Address	
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:

Devonport is a Special Character Area. Historical human and geological significance. Heritage building and natural landscape. These provide an inviting and cohesive character to the area. Mixed Housing Urban with 3 Units, 3 Level high on a site will significantly disrupt the..CONTINUED

(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. ☒

*Delete the Mixed Housing Urban zone of 3 units, 3 levels high on a site in Devonport. 2046.1

*Retain Resource Consent for all building requirements. 2046.2

*Retain the Special Character Overlay for all of Devonport. 2046.3

*Retain the Auckland Unitary Plan. 2046.4

CONTINUED on a seperate sheet.

I wish to be heard in support of my submission ☒ 2046.5

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 ☒

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

09/29/2022
Date

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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.

PC 78 Sub #2046

Garry Queenin <gazqueenin@xtra.co.nz> 29/9/2022 17:25

Plan 78 submission. The reasons for my view are:

The reasons for my view are;

Devonport is a Special Character Area. Historical human and geological significance. Heritage building and natural landscape. These provide a inviting and cohesive character to the area. Mixed Housing Urban with 3 units, 3 levels high on a site will significantly disrupt the cohesive nature of the area.

High density development will directly effect my immediate area in a negative way. Environmental degradation with the reduction in vegetation, permeable land, sunlight and increase in windage. Infrastructure is not capable. Visual impedance and blockage of natural landscape and heritage.

Mixed Urban Housing site assessment has been poorly carried out. Appears random and rushed with little consideration to the overall area impact with no onsite assessments.

A measured approach to any building should be promoted to ensure a cohesive and embracing compliment to the heritage and natural landscape toanga of Devonport as a whole.
Act in haste repent at leisure...

PC 78 Sub #2046

Garry Queenin <gazqueenin@xtra.co.nz> 29/9/2022 17:29

Plan 78 submission. If the proposed plan change / variation is not declined, then amend it as outlined below;

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

*Delete the Mixed Housing Urban zone of 3 units, 3 levels high on a site in Devonport.
*Retain Resource Consent for all building requirements.
*Retain the Special Character Overlay for all of Devonport.
*Retain the Auckland Unitary Plan.
*Retain the Historic Heritage of the Victoria Road shopping area.
*Retain the 2 level build maximum requirement over all of the Devonport area.
*Retain view shafts of landscape.

2046.6
2046.7
2046.8

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

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

Auckland Council
Te Kaunihera o Tāmaki Makaurau

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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) DARYL JANE QUEENIN

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

Address for service of Submitter

32 EMPIRE ROAD, DEVONPORT, AUCKLAND 0624.

Telephone: 21608908 Fax/Email: dazqueenin@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 78
Plan Change/Variation Name	Intensification

The specific provisions that my submission relates to are:
(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)	Chapter D18 Special Character Overlay Residential as it relates to Devonport.
Or Property Address	
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:

Devonport is a Special Character Area. Historical human and geological significance. Heritage building and natural landscape. These provide an inviting and cohesive character to the area. Mixed Housing Urban with 3 Units, 3 Level high on a site will significantly disrupt the..CONTINUED

(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. ☒

*Delete the Mixed Housing Urban zone of 3 units, 3 levels high on a site in Devonport. 2047.1

*Retain Resource Consent for all building requirements. 2047.2

*Retain the Special Character Overlay for all of Devonport. 2047.3

*Retain the Auckland Unitary Plan. 2047.4

CONTINUED on a seperate sheet.

I wish to be heard in support of my submission ☒ 2047.5

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 ☒

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

09/29/2022
Date

Notes to person making submission:

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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.

PC 78 Sub #2047

Daryl Queenin <dazqueenin@xtra.co.nz> 29/9/2022 18:09

Plan 78 submission. The reasons for my view are:

The reasons for my view are;

Devonport is a Special Character Area. Historical human and geological significance. Heritage building and natural landscape. These provide a inviting and cohesive character to the area. Mixed Housing Urban with 3 units, 3 levels high on a site will significantly disrupt the cohesive nature of the area.
High density development will directly effect my immediate area in a negative way. Environmental degradation with the reduction in vegetation, permeable land, sunlight and increase in windage. Infrastructure is not capable.
Visual impedance and blockage of natural landscape and heritage.
Mixed Urban Housing site assessment has been poorly carried out. Appears random and rushed with little consideration to the overall area impact with no onsite assessments.
A measured approach to any building should be promoted to ensure a cohesive and embracing compliment to the heritage and natural landscape toanga of Devonport as a whole.
Act in haste repent at leisure...

PC 78 Sub #2047

Daryl Queenin <dazqueenin@xtra.co.nz> 29/9/2022 18:09

Plan 78 submission. If the proposed plan change / variation is not declined, then amend it as outlined below;

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

*Delete the Mixed Housing Urban zone of 3 units, 3 levels high on a site in Devonport.
*Retain Resource Consent for all building requirements.
*Retain the Special Character Overlay for all of Devonport.
*Retain the Auckland Unitary Plan.
*Retain the Historic Heritage of the Victoria Road shopping area.
*Retain the 2 level build maximum requirement over all of the Devonport area.
*Retain view shafts of landscape.

2047.6
2047.7
2047.8

Level 5, AON Building
Customs Street West
Private Bag 106602
Auckland 1143
New Zealand
T 64 9 969 9800
F 64 9 969 9813
www.nzta.govt.nz

Submission from Waka Kotahi on Plan change 78 by Auckland Council in response to the National Policy Statement on Urban Development 2020 and the Resource Management (Enabling Housing Supply and Other Matters) amendment Act 2021

29 September 2022

Auckland Council
Plans and Places
Private Bag 92300
Auckland 1142

Email: unitaryplan@aucklandcouncil.govt.nz

Name of submitter: The New Zealand Transport Agency (Waka Kotahi)

This is a submission on Auckland Council's (**Council**) Plan Change 78 which seeks to implement the National Policy Statement on Urban Development 2020 (**NPS-UD**) and the Medium Density Residential Standards (**MDRS**) under the Resource Management (Enabling Housing Supply and Other Matters) amendment Act 2021 (**HSAA**).

Waka Kotahi wishes to be heard in support of this submission.

If others make a similar submission, Waka Kotahi may consider submitting a joint case.

Waka Kotahi could not gain a trade advantage through this submission.

Waka Kotahi role and responsibilities

Waka Kotahi is a Crown Entity established by Section 93 of the Land Transport Management Act 2003 (**LTMA**). The objective of Waka Kotahi is to undertake its functions in a way that contributes to an effective, efficient, and safe land transport system in the public interest. Waka Kotahi roles and responsibilities include:

- Managing the State Highway system, including planning, funding, designing, supervising, constructing, maintaining and operating the system.
- Managing funding of the land transport system, including auditing the performance of organisations receiving land transport funding.
- Managing regulatory requirements for transport on land and incidents involving transport on land.
- Issuing guidelines for and monitoring the development of regional land transport plans.

Waka Kotahi has an emerging role in the delivery of the Emission Reduction Plan (Te hau mārohi ki anamata) and the National Adaptation Plan (Urutau, ka taurikura: Kia tū pakari a Aotearoa i ngā huringa āhuarangi). Within these plans are several key policies and targets for adapting to and mitigating the

effects of Climate Change. The integration of land use and transport will be key in reducing emissions and ensuring the transport system is resilient.

Waka Kotahi interest in this proposal stems from its role as:

- A transport investor to maximise effective, efficient and strategic returns for New Zealand.
- A planner of the land transport network to integrate one effective and resilient network for customers.
- Provider of access to and use of the land transport system to shape smart efficient, safe and responsible transport choices.
- The manager of the State Highway system and its responsibility to deliver efficient, safe and responsible highway solutions for customers.

Government Policy Statement on Land Transport

Waka Kotahi also has a role in giving effect to the Government Policy Statement on Land Transport (**GPS**). The GPS is required under the LTMA and outlines the Government's strategy to guide land transport investment over the next 10 years. The four strategic priorities of the GPS 2021 are safety, better travel options, climate change and improving freight connections. A key theme of the GPS is integrating land use, transport planning and delivery. Land use planning has a significant impact on transport policy, infrastructure and services provision, and vice versa. Once development has happened, it has a long-term impact on transport. Changes in land use can affect the demand for travel, creating both pressures and opportunities for investment in transport infrastructure and services, or for demand management. For these reasons, Waka Kotahi seeks full utilisation of the tools available to Council to enable development in the most accessible urban areas.

Waka Kotahi view on the Proposal

Waka Kotahi supports the intent and content of the National Policy Statement on Urban Development (NPS-UD). This Policy Statement recognises the national significance of having well-functioning urban environments that enable people and communities to provide for their social, economic and cultural well-being and for their health and safety. The NPS-UD has a strong focus on ensuring that increased densities are provided in the most accessible parts of urban areas, where communities are able to access 'opportunities' such as services, education, employment and recreation by active and public transport modes.

Waka Kotahi also supports the requirements of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021. It seeks the full implementation of these requirements, including the introduction of the Medium Density Residential Standards (MDRS) and related provisions in eligible zones. The requirements of the NPS-UD and these standards should only be modified to accommodate qualifying matters and should be modified only to the extent required to accommodate these matters. Qualifying matters should be supported by a strong evidence base to ensure a robust application.

Auckland Council is identified as Tier 1 authority under the NPS-UD. In respect of Plan Change 78, Waka Kotahi is **generally supportive** of the proposed changes and provisions put forward by Auckland Council. Waka Kotahi provided feedback on the draft plan change in April 2022 and is pleased to see that the notified plan change has addressed some of the points made in that feedback.

Waka Kotahi views on specific topics are set out in the following paragraphs. These views are supported by the text in Table 1, which outlines Waka Kotahi submission points where further information, clarification or a change in approach are sought. Table 1 also sets out submission points on specific provisions in the Plan Change.

Ensuring a well-functioning urban environment

Waka Kotahi acknowledges that Auckland Council's position on the elements of the NPS-UD relating to greenhouse gas emissions is:

"NPS UD Policies that reference reductions in greenhouse gas emissions are out of scope for the August 2022 plan changes because the council's functions under the Act do not include consideration of greenhouse gas emissions until December 2022. However, the hearing Panel will have jurisdiction to

consider the effects of urban greenhouse gas emissions within the IPI plan change if this topic is raised in submissions to be heard after December 2022".[1]

Waka Kotahi has included submission points related to greenhouse gas emissions on the understanding that these submission points will be considered at the appropriate time. Waka Kotahi supports changes to the AUP to ensure that all aspects of a well-functioning urban environment, in particular improved accessibility and emissions reduction, are appropriately incorporated into the AUP to give effect to the NPS-UD. Consequently, Waka Kotahi seeks that the Council further review and revise all relevant chapters of the AUP to ensure that it gives effect to all aspects of a well-functioning urban environment.

The application of 'walkable catchment' & application of commensurate densities

Policy 3 of the NPS-UD sets out various requirements in respect of providing for increased densities and heights in the City Centre Zone, Metropolitan Centre Zones, and walkable catchments from existing and planned rapid transit stops, the edge of City Centre Zones and the edge of Metropolitan Centre Zones. It also directs councils to amend other residential zones to enable building heights and densities of urban form commensurate with the level of commercial activity and community services in those zones.

Waka Kotahi supports the application of a minimum 1.6km walkable catchment from the edge of the City Centre Zone, within which District Plan provisions should be amended to enable a minimum of 6 storey developments. It is considered that a catchment of at least 1.6km will enable the realisation of benefits associated with high densities, including access to services, education, employment and recreation. A large base population will also support existing and future public and active transport mode initiatives. It is important to note that as New Zealand's largest city with the largest concentration of attractions in one location, the walking catchment should be higher than other centres and at least 1.6km.

For Metropolitan Centre Zones and existing or planned rapid transit stops, the walkable catchment should be a minimum of 800m. This distance recognises the critical importance of these matters in contributing towards a well-functioning urban environment where more people have easier access to more services. However, there is also scope to increase the level of development and apply a more nuanced approach to height allowance within the walking catchments and centre zones.

The plan change also includes a walkable catchment of 400m for large town centres with high levels of activities and services and 200m for local and small town centres with medium/high levels of activities and services. Waka Kotahi considers that Council should take a long-term, enabling view of development in the centre zones and should consider going beyond minimum requirements when assessing each centre that this should be reflected in the densities proposed.

Assessment of Special Character Zones against other criteria

Council has proposed to retain extensive areas of special character controls including those located in highly accessible areas and/or within walkable catchments of rapid transit stations and centres despite the NPS-UD requirements to enable the most development in these locations. As outlined in the feedback to the draft plan change, Waka Kotahi does not support such an approach.

Waka Kotahi consider that the extent and nature of special character area precincts is contrary to the purpose of the NPS-UD, particularly as objective 4 requires that 'New Zealand's urban environments, including their amenity values, develop and change over time in response to the diverse and changing needs of people, including their amenity values', and policy 6 which requires that planning decisions have particular regard to a number of matters including significant changes to an area and that those changes may detract from existing amenity values but such changes are not, in of themselves an adverse effect.

It is the Waka Kotahi view that special character is but one aspect of urban development that needs to be carefully weighed up against the benefits of increased densities in these locations, including potential reduction in greenhouse gas emissions and vehicle kilometres travelled. This approach is consistent with a strategic planning approach that considers the benefits and costs of different zoning provisions. Without such an evaluation that appropriately considers and weights the extensive benefits of development in such areas the opportunity cost of retaining Special Character Zones will not be known.

[1] Auckland Council Planning committee agenda 04 August 2022.

Qualifying matters

As noted in the feedback to the draft plan change, Waka Kotahi does not support 'down-zoning' as a response to qualifying matters and is pleased to see that some of the proposed low-density zones have been removed and replaced with the use of overlays.

There are notable exceptions to this such as special character areas and significant ecological areas but overall, the Councils approach to qualifying matters is appropriate and has focussed control only to the extent necessary. Waka Kotahi supports the council's approach to three waters infrastructure constraints by applying appropriate zones regardless of the constraints and then requiring consent as a restricted discretionary activity for more than one dwelling per site. Provided the areas mapped are accurate, and there is a programme to remove the restrictions via plan changes as upgrades are completed, this approach is suitable for managing this issue. This philosophy should also be applied to other qualifying matters.

Noise and Vibration

As Waka Kotahi has previously identified with Council, noise from transport corridors, including state highways, can have an adverse effect on the health and amenity of surrounding sensitive activities. The management of such effects is a joint task for the infrastructure authority and the developer of the land use. Such effects can also give rise to reverse sensitivity issues for infrastructure providers as identified in the Regional Policy Statement of the Auckland Unitary Plan (**AUP**). The AUP contains several examples of precinct provisions to manage this issue by requiring land uses activities to protect themselves from the adverse effects of noise, but these are not reflected in the general rules of the plan. This regulatory gap would be exacerbated by the proposed increase in density close to existing state highways.

Waka Kotahi considers that noise and vibration provisions should be introduced as part of this plan as 'related provisions' as there is a risk of intensification occurring in proximity to road noise traffic on state highways which are not designed to appropriately mitigate the noise and vibration effects in the existing environment, and people in those dwellings should be protected from potential health effects. Such provisions could also be introduced as qualifying matters as they seek to manage reverse sensitivity effects of the state highway network.

Achieving a well-functioning urban environment

Waka Kotahi considers that changes need to be made to the Auckland-wide chapter E27 Transport to give effect to the NPS-UD. While the Intensification Planning Instrument (**IPI**) provides a streamlined process for incorporating the MDRS and policies 3 and 4 of the NPS-UD, this doesn't absolve the council of the need to apply it in a way that gives effect to the NPS-UD in its entirety, as required by s75 of the RMA, including the other objectives and policies.

It is the view of Waka Kotahi that to achieve many of the objectives and policies of the NPS-UD the IPI should include a range of supporting and consequential changes to section E27 Transport of the Auckland Unitary Plan. Without these changes, Plan Change 78 will not necessarily contribute to a well-functioning urban environment, including for good accessibility between people and opportunities or support a reduction in greenhouse gas emissions.

Special Housing Areas

Waka Kotahi notes the Council's view that special housing areas are not eligible for amendment under the IPI as they contain provisions which relate to the notified version of the AUP. This creates a situation whereby similar suburban areas of the region will have different planning rules which are not based on local circumstances or other reasons. Waka Kotahi encourages the Council to seek solutions to this issue (including by a variation to PC78), particularly where there are significant gains to be made by up-zoning areas close to the rapid transit network such as the Franklin 2 precinct.

Approach to future rapid transit corridors

Waka Kotahi supports Council's approach to identifying the existing rapid transit network. This approach is in line with the work undertaken by Waka Kotahi, the Council and Auckland Transport, as well as KiwiRail and other ATAP partners, on developing the Auckland Rapid Transport Plan.

We note that the council have not included rapid transit stops along the Airport to Botany and unconstructed Eastern Busway future rapid transit routes. It is however unclear at what point in the planning process the council intends to map, and up-zone, their walkable catchments (i.e. as a future

plan change or a variation to PC78). For the sake of public transparency and confidence, the council should clarify how and when land will be up-zoned in these locations, as requested in our feedback to the draft plan change.

Similarly, in our feedback, we noted that Auckland Light Rail and Council are in discussions around the light rail project. Due to uncertainties around the timing of the project, the area around the future corridor has been excluded from PC78 at present with a future plan variation anticipated in 2023.

Regardless of these discussions and timing for when there is more certainty around station locations, we note that the land within the Auckland Light Rail Corridor is highly accessible and ultimately it should be largely up-zoned around the Sandringham Road, Dominion Road and Mt Eden Road corridors. This will require a consequential review and significant reduction of the extent of qualifying matters such as the Special Character Area in these areas. Waka Kotahi encourages Council to progress a variation under the IPI to enable development in this area as soon as possible.

General comments on plan change alignment

Waka Kotahi notes the interrelationships between this plan change and plan changes 79 and 80. These comments and the amendments sought in this submission should be read in conjunction with those submissions and are intended to provide a comprehensive and aligned planning framework.

A general theme in the points in Table 1 is to enable a wider variety of activities in the urban area, this includes both consideration of the mixed use zone as well as amending the provisions in the residential zones to reduce consenting barriers for small scale local services. Reducing the barriers for small scale local services increases the opportunity for residents to be better able to provide for their daily needs within walkable catchments and to meet additional local community and business demands anticipated from residential intensification.

Another general theme in the points in Table 1 is that building heights and density should be highest closer to the centre or rapid transit stop and graduate towards lower densities towards the edge of the walkable catchments. This reflects a greater propensity for walking where the distances are shorter and the density of opportunities is greatest.

Waka Kotahi thanks Auckland Council for the opportunity to make a submission on PC78. To discuss this submission, please contact Evan Keating at evan.keating@nzta.govt.nz.

Signature of the person authorised to sign on behalf of the submitter



Evan Keating

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Table 1 – Submission points

Point #	Topic	Plan Provision	Support/Support in Part Oppose	Reason for Comment	Change(s) sought
1	Extent of proposed zoning / walkable catchments for the city centre zone	G.2 and the equivalent layer on the planning maps.	Oppose	Waka Kotahi does not agree that the city centre walkable catchment as proposed reflects the walkable catchment of the city centre or realises the development capacity required by the NPS-UD. It is considered that a catchment of at least 1.6km: a) reflects the significant proportion of people who already walk from locations this distance from the city centre to work and education within that zone (as shown in the 2018 census) demonstrating that this distance clearly falls within a walkable catchment of the city centre; and b) will enable the realisation of benefits associated with high densities, including access to services, employment and recreation. A large base population will also support existing and future public and active transport mode initiatives. It is important to note that as New Zealand's largest city with the largest concentration of attractions in one location, the walking catchment should be higher than other centres and the 1.6km should extend further along the more walkable routes.	Amend provision G.2 as follows: A walkable catchment of around ~~1,200m~~ 1,600m is applied from the edge of the Business – City Centre Zone.
2	Height limits and development capacity enabled within the city centre zone	Planning maps	Oppose	The NPS-UD requires that district plans enable as much development capacity as possible within the city centre. The approach adopted by the council in PC78 does not do this. Waka Kotahi is also of the view that retaining the spatial extent of the special height area to protect the 'overall form of the city centre' is not justified for the following reasons: • The general form, of more development in the centre, can still be achieved while extending	Enable unlimited height limits in more areas not covered by volcanic viewshafts or limited to approximately 72.5m by other constraints such as sunlight admission planes. In particular, the council should look to remove height limits: • South-southeast of Wellesley Street to City Road and Symonds Street; • East of Eden Crescent as far south as Alten Road and potentially including

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				the extent of the special height limit area east and south. • The special height limit area can be extended and still allow for a height transition down to areas outside the city centre. Notwithstanding though that there is justification for additional height in those city centre fringe locations too (as sought elsewhere in this submission). • There is likely to be minimal, at best, adverse dominance and shading impacts on streets and public open spaces from increasing heights from 72.5 to unlimited. Where appropriate these matters are already controlled by other rules and standards. • The analysis of the approach to general height limits does not consider the potential benefits of enabling additional growth and density in the city centre in regards to improved levels of accessibility and reduced emissions. Furthermore, the section 32 often evaluates the costs and benefits of height limits from the wrong starting point. Given the requirement of the NPS-UD to enable as much development capacity as possible, this should be the starting point. Instead, the s32 often uses the existing situation as the baseline; for instance, considering an increase in height limits as a benefit, rather than considering a reduction from unlimited heights as a cost.	the western portion of the Quay Park precinct; and • The northern area between Nelson and Hobson streets around Wyndham Street. 2049.5
3	Application of modifying factors resulting in a reduction in the extent of city centre walkable catchment in Ponsonby and St Mary's Bay	Planning maps	Oppose	Census data clearly shows that a significant proportion of people who live in Ponsonby and St Mary's Bay who travel to work or education in the city centre do so by walking. These areas therefore fall within the walkable catchment of the city centre.	Extend the city centre walkable catchment at least as far as John St in Ponsonby and Curran St in St Mary's Bay. 2049.6

4	Extent of development capacity enabled within the walkable catchment of the city centre	Planning maps	Oppose	Waka Kotahi seeks that the development capacity be increased in the area around the city centre. We consider that doing so is necessary to meet the objectives of the NPS-UD as: • Policy 3c refers to 'at least 6 storeys" • objectives of the NPS-UD include enabling more development in these locations and supporting a reduction in greenhouse gas emissions, providing more development capacity in these highly accessible locations would better give effect to these objectives; and • as noted above the NPS-UD seeks that Council take a long term and enabling approach to the growth of the region.	Enable building heights of 12-18 storeys for at least 400m from the edge of the city centre (remaining subject to qualifying matters, where appropriate, such as volcanic viewshafts).
5	Extent of proposed zoning / walkable catchments for the metropolitan centre zone and rapid transit stops	G.2 and the equivalent layer on the planning maps.	Support in part	Waka Kotahi supports the 800m walkable catchment adopted in the plan change for metropolitan centres and rapid transit stops noting that it will be appropriate to extend it in some locations. These include gaps between nearby catchments and to take account of planned or likely pedestrian connections. Example of such locations are: • The gaps between New Lynn, Avondale, and Mt Albert stations; and • All land between Sylvia Park station and the Tamaki River.	Retain the extent of walkable catchments for metropolitan centres and rapid transit stops as notified and expand it to include obvious gaps between catchments or to take account of planned or likely pedestrian connections.
6	Extent of development capacity enabled within the walkable catchment of metropolitan centres and rapid transit stops	Planning maps	Support in part	Waka Kotahi seeks that the development capacity be increased in the area around: a) the more accessible and market attractive metropolitan centres, including Newmarket and Takapuna, and b) rapid transit stops in the most accessible areas of Auckland. Taking the 30% most accessible areas in Auckland in 2031 (taking a similar approach to that used by the council to determine catchment sizes in response to policy 3d), would apply this to stations on the western line out to about New Lynn, the Northern Busway to Albany, and the southern and eastern lines to Manukau. In future it would also apply to the Eastern Busway to Botany.	Increase the development capacity enabled within the walkable catchment of the more accessible and market attractive metropolitan centres and more accessible rapid station stops by increasing the height limit to between 12 and 18 storeys within at least 400m of the stop or zone boundary.

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				The Council may choose to identify further centres or stops based on its own analysis. This option was disregarded in the section 32 report as being 'unnecessary to meet the objectives of implementing policy 3(b) of the NPS-UD". Waka Kotahi considers it would be necessary to meet the objective of policy 3(b) as: • it refers to 'at least 6 storeys" • objectives of the NPS-UD include enabling more development in these locations and supporting a reduction in greenhouse gas emissions, providing more development capacity in these highly accessible locations would better give effect to these objectives; and • as noted above the NPS-UD seeks that Council take a long term and enabling approach to the growth of the region. This increase in height can be 'stepped down' from the edge of the centre zone e.g. 18 storeys within 400m of the core of the centre and 12 storeys within the next 400m. Waka Kotahi appreciates that this may require some extra work. However, by restricting the spatial extent of the additional height/development capacity to the 'core' area of the catchment many of the potential effects of enabling greater height, such as shading and dominance on nearby properties, are already an effect of enabling 6 storeys.	
7	Maximum height limits in Newmarket and Grafton	Planning maps	Oppose	Heights in and around Newmarket and Grafton should be increased to the maximum possible as they are some of the most accessible non city centre locations in the country. Enabling greater development in these locations would support greater accessibility for both people and businesses and a reduction in greenhouse gas emissions. In particular the portion of the centre without view shafts should have its height variation control removed,	Increase the maximum height controls in and around Newmarket and Grafton to the maximum possible under and around viewshafts.

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				as required by the NPS-UD. The council should also take the opportunity to increase the height variation control for the mixed use area between George Street and the Metropolitan Centre to the maximum possible under the viewshafts, or to rezone it to Metropolitan Centre, to enable greater development and reflect its function as part of the Metropolitan Centre.	
8	Extent of proposed zoning / walkable catchments under NPS-UD policy 3(d)	Planning maps	Support in part	Waka Kotahi generally supports the approach to intensification within and adjacent to centres as outlined in the section 32 report which includes a catchment of 400m for large town centres with high levels of activities and services and 200m for local and small town centres with medium/high levels of activities and services. However, as noted in our feedback to the draft plan change it appears that the catchment of some smaller centres has been measured too narrowly as they have been measured from the edge of the centre zone rather than the practical current and future extent of centre. Examples of this include Mission Bay and Browns Bay. As noted elsewhere, if there are more logical and long-term catchments, Waka Kotahi would support up-zoning to match them.	Retain provisions as notified but increase in locations where the catchments can be refined and measure walkable catchments from the edge of practical centre, not the existing centre zone. 2049.15
9	Nature of proposed zoning / walkable catchments under NPS-UD policy 3	Planning maps	Support in part	As noted in our feedback to the draft plan change, to achieve sustainable growth and successful Transit Orientated Development (TOD), the council should ensure that new areas of residential intensification also enable the establishment of new supporting non-residential uses such as cafes, doctors and dairies. These uses are essential in these areas to achieving a well-function urban environment. This enabling of more businesses and community services is also clearly set out in objective 3 of the NPS-UD. THAB is the only zone which has been used when re-zoning within walkable catchments, but mixed use zone would give similar level of development while allowing for a mix of uses including additional business uses. The combination of increased height limits and a	Apply a wider suite of zones or an amended THAB zone in walkable catchments around rapid transit stops to enable a greater diversity of activities than currently provided for under the THAB zone. 2049.16

				mix of uses may broaden market viability of development and give effect to NPS-UD intentions. This is consistent with the Auckland Plan which seeks to repurpose and intensify centres and business areas, especially those in accessible locations. Noting the concern in the section 32 report that mixed use zone could undermine centres, an alternative approach is to revise the activity rules and tables in the THAB zones to enable these activities (with floor area limits if required) with minimal to no consenting barriers. This could be utilised in conjunction with a limited use of mixed use zone where active frontages are appropriate.	
10	Extent of proposed zoning / walkable catchments under NPS-UD policy 3 around rapid transit stops	Planning maps	Support in part	Related to point 9 above, the current proposal is for a uniform maximum height limit of six stories in these locations but the NPS-UD requirement is to enable 'at least' six stories. There is an opportunity for greater height and development potential in some areas, particularly in the most accessible locations and the most accessible parts of walkable catchments. The application of this approach could include a greater height limit in: • The most accessible walkable catchments, for instance those catchments within the 15 or 25 percent most accessible parts of Auckland e.g. Parnell • Areas which fall within more than one walkable catchment e.g. Grafton, Newton and Eden Terrace • The first 200-400m from a station or centre, reducing down to six stories in the outer portion of the catchment.	Increase development capacity, including height limits, in the most accessible locations and avoid a blanket six-story control. 2049.17
11	Industrial zones in rapid transit walkable catchments	Planning maps	Oppose	While acknowledging that 'Business land suitable for low density uses' is a qualifying matter, Waka Kotahi considers that there are a limited number of locations where retaining such a zoning may not be appropriate due to the presence of centres and stations and a change of zone would better give effect to the NPS-UD and the outcomes sought by the Auckland Plan 2050.	Review existing industrial zoning in walkable catchments of stations and replace with mixed use zone or another intensive zone where appropriate. 2049.18

				The change of use of such land is unlikely to make a material difference to the total amount of industrial land zoned and it would allow most existing commercial activities to continue while allowing for more intensive uses. Examples of these locations include Otahuhu, Morningside and Sylvia Park.	
12	Approach to qualifying matters	Whole of plan change	Support	Waka Kotahi supports the approach of Council to qualifying matters whereby specific matters are controlled through the use of overlays which restrict control to relevant matters rather than through the use of down-zoning. In order for this approach to be successful Council will need to ensure the accuracy of its information and mapping of these matters and to have a programme of plan changes to update the AUP as development restrictions are addressed.	Retain the overlays as notified, except as necessary to achieve relief sought elsewhere in this submission, but programme plan changes to remove them when there are no longer required.
13	Significant ecological areas (SEA)	D9 and planning maps	Oppose	As noted in point 12 above and in the feedback provided to the draft plan change, if there are qualifying matters, other methods such as overlays can be used to manage development in the affected area (not the site). In this case, Council has proposed to down zone whole sites even when a minority of the site contains protected vegetation. The reasoning for this approach is unclear in the section 32 report as it does not address how the existing controls on vegetation will protect the SEAs regardless of changes to zoning. It is unknown why buildings would need to be restricted to two stories to protect vegetation when it would be expected that enabling taller buildings would reduce their footprint.	Up-zone all sites affected by the SEA overlay to an appropriate medium or high-density zone while continuing to protect the SEAs themselves through overlays.
14	Special Character Zones	General approach and application	Oppose	The proposed plan change retains the majority of Special Character areas. In the most highly accessible locations and areas closest to the city centre, the proportion of special character areas retained is even higher. These highly accessible areas are not just those which are within walking distance of stations and centres.	Undertake further assessment to weigh the benefits of character protection against the wider opportunity costs of development limitations in key areas. Based on the results of this study, reduce the extent of special character controls.

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				Waka Kotahi is of the view that the correct balance has not yet been struck between meeting the desire of the council to retain some areas of Special Character and to enable growth in those areas of Auckland most accessible by active and public transport and which best support a well-functioning urban environment for Auckland. As set out in Te Tāruke-ā-Tāwhiri (Auckland's Climate Plan) "*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".* This is expanded on in the Auckland Transport Emissions Reduction Pathway which states that to achieve Auckland's emissions reduction target: • planning must support an increase in accessibility by sustainable modes and a reduction in vehicle kilometres travelled, and that to achieve this requires these matters to be "prioritised in land use planning decisions – including […] consideration of potential plan changes"; and • more growth is required in areas with good access to opportunities. Enabling development in the city centre fringe and other highly accessible areas in the inner isthmus is Auckland's best opportunity to implement this integration. We note the two-tier system used to determine whether an area contains enough 'special character', differentiating between walkable catchments and other areas. While we appreciate that walkable catchments have been taken into account through this approach, we consider that a higher level of priority should be applied to areas of high accessibility and/or walkability. The council has already used accessibility in categorising town and local centres and we think it would be a useful tool to identify locations outside of walkable catchments where additional development potential would help	Following the above review and reduction in area, amend the underlying zone to an appropriate medium or high-density zone and address special character through an overlay. Provide for special character by instituting design controls in the overlays which allow for special character to be considered and incorporated in design while enabling levels of development anticipated by the zones. Either remove the demolition control or include provisions that provide for demolition only as part of an approval for a replacement development.

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				meet the access and emission reduction objectives of the NPS-UD and the council. Similarly improved levels of nuance and enabling of intensification should also be applied between walkable catchments. Areas such as Grafton, within the walkable catchment of the City Centre, a Metropolitan Centre and a rail station should have to reach an even higher threshold than that applied to a standard walkable catchment. Waka Kotahi encourages the council to significantly revise these thresholds to better balance the retention of limited areas they consider worthy of special character with the need to reduce emissions and enable development in accessible areas.	
15	Beachlands Transport Constraint		Neutral	As noted above, Waka Kotahi supports the implementation of the Enabling Housing Act in full and generally does not support transport matters being identified as a qualifying matter unless there are specific reasons to exclude an area from development. This is because existing urban areas are normally better located with existing services than new greenfield areas. We accept council's assessment, and the approach in this instance, that the Beachlands area is an exception due to its isolated location, lack of transport connections and lack of commercial and social services as detailed in the section 32 report. We are neutral as to how this is achieved.	Retain AUP zoning for the area or introduce an overlay as proposed.
16	Reverse sensitivity (noise and vibration)		Oppose	Aside from some of the precincts, the AUP does not contain general provisions to manage noise and vibration effects to new noise sensitive activities established alongside state highways. Where there is intensification of noise sensitive activities proposed in this plan change, Council should introduce related provisions or a qualifying matter to address this issue.	Include an overlay which requires sensitive activities within 100m of a state highway to provide mitigation for noise effects in accordance with Waka Kotahi standards. The current standards are copied in appendix 1 below but we are open to discussing alternative provisions which would achieve the same objective.

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17	Low Density Residential Zone	H3A.1 Zone description		It shouldn't be the purpose of the zone to "maintain and enhance special character residential areas", that should be the purpose of the overlay. If the council is concerned that the overlay does not do this it should either be removed or strengthened. As per points in the preceding sections, Waka Kotahi does not support the use of zoning to address qualifying matters such as special character. As noted above, there is no requirement for the height of buildings to be restricted to address qualifying matters such as SEAs.	Do not use the Low Density Residential Zone to account for qualifying matters. If this relief is not adopted and some areas of this zone are retained, then amend the zone description to address the issues identified. Remove references to 'suburban character' and 'predominantly 1-2 storeys'.
18	Low Density Residential Zone	H3A.2(3)		Amend objective 3 to refer to 'non-residential' activities rather than limiting it to 'community' activities. This is necessary to give effect to the NPS-UD to provide for a range of uses, improve levels of accessibility, and support a reduction in emissions. It also gives effect to the RPS and its objective to provide for non-residential activities to support the needs of people and communities.	(3) ~~Community~~ Non-residential activities provide for the community's social, economic and cultural well-being, while being in keeping with the scale and intensity of development anticipated by the zone, and in response to the identified qualifying matters' values so as to contribute to the amenity of the neighbourhood.
19	Low Density Residential Zone	H3A.2(4)		The framing of this objective is incorrect and inconsistent with the NPS-UD and MDRS. As required by NPS-UD and MDRS, properties are required to implement certain heights and densities, and limit only as much as required.	"More intensive residential development including medium density residential development is ~~enabled~~ limited only to the extent necessary…"
20	Low Density Residential Zone	H3A.2 Objectives 5-11		Subject to the other points made in this submission about the approach of using zoning and qualifying matters, Waka Kotahi seeks changes to these policies for clarity. It appears that each objective is intended to apply to a different qualifying matter. Yet this is not made clear and it is not stated in which circumstance each one applies. The result of this is that they would apply across any or all qualifying matters even when unrelated to the matter in question.	Amend objectives 5-11 by either making them clear to which qualifying matter they apply, or by removing them from the zone and situating them in the relevant overlay.

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				An example of this is objective 6 relating to maintaining the amenity values of established residential neighbourhoods. This could apply to all qualifying matters (the reference to special character is as an example so it can apply elsewhere) and affect redevelopment in these areas even when the established residential character is not a reason for having a qualifying matter. It should be made clear which objective applies to which qualifying matter either in this chapter, or by relocating the policies to the relevant overlay chapter.	2049.34
21	Low Density Residential Zone	H3A.3(1) and H3A.3(2)		As noted before these policies sit better in the overlay to which they apply rather than in the zone. If the council is concerned that the overlay does not do this, it should either be removed or strengthened. As per points in the preceding sections, Waka Kotahi does not support the use of zoning to address qualifying matters such as special character. As noted above, there is no requirement for the height of buildings to be restricted to address qualifying matters such as SEAs.	Do not use the Low Density Residential Zone to account for qualifying matters. If this relief is not adopted and some areas of this zone are retained, then amend the policies to address the issues identified. Remove references to 'established residential neighbourhood', 'suburban character', 'predominantly 1–2 storeys', 'generally spacious setting'. 2049.35
22	Low Density Residential Zone	H3A.3(6)		Amend the policy to refer to 'non-residential' activities rather than limiting it to 'community' activities. This is necessary to give effect to the NPS-UD to provide for a range of uses, improve levels of accessibility, and support a reduction in emissions. It also gives effect to the RPS and its objective to provide for non-residential activities to support the needs of people and communities.	"(6) Provide for ~~community~~ non-residential activities that: (a) support the social, cultural, and economic well-being of the community; […]" 2049.36
23	Low Density Residential Zone	H3A.3(7)		The framing of this objective is incorrect and inconsistent with the NPS-UD and MDRS. As required by NPS-UD and MDRS, properties are required to implement certain heights and densities, and limit only as much as required.	(7) Require more intensive residential development including Medium Density Residential development to be ~~enabled~~ limited only to the extent necessary, ensuring that it does not detract from the identified qualifying matters' values.

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24	Low Density Residential Zone	Activity table Standards Matters of discretion Assessment criteria	Oppose	Waka Kotahi considers that comprehensive changes are required to the control of non-residential activities in residential areas to give effect to the objectives and policies of the NPS-UD and RPS. The current requirement for a resource consent for small scale non-residential activities are an unreasonable barrier to these activities establishing. While this barrier remains, the AUP is not providing for these types of activities and risks contributing to reduced accessibility by active modes and increasing emissions. It is our view that: a. Certain commercial activities are included in the activity table. Waka Kotahi seeks that the Low Density Residential Zone, match the Mixed House Urban zone, in this regard, with the addition of small scale office activities. b. That most small scale commercial and community activities (that is those Restricted Discretionary activities in Table H5.4.1 under the 'Commerce' and 'Community' headings, as well as small scale offices), should be a permitted activity with standards used to control the level of potential effects. c. Most of the matters of discretion and assessment criteria for these activities could be controlled through standards, such as: • Hours of operation; and • Noise levels Other aspects of the activity, such as building design and access, are already controlled through other rules and standards in the plan. To ensure that activities being permitted are targeted at serving locals, standards limiting the number of on-site carparks, and even daily vehicle trips, could be applied. Waka Kotahi notes there may be an overlap here with the 'Home occupation' activity, and that this activity	Review and update the provisions around non-residential activities in this zone to enable a greater variety of activities to occur without resource consent.

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				and related standards should be considered as part of these amendments.	
25	Low Density Residential Zone	H3A.8.2(1)a.i.	Oppose	The activity should be considered separate from the building, this assessment matter is concerned with the building.	(1) a. ""whether ~~the intensity and scale of the activity,~~ the building location, form and appearance is…"
26	Low Density Residential Zone	H3A.8.1(1)(a)iii H3A.8.2.(1)(c)	Oppose	Amend the matter of discretion and assessment criteria to better reflect the regulatory system that now exists in relation to parking. The NPS-UD has removed the ability to require parking through parking minimums. The council should not be looking to require them through new assessment criteria. The amendment sought is also in line with the amendments proposed through PC78 as notified to the Mixed Housing Urban Zone assessment criteria, thereby improving consistency through the plan.	(1) c. "location and design of ~~parking and~~ access (including pedestrian access): (i) whether adequate ~~parking and~~ access is provided or required".
27	Low Density Residential Zone	H3A.8.1(3)(a)ii	Oppose	This matter of discretion does not relate to an objective or policy for the zone or have an assessment criterion relating to it. It should be deleted. Any relevant effects related to this matter will be picked up in the other matters of discretion in this chapter (such as location and design of parking and access) or the transport chapter (transport effects).	"~~(ii) traffic~~;"
28	Mixed Housing Urban Zone	H5.2.(3)	Support	Support the broadening of amenity to not focus strictly on residential amenity.	Retain as notified.
29	Mixed Housing Urban Zone	H5.2.(4)	Support in part	The objective should be amended to reflect the focus on planned outcomes within a zone and ensure that any consideration of amenity looks at what is anticipated to occur in the zone.	"Non-residential activities provide for the community's social, economic and cultural well-being, while being compatible with the scale and intensity of development anticipated by the zone so as to contribute to the planned amenity of the neighbourhood".
30	Mixed Housing Urban Zone	H5.3.(8)	Support in part	This policy does not appropriately implement the related objective and it provides a particular focus that is not	"(a) support the social, ~~and~~ economic and cultural well-being of the community;

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				present in the objective, thereby precluding many developments that would help achieve the objective. Specifically, objective H5.2(4) is broad, concerned with: • Providing for the community's social, economic and cultural well-being; and • The amenity of the neighbourhood, not focusing on any particular type of amenity. It is also notable that the objective specifies the way non-residential activities can contribute to the amenity of the neighbourhood – by "being compatible with the scale and intensity of development anticipated by the zone". Amenity itself is not considered a separate matter but a result of compatible scale and intensity. Policy H5.3(8) on the other hand: • Limits support to social and economic well-being • Provides a focus on adverse effects and residential amenity not present in the objective. Policy H5.3(8) should be amended to implement objective H5.2(4) and give effect to the NPS-UD which seeks to improve access between housing and other opportunities, and support a reduction in greenhouse gas emissions.	[…] (b1) <u>support a reduction in greenhouse gas emissions through providing a greater range of local jobs and services in neighbourhoods</u> (c) ~~avoid, remedy or mitigate adverse effects on residential amenity~~ <u>contribute to the planned amenity of the neighbourhood</u>; and"
31	Mixed Housing Urban Zone	Activity table Standards Matters of discretion Assessment criteria	Oppose	Waka Kotahi considers that comprehensive changes are required to the control of non-residential activities in residential areas to give effect to the objectives and policies of the NPS-UD and RPS. The current requirement for a resource consent for small scale non-residential activities are an unreasonable barrier to these activities establishing. While this barrier remains the AUP is not providing for these types of activities and risks contributing to reduced accessibility by active modes and increasing emissions. It is our view that those Restricted Discretionary activities in the activity table under the 'Commerce' and 'Community' headings, as well as small scale offices, should be a	Review and update the provisions around non-residential activities in this zone to enable a greater variety of activities to occur without resource consent.

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				permitted activity with standards used to control the level of potential effects. Most of the matters of discretion and assessment criteria for these activities could be controlled through standards, such as: • Hours of operation; and • Noise levels Other aspects of the activity, such as building design and access, are already controlled through other rules and standards in the plan. To ensure that activities being permitted are targeted at serving locals, standards limiting the number of on-site carparks, and even daily vehicle trips, could be applied. Waka Kotahi notes there may be an overlap here with the 'Home occupation' activity, and that this activity and related standards should be considered as part of these amendments.	
32	Mixed Housing Urban Zone	H5.6	Oppose	Waka Kotahi considers that the standards for the Mixed Housing Urban Zone should be amended to enable building design which better provides for small scale non-residential activities establishing in residential areas. One such amendment could be the enabling of buildings to build to the front boundary on corner sites.	Review the standards in the Mixed Housing Urban zone to better provide for small scale non-residential activities, including the removal of the front yard setback requirement on corner sites. 2049.46
33	Mixed Housing Urban Zone	H5.8.1.(1)(b)	Oppose	This matter of discretion refers to matters which are not sought by the objectives of the zone, in particular: • Neighbourhood character; and • *Residential* amenity They should be deleted.	"the effects on the ~~neighbourhood character, residential~~ amenity, safety, and the surrounding residential area from all of the following" 2049.47
34	Mixed Housing Urban Zone	H5.8.1.(2)(a)	Oppose	This matter of discretion refers to matters which are not covered by the objectives or policies of the zone in relation to residential developments, in particular: • Neighbourhood character; and • *Residential* amenity They should be deleted.	"the effects on the ~~neighbourhood character, residential~~ amenity, safety, and the surrounding residential area from all of the following" 2049.48

35	Mixed Housing Urban Zone	H5.8.1.(2)(b)(ii)	Oppose	This matter of discretion does not relate to an objective or policy for the zone, or have an assessment criteria relating to it. It should be deleted. Any relevant effects related to this matter will be picked up in the other matters of discretion in this chapter (such as location and design of access and parking) or the transport chapter (transport effects).	"~~(ii) traffic~~;" 2049.49
36	Mixed Housing Urban Zone	H5.8.1.(1)(b)(iii)	Oppose	Align phrasing with the related assessment criteria at H5.8.2.(1)(d)	"location and design of ~~parking and~~ access (if provided)" 2049.50
37	Mixed Housing Urban Zone	H5.8.2.(1)(b)(i)	Oppose	This criteria should be amended to reflect the following points: 1) The activity should be considered separately from the impacts of the design and scale of the building; this assessment matter is concerned with the *building* "scale, location, form and appearance" 2) Character and *residential* amenity do not form part of the relevant objective	(1)(b)(i) ""whether ~~the intensity and scale of the activity,~~ the building location, form and appearance is of a high-quality and compatible with the ~~character and residential~~ amenity ~~provided for~~ anticipated within the zone and compatible with the surrounding residential area" 2049.51
38	Mixed Housing Urban Zone	H5.8.2.(1)(d)	Support	Support the amendment to the criteria	Retain as notified. 2049.52
39	Mixed Housing Urban Zone	H5.8.2(1)	Oppose	One or more additional assessment criteria should be added enabling the consideration of the potential benefits to the community of non-residential activities establishing, including whether there is a current shortage of such activities serving local needs.	Amend the criteria to enable the consideration of benefits as well as the extent of any adverse effects. 2049.53
40	Mixed Housing Urban Zone	H5.8.2(2)(ad)	Oppose	The approach of requiring this assessment in relation to special character is contrary to the approach adopted by the council in assessing and implementing special character as a qualifying matter and is therefore not justified. As set out below: • There are almost no MHU zoned sites within special character areas* so this rule almost exclusively applies outside of special character areas. • In assessing special character areas the Council has drawn boundaries around special character areas (or sub-areas). Within these areas a certain proportion of sites needed to meet the special	Delete reference to special character. 2049.54

				character criteria for the area to be considered special character. • At the boundary, properties that did not score high enough were often excluded from the area resulting in higher proportions of character in the sub-area. These properties were presumably not considered as their design and built form did not contribute (positively or negatively) to the special character area. The plan should not then suggest that these properties, which have been excluded from the assessment of the area due to a lack of positive or negative contribution, can have now impact the character of the area. If that was the case they must be included in the consideration of the coherence of the special character area and their numbers counted towards that. * Waka Kotahi acknowledges that there may be some validity to this criteria for MHU zoned properties in special character areas, though the only occurrence of this Waka Kotahi has found may be a mapping error.	
41	Terrace Housing and Apartment Buildings Zone	H6.1. Zone Description	Support in part	Amend to reflect the NPS-UD. Including in particular, the aspects of a well-functioning urban environment identified in the NPS, and the spatial zoning approach required to be implemented.	"[…] The zone is predominantly located around metropolitan, town and local centres and the public transport network to ~~support the highest levels of intensification~~ high levels of accessibility for residents to opportunities. […] This will promote walkable neighbourhoods, support reduction in greenhouse gas emissions, and increase the vitality of centres. […] In identified Height Variation Control areas buildings of seven or more storeys are enabled. Permitted height standards vary depending on the proximity to major centres and rapid transit stops, level of accessibility, and scale of the

					adjoining centre, to achieve a transition in height from the centre to adjoining residential zones. […] This zone also provides for a range of non-residential activities so that residents have convenient access to these activities and services while maintaining the urban, predominantly residential character of these areas."
42	Terrace Housing and Apartment Buildings Zone	H6.2(1)	Oppose	Amend to reflect the NPS-UD. Including in particular, the aspects of a well-functioning urban environment identified in the NPS, and the spatial zoning approach required to be implemented.	Land adjacent to centres and near ~~the~~ high-quality public transport ~~network~~ is efficiently used to provide high-density urban living that increases housing capacity and choice and provides high levels of accessibility to ~~centres and public transport~~ opportunities. 2049.56
43	Terrace Housing and Apartment Buildings Zone	H6.2(3)	Support	Support the broadening of amenity to not focus strictly on residential amenity	Retain as notified. 2049.57
44	Terrace Housing and Apartment Buildings Zone	H6.2(4)	Oppose	The objective should be amended to reflect the focus on planned outcomes within a zone and ensure that any consideration of amenity looks at what is anticipated to occur in the zone.	Non-residential activities provide for the community's social, economic and cultural well-being, while being compatible with the scale and intensity of development anticipated by the zone so as to contribute to the planned amenity of the neighbourhood. 2049.58
45	Terrace Housing and Apartment Buildings Zone	H6.2(8)	Support in part	The reference to rapid transit in this objective does not flow through into the policy of the rule/criteria. The policy refers to 'public transport' while the criteria refers to 'frequent public transport'. At a minimum these should be amended for consistency. Waka Kotahi would recommend that they be amended to all refer to 'frequent and/or rapid transit stop'	Change reference from 'rapid transit stops' to 'frequent and/or rapid transit stop'. 2049.59
46	Terrace Housing and	H6.3(2)	Support in part	Provide the flexibility to consider a range of heights for this zone that reflect the intention of the NPS-UD to	[…] with a high-density urban built character and building heights that 2049.60

	Apartment Buildings Zone			enable 6 storeys as a minimum in the locations/situations that this zone is intended to be used: • centres and rapid transit stops, as required by the NPS-UD; and • other central and highly accessible location, such as city fringe suburbs, as determined through the AUP process and reflected in the existing zoning pattern.	reflect the proximity to centres and rapid transit stops, and the level of accessibility to opportunities provided in the location ~~of predominantly five, six or seven storey buildings in identified areas~~ […]
47	Terrace Housing and Apartment Buildings Zone	H6.3(4)	Support in part	Give effect to the NPS-UD by amending to: • include reference to rapid transit stops; • provide greater flexibility around building heights in the THAB zone ; and • recognise the contribution the location of this zone can have on achieving a well-functioning urban environment, including accessibility and reducing greenhouse gas emissions.	In identified locations adjacent to centres and rapid transit stops, enable greater building height ~~of five storey's outside walkable catchments, at least six storeys within walkable catchments and the application of~~ through the Height Variation Control where additional development potential is enabled ~~and which:~~ (a1) is in a highly accessible location and supports a reduction in greenhouse gas emissions (a) provides an appropriate transition in building scale ~~from the adjoining higher density business zone~~ to neighbouring residential zones, and; (b) supports public transport networks, social infrastructure and the vitality of the adjoining centre.
48	Terrace Housing and Apartment Buildings Zone	H6.3(9)	Support in part	This policy does not appropriately implement the related objective and provides a particular focus that is not present in the objective, thereby precluding many developments that would help achieve the objective. Specifically, objective H5.2(4) is broad, concerned with: • Providing for the community's social, economic and cultural well-being; and • The amenity of the neighbourhood, not focusing on any particular type of amenity. It is also notable that the objective specifies the way non-residential activities can contribute to the amenity	Provide for non-residential activities that: • support the social, and economic, and cultural well-being of the community; • are in keeping with the with the scale and intensity of development anticipated within the zone; • support a reduction in greenhouse gas emissions through providing a greater range of local jobs and services in neighbourhoods;

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				of the neighbourhood – by "being compatible with the scale and intensity of development anticipated by the zone". Amenity itself is not considered a separate matter but a result of compatible scale and intensity. Policy H6.3(9) on the other hand: • Limits support to social and economic well-being • Provides a focus on adverse effects and residential amenity not present in the objective. Policy H5.3(8) should be amended to implement objective H5.2(4) and give effect to the NPS-UD which seeks to improve access between housing and other opportunities, and support a reduction in greenhouse gas emissions.	• ~~avoid, remedy or mitigate adverse effects on residential~~ contribute to the planned amenity of the neighbourhood; and will not detract from the vitality of the Business – City Centre Zone, Business – Metropolitan Centre Zone and Business – Town Centre Zone.
49	Terrace Housing and Apartment Buildings Zone	H6.3(14)	Support in part	The reference to public transport in this policy does not flow through from the objective or into the rule/criteria. The objective refers to 'rapid transit' while the criteria refers to 'frequent public transport'. At a minimum these should be amended for consistency. Waka Kotahi would recommend that they be amended to all refer to 'frequent and/or rapid transit stop'	Changes reference from 'public transport' to 'frequent and/or rapid transit stop'. 2049.63
50	Terrace Housing and Apartment Buildings Zone	Activity table Standards Matters of discretion Assessment criteria	Oppose	Waka Kotahi considers that comprehensive changes are required to the control of non-residential activities in residential areas to give effect to the objectives and policies of the NPS-UD and RPS. The current requirement for a resource consent for small scale non-residential activities are an unreasonable barrier to these activities establishing. While this barrier remains the AUP is not providing for these types of activities and risks contributing to reduced accessibility by active modes and increasing emissions. It is our view that those Restricted Discretionary activities in the activity table under the 'Commerce' and 'Community' headings, as well as small scale offices and retail, should be a permitted activity with standards used to control the level of potential effects.	Review and update the provisions around non-residential activities in this zone to enable a greater variety of activities to occur without resource consent. 2049.64 2049.65 2049.66

				Most of the matters of discretion and assessment criteria for these activities could be controlled through standards, such as: • Hours of operation; and • Noise levels Other aspects of the activity, such as building design and access, are already controlled through other rules and standards in the plan. To ensure that activities being permitted are targeted at serving locals, standards limiting the number of on-site carparks, and even daily vehicle trips, could be applied. Waka Kotahi notes there may be an overlap here with the 'Home occupation' activity, and that this activity and related standards should be considered as part of these amendments.	
51	Terrace Housing and Apartment Buildings Zone	H5.6	Support in part	Waka Kotahi considers that the standards for the THAB Zone should be amended to enable building design which better provides for small scale non-residential activities establishing in residential areas. One such amendment could be the enabling of buildings to build to the front boundary on corner sites.	Review the standards in the THAB zone to better provide for small scale non-residential activities, including the removal of the front yard setback requirement on corner sites. 2049.67
52	Terrace Housing and Apartment Buildings Zone	H6.6.2. Home occupations	Support in part	Amend for consistency with the objective to not refer to residential character.	Purpose: to enable people to work from home at a scale that ~~the residential character and~~ amenity is maintained. 2049.68
53	Terrace Housing and Apartment Buildings Zone	H6.6.5. Building height	Support in part	Amend the 'Purpose' of the rule so that it reflects the locational zoning situation under the NPS-UD (such as THAB being used around rapid transit stops), and the amendments sought by Waka Kotahi in this submission (such as a greater use of heights in the THAB zone exceeding seven storeys).	Purpose: to manage the height of buildings to provide for terrace housing and apartments and achieve an urban built character of upwards of five storeys ~~predominantly five storeys or six or seven storeys~~ in identified locations adjacent to centres and rapid transit stops. 2049.69

54	Terrace Housing and Apartment Buildings Zone	H6.8.1. (1)(c) H6.8.2 (1)(f)	Oppose	The ability for people visiting the activities covered by this criteria to access frequent public transport, while useful, is not important enough to warrant a criteria. Most of the activities covered by this criteria are focused on serving local needs e.g. dairies and small cafés, generally not the wider population served by public transport. Inclusion of this criteria places an unnecessary barrier in the way of these types of activities establishing.	Delete the matter of discretion and assessment criteria. 2049.70
55	Terrace Housing and Apartment Buildings Zone	H6.8.1. (2)(d) H6.8.2 (2)(m) H6.8.1. (3)(d) H6.8.2 (3)(l)	Support in part	Waka Kotahi supports the proposed requirement for consideration of the pedestrian environment around these larger activities. However, we think that consideration should not be limited to access between the development and public transport but also to nearby local, town and metropolitan centres. If a development is located near a centre, residents of the development could utilise that centre for many of their needs reducing the relative importance of access to public transport. Waka Kotahi seeks that the matters of discretion and assessment criteria be amended to include as an alternative, connections to local, town, or metropolitan centres e.g.: "Safe access and walkability of routes to frequent public transport and/or a local, town or metropolitan centre" Waka Kotahi also notes that as identified previously, the reference to frequent public transport in these matters of discretion and criteria do not match the higher level objective and policy that they implement. The objective refers to rapid transit, while the policy refers to 'public transport'. At a minimum these should be amended for consistency. Waka Kotahi would recommend that they be amended to all refer to 'frequent and/or rapid transit stops'	Amend matters of discretion and criteria to: • consider, as an alternative, access to a local, town, or metropolitan centre; and • amend the form of public transport for consistency with the related objective and policy, preferably to "frequent and/or rapid transit stops". 2049.71
56	Terrace Housing and	H6.8.2(1)(b)	Oppose	The activity is separate from the building, this assessment matter is concerned with the building.	"building scale, location, building form and appearance: 2049.72

	Apartment Buildings Zone				(i) whether ~~the scale of the activity,~~ the building location, form and appearance is of a high-quality and compatible with the ~~character and residential~~ amenity provided for within the zone ~~and compatible with the surrounding residential area~~;"
57	Terrace Housing and Apartment Buildings Zone	H6.8.2(1)	Oppose	One or more additional assessment criteria should be added enabling the consideration of the potential benefits to the community of non-residential activities establishing, including whether there is a shortage of such activities serving local needs.	Amend the criteria to enable the consideration of benefits as well as the extent of any adverse effects. 2049.73
58	Terrace Housing and Apartment Buildings Zone	H6.8.2(2)(ad)	Oppose	The approach of requiring this assessment in relation to special character is contrary to the approach adopted by the council in assessing and implementing special character as a qualifying matter and is therefore not justified. As set out below: • There are almost no THAB zoned sites within special character areas* so this rule almost exclusively applies outside of special character areas. • In assessing special character areas the Council has drawn boundaries around special character areas (or sub-areas). Within these areas a certain proportion of sites needed to meet the special character criteria for the area to be considered special character. • At the boundary, properties that did not score high enough were often excluded from the area resulting in higher proportions of character in the sub-area. These properties were presumably not considered as their design and built form did not contribute (positively or negatively) to the special character area. The plan should not then suggest that these properties, which have been excluded from the assessment of the area due to a lack of positive or negative contribution, can have now impact the character of the area. If that was the case they must be included in the consideration of the coherence of the special character area and their numbers counted towards that.	Delete reference to special character. 2049.74

				* Waka Kotahi acknowledges that there may be some validity to this criteria for THAB zoned properties in special character areas, though the only occurrence of this Waka Kotahi has found may be a mapping error.	
59	Special Housing Areas		Oppose	As noted above, Waka Kotahi notes the Council's challenge in incorporating special housing area precincts where they refer to the notified version of the AUP. Waka Kotahi encourages Council to seek a solution which includes at least those precincts which are adjacent to the rapid transit network.	Include special housing areas in a variation to PC78 with a priority on precincts which are adjacent to the rapid transit network, including Franklin 2. 2049.75
60	Transport chapter	E27.1 Background E2.7.2 Objectives E27.3 Policies E27.6.1 Standards E27.8.1 Matters of discretion E27.8.2 Assessment criteria	Oppose	The council should review and amend the transport chapter of the AUP to ensure that that it fulfils its obligations under sec 75 of the RMA and that the AUP gives effect to the NPS-UD, particularly Objectives 1, 3, and 8, and Policy 1 with regard to incorporating 'accessibility', and reductions in greenhouse gas emission reductions as part of well-functioning urban environments. One method by which this could be achieved is by incorporating this matter into the rules relating to Integrated Transport Assessments (probably through amendments to the ITA Guidelines) and trip generation controls.	Review the transport chapter (and ITA Guidelines) and revise as necessary to give effect to objectives 1,3, and 8 and policy 1 of the NPS-UD and include 'accessibility' and reductions in greenhouse gas emission reductions as part of well-functioning urban environments. 2049.76
61	Transport chapter	Table E27.6.2.1	Oppose	The council should reconsider the maximum parking rates for the city centre. Maximum rates were set through the PAUP process which reflected the situation at the time. Since then: • The council has released a new Auckland Plan, and new City Centre Master Plan with targets for a significant reduction in private vehicle travel into the city centre and reduced space for private vehicles; • The council has declared a climate emergency and released Te Tāruke-ā-Tāwhiri (Auckland's Climate Plan), and the Transport Emissions Reduction Pathway signalling a clear need for a reduction in car travel; and • The development potential in the city centre has increased through plan change 78, thereby	Reconsider the maximum parking rates in the city centre and amend if necessary. 2049.77

				also increasing the number of car parks that are permitted as of right within the city centre. Work on the City Rail Link has also progressed and the opening of this transformational project is likely to follow shortly after this plan change becoming operative. Parking maximums operate as a 'soft cap' on parking numbers in the city centre. Increasing this cap by increasing development potential without amending the maximum rates is likely to exacerbate congestion issues, reduce the use of public transport and active modes, and increase greenhouse gas emissions. It also risks undermining the validity of the rule and rates. Waka Kotahi note that in the appendix to the section 32 for the PAUP (Appendix 3.9.4 – Number of Parking and Loading Spaces Required for the City Centre), the transport experts recommended that: "These new maximum parking ratios for residential development should apply to the period to 2021. The ratios should then be reviewed in light of decisions made on the City Rail Link timing and other measures improving the accessibility of the City centre and reducing the need for car ownership".	
62	Transport chapter	Activity table	Oppose	For similar reasons to the above, the council should reconsider the appropriateness of the activity status and other rules associated with 'short-term non-accessory parking' and 'long-term non-accessory parking' in the City Centre zone. If the council does not reduce the amount of accessory parking being provided long-term this is likely to exacerbate congestion issues, reduce the use of public transport and active modes, and increase greenhouse gas emissions. One way to mitigate this impact is to prevent the increase in non-accessory parking. Even if the council does amend the parking maximum ratios, the council should reconsider the status of non-	Reconsider the activity status of non-ancillary parking in the city centre (including the possible use of prohibited activity status) and amend if necessary. 2049.78

				ancillary parking. The need for such an approach was set out in the section 32 for the PAUP (Appendix 3.9.4 – Number of Parking and Loading Spaces Required for the City Centre) which recommended prohibiting any increase in long-stay parking facilities.	

Appendix 1 – noise and vibration provisions

Permitted Activity Rule XXX

At any point within 100 metres from the edge of a state highway carriageway:

Outdoor road noise

1. Any noise sensitive space in a new building, or alteration to an existing building, that contains an activity sensitive to noise where:
   a. External road noise levels are less than 57 dB$L_{Aeq(24h)}$ at all points 1.5 metres above ground level within the proposed notional boundary; or
   b. there is a noise barrier at least 3 metres high which blocks the line-of-sight to the road surface from all points 1.5 metres above ground level within the proposed notional boundary.

Indoor road noise

2. Any noise sensitive space in a new building, or alteration to an existing building, that contains an activity sensitive to noise where the building or alteration is:

   a. Designed, constructed and maintained to achieve indoor design noise levels resulting from the road not exceeding the maximum values in Table 1; or
   b. At least 50 metres from the carriageway of any state highway and is designed so that a noise barrier entirely blocks line-of-sight from all parts of doors and windows, to the road surface.

Table 1

Occupancy/activity	**Maximum road noise level $L_{Aeq(24h)}$**
Building type: Residential	
Sleeping spaces	40 dB
All other habitable rooms	40 dB
Building type: Education	
Lecture rooms/theatres, music studios, assembly halls	35 dB
Teaching areas, conference rooms, drama studios, sleeping areas	40 dB
Libraries	45 dB

Building type: Health	
Overnight medical care, wards	40 dB
Clinics, consulting rooms, theatres, nurses' stations	45 dB
Building type: Cultural	
Places of worship, marae	35 dB

Mechanical ventilation

3. If windows must be closed to achieve the design noise levels in clause 2(a), the building is designed, constructed and maintained with a mechanical ventilation system that:
   a. For habitable rooms for a residential activity, achieves the following requirements:
      i. Provides mechanical ventilation to satisfy clause G4 of the New Zealand Building Code; and
      ii. is adjustable by the occupant to control the ventilation rate in increments up to a high air flow setting that provides at least 6 air changes per hour; and
      iii. provides relief for equivalent volumes of spill air; and
      iv. provides cooling and heating that is controllable by the occupant and can maintain the inside temperature between 18CC and 25CC; and
      v. does not generate more than 35 dB LAeq(30s) when measured 1 metre away from any grille or diffuser.
   b. For other spaces, is as determined by a suitably qualified and experienced person.

Indoor road vibration

4. Any noise sensitive space with a noise sensitive room in a new buildings or alterations to existing buildings containing an activity sensitive to noise, closer than 40 metres to the carriageway of a state highway, is designed constructed and maintained to achieve road vibration levels not exceeding 0.3mm/s $v_{w.95}$.

Design report

5. A report is submitted by a suitably qualified and experienced person to the council demonstrating compliance with clauses (1) to (4) above (as relevant) prior to the construction or alteration of any building containing an activity sensitive to noise. In the design:
   a. Road noise is based on measured or predicted noise levels plus 3 dB.

Restricted Discretionary Activity – Matters of Discretion XXX

Discretion is restricted to:
(a) Location of the building;
(b) The effects of the non-compliance on the health and amenity of occupants;
(c) Topographical, ground conditions or building design features that will mitigate noise or vibration effects; and
(d) The outcome of any consultation with the NZ Transport Agency.

Restricted Discretionary Activity – Assessment Criteria XXX

Discretion is restricted to:
(a) Whether the location of the building minimises effects;
(b) Alternative mitigation which manages the effects of the non-compliance on the health and amenity of occupants;
(c) Any identified topographical, ground conditions or building design features that will mitigate noise and vibration effects or; and
(d) The outcome of any consultation with Waka Kotahi.

Before you fill out the attached submission form, you should know:

You need to include your full name, an email address, or an alternative postal address for your submission to be valid. Also provide a contact phone number so we can contact you for hearing schedules (where requested).

By taking part in this public submission process your submission will be made public. The information requested on this form is required by the Resource Management Act 1991 as any further submission supporting or opposing this submission is required to be forwarded to you as well as Auckland Council. Your name, address, telephone number, email address, signature (if applicable) and the content of your submission will be made publicly available in Auckland Council documents and on our website. These details are collected to better inform the public about all consents which have been issued through the Council.

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least one of the following applies to the submission (or part of the submission):

- It is frivolous or vexatious.
- It discloses no reasonable or relevant case.
- It would be an abuse of the hearing process to allow the submission (or the part) to be taken further.
- It contains offensive language.
- It is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

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

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

Auckland Council
Te Kaunihera o Tāmaki Makaurau

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

Attn: Planning Technician
Auckland Council
Level 24, 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) Miss Claire Teirney

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

Address for service of Submitter

244 Viponds Road, Stanmore Bay, Whangaparaoa, Auckland

Telephone: 021 608 950 Fax/Email: claireteirney@yahoo.com

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 78
Plan Change/Variation Name	Intensification

The specific provisions that my submission relates to are:
(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)	See accompanying submission document for details
Or Property Address	
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:

My submission is in the attached PDF document

(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. ☐

My submission is in the attached PDF document

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 ☐

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

29/9/2022
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.

Submission regarding Proposed Plan Change 78 Auckland Council

Submitted by

Claire Teirney

29/9/2022

Submission on PC 78 - Intensification

The specific provisions that my submission relates to;

- **The overall plan change PC 78 as a whole – I oppose.**

Auckland Council already has a unitary plan that was designed with full consultation. There are future urban zoned areas within this unitary plan that could be brought forward in development timing with the assistance of govt funding. PC78 Intensification will just result in unplanned development for which infrastructure and services will not be able to support – both from Govt (education, health, policing etc) and Council (public transport, wastewater, water etc). 2062.1

However, given that govt is not listening to opposition to PC 78 as a whole I have the following submission relating to Qualifying Matters

Qualifying Matters Overall

I support the identification of Qualifying Matters as identified in the documents and I would like to make the specific proposals as noted; 2062.2

- **Qualifying Matters Wastewater & Water Servicing Constraints.**

I wholeheartedly support the use of Qualifying Matters for the significant infrastructure constraints as shown in Section 32 and Section 77J and 77L. I support the areas identified by the maps in this document showing the areas where these qualifying matters apply – especially with regard to Hibiscus Coast. The following pages show the local issues we have had with raw sewage overflows into parks next to schools and directly into local streams and beaches due to these constraints. There should be no intensification within these areas due to stormwater run off on local beaches. 2062.3

- **Qualifying Matters:**

Special Character Areas – I support Special Characters areas as a qualifying matter. However I oppose the reduction of Special Character Areas. I would like to see the areas that have been removed reinstated. 2062.4 2062.5

Submission on PC 78 - Intensification

Qualifying Matters:

Under the matters of national importance and Hauraki Gulf Marine Park I propose that sediment and stormwater runoff impact on the Hauraki Gulf Marine Park be listed as Qualifying Matters.

I can't understand why the impact of increased sediment and stormwater run off is not identified as a danger to the Marine Park and that intensification is not allowed due to this**. I propose that this is added as Qualifying matter – IE it is amended to include this as a QM. My reasoning is below…..**

It is plainly stated in the Hauraki Gulf Marine Park Act 2000 that;

Part 1, Management of Hauraki Gulf

Section 7 Recognition of national significance of Hauraki Gulf

(1) The interrelationship between the Hauraki Gulf, its islands, and catchments and the ability of that interrelationship to sustain the life-supporting capacity of the environment of the Hauraki Gulf and its islands **are matters of national significance.**

(2) The life-supporting capacity of the environment of the Gulf and its islands includes the capacity—

(c) to **maintain the** soil, air, **water, and ecosystems of the Gulf**.

Section 8 Management of Hauraki Gulf

 To recognise the national significance of the Hauraki Gulf, its islands, and catchments, the objectives of the management of the Hauraki Gulf, its islands, and catchments are—

(a) **the protection and**, where appropriate, the enhancement **of the life-supporting capacity of the environment of the Hauraki Gulf, its islands, and catchmen**ts:

(b) **the protection and**, where appropriate, the enhancement **of the natural**, historic, and physical **resources of the Hauraki Gulf**, its islands, and catchments:

(c) **the protection** and, where appropriate, the enhancement **of those natural**, historic, and **physical resources (including kaimoana)** of the Hauraki Gulf, its islands, and catchments with which tangata whenua have an historic, traditional, cultural, and spiritual relationship:

(d) **the protection of the cultural and historic associations of people and communities in and around the Hauraki Gulf with its natural**, historic, and physical resources:

(e) **the maintenance** and, where appropriate, the enhancement of the contribution of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments **to the social** and economic **well-being of the people and communities of the Hauraki Gul**f and New Zealand:

(f) **the maintenance** and, where appropriate, the enhancement **of the natural**, historic, and physical **resources of the Hauraki Gulf**, its islands, and catchments**, which contribute to the recreation and enjoyment of the Hauraki Gulf for the people and communities of the Hauraki Gulf** and New Zealand.

Qualifying Matters – Hauraki Gulf Marine Park – Storm water and sediment runoff

- In Section 9 (Relationship of the Act with Resource Management Act 1991) of the Hauraki Gulf Marine Park Act it states that "A territorial authority (Auckland Council) must ensure that any part of a district plan that applies to the Hauraki Gulf, its islands, and catchments, does not conflict with sections 7 and 8."
- So how is the effect of increased stormwater run off and sediment into the Hauraki Gulf Marine Park seas and foreshore not a qualifying matter?

Section 7 plainly states -

(c) to **maintain the** soil, air, **water, and ecosystems of the Gulf**.

And Section 8 goes on to detail;

"**the protection and**, where appropriate, the enhancement **of the natural**, historic, and physical **resources of the Hauraki Gulf**, its islands, and catchments." As well as "**the maintenance** and, where appropriate, the enhancement **of the natural**, historic, and physical **resources of the Hauraki Gulf**, its islands, and catchments**, which contribute to the recreation and enjoyment of the Hauraki Gulf for the people and communities of the Hauraki Gulf** and New Zealand."

Increasing stormwater run off and sediment run off into the Hauraki Gulf Marine Park seas, beaches, rockpools and sea bed via increasing housing intensification and therefore increasing hard surfaces rather than having the current permeable surfaces will NEGATIVELY impact on the Hauraki Gulf Marine Park.

More stormwater/sediment run off will damage water quality, damage the eco systems of sea bed and foreshore marine life and cause more beaches to be closed to recreational swimming more often. So the proposed Housing instensification SHOULD NOT be able to go ahead in any areas that have stormwater/street run off going into the Hauraki Gulf Marine Park – this applies to most of the Coastal areas of North Eastern Auckland.

Qualifying Matters – Hauraki Gulf Marine Park – Storm water and sediment runoff

- The following pages show the impact of stormwater and sediment run off in the water of bays of the Hibiscus Coast and the Estuarys that flow into them.

- Algae Bloom on rock pools where people regularly gather kaimoana for cultural needs has occurred on Stanmore Bay near the stormwater outlet which is situated in the rock pools.

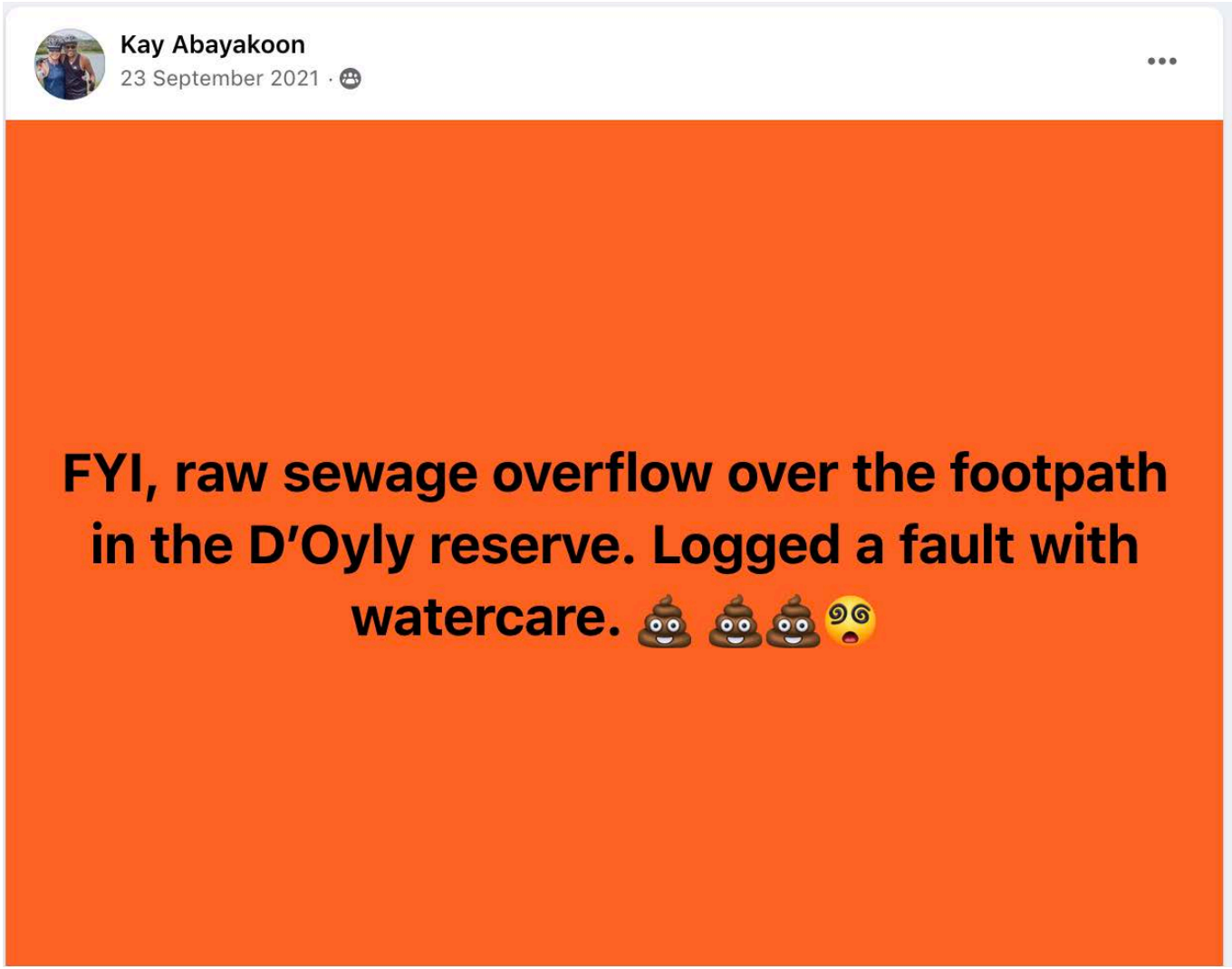
- We have also had raw sewage overflow into local parks, beaches and waterways.

- I have lived on the Hibiscus Coast since 1974. As a child I remember Stanmore Bay beach being strewn with Horse Mussels after northerly storms in quantities that would be hard to believe today (imagine for every piece of washed up piece of seaweed you would also have a horse mussel about 20cm long, sea gulls would feast on them for up to a week after a storm there were so many). They came from a bed that were on the sea floor out from the rock pool area in the middle of the beach. Since the Rodney District Council installed a storm water outlet drain to emit all of the stormwater from Doyly Drive park onto the rock pools of Stanmore Bay beach we have lost these beds and I would only see the odd one or two horse mussels of full size ever being washed in these days.

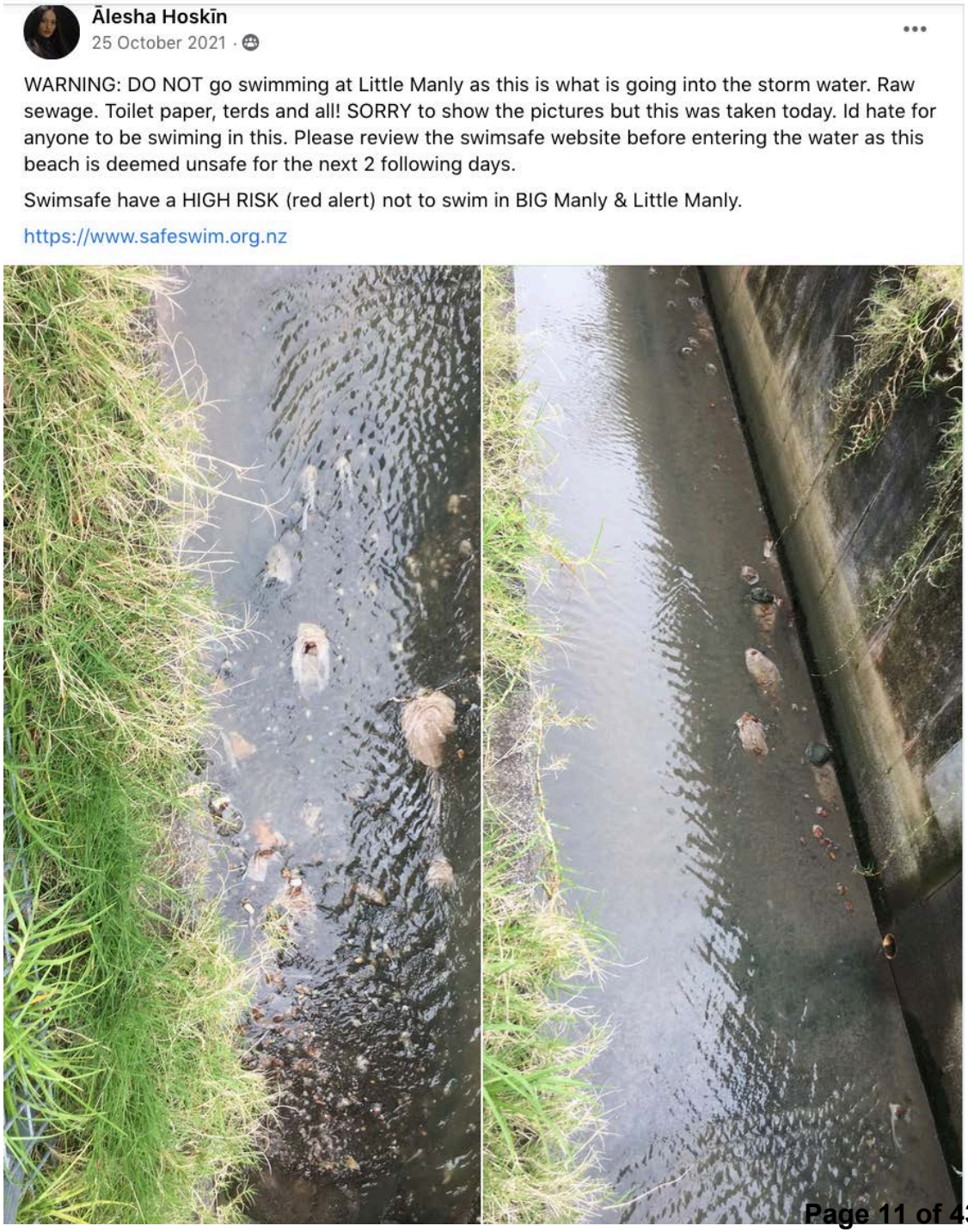
Sewage Overflows

- Hibiscus Coast Raw Sewage overflows
- Note – this is not all overflows that have occurred.

23 September 2021
Stanmore Bay



25 October 2021
Little Manly Beach





21 March 2022 Stanmore Bay

- Doyly Drive Park
- A massive Trail of raw sewage covers the walking path and most of the park. It leads directly to the stream that goes to the sea and the walking path is used by all park users – including school children going to/ from school.

21 March 2022 – Stanmore Bay

A massive Trail of raw sewage covers the walking path and most of the park right next to the kids playground in D'Oyly Park



21 March 2022 sewage



A second raw sewage overflow location into Doyly Drive park, Stanmore Bay.

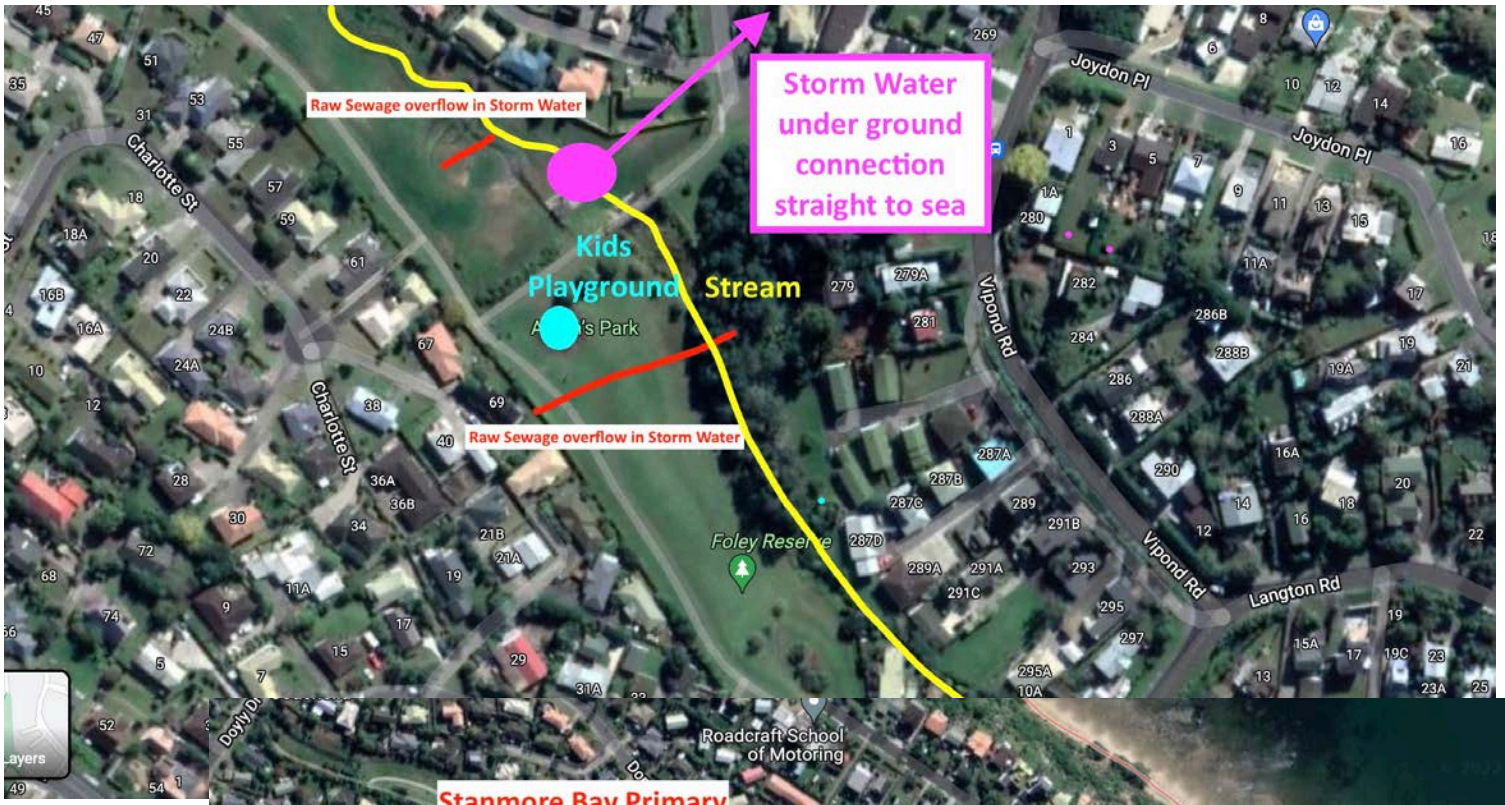
This storm water man hole is upstream from the Doyly stormwater drain that goes direct to the sea

21 March 2022 – Overview of raw sewage overflow implications – Stanmore bay



The stream runs behind private properties from Viponds Road, Langton Road, Brightside Road, Kauri Road and next to public recreational areas (skate park, soccer fields) before going into the estuary and onto the beach.

The storm water outlet goes directly from D'Oyly Drive Park under Viponds Road and straight onto the rock pools and beach of Stanmore Bay.





Kids playground and school are in/next to park where raw sewage overflows occurred.

The effect of storm water on Stanmore Bay beach, all that brown in the water is stormwater in the bay.



8 July 2022 – Little Manly Beach



12 July 2022 Little Manly Beach

Beach closed due to
Raw sewage overflow
Directly onto beach and
Into water



12 July 2022 – Stanmore Bay

Another pile of raw sewage (photo taken after Being cleaned up) has trailed across The doyly reserve walkway.

Stanmore Bay primary school just along from This overflow and it is next to the kids Playground area.

Stream running to the sea is where the trees are



Stormwater Run off

- Storm water from heavy rain events causes mass run off of water and sediment into local bays.

- These photos do not capture every time this has happened.

Large Stormwater Outlet position on Stanmore Bay Beach right in on top of rock pools and exposed at mid tides



5 September 2019
Algae Bloom over Stanmore Bay rockpools where stormwater outlet emits



21 July 2021 – Stanmore Bay

Storm water and sediment run off





23 Sept 2021 – Stanmore Bay

Storm water and sediment run off



23 Sept 2021 – Stanmore Bay

Storm water and sediment run off



Looking west to Orewa – opposite end of Stormwater and estuary outlets



7th October 2021 – Stanmore Bay

Storm water and sediment run off



15th December 2021 – Stanmore Bay

Storm water and sediment run off



21 March 2022 – Stanmore Bay

Storm water and sediment run off



12 July 2022 – Stanmore Bay

Storm water and sediment run off



26th July 2022 – Stanmore Bay

Storm water and sediment run off





sediment run off water
in Doyly creek

12 August 2022 – Stanmore Bay

Storm water and sediment run off



5 Sept 2022 Stanmore Bay – early afternoon

Storm water and sediment run off





5 September 2022 – Stanmore Bay

Storm water and sediment run off





5 Sept 2022 – Stanmore Bay – 5pm

Storm water and sediment run off





5 Sept 2022 – Stanmore Bay Estuary 5.30pm

Storm water and sediment run off





Stormwater Run off other areas

21 March 2022 – Matakatia Bay

Storm water and sediment run off



23 March 2022 – Orewa Estuary

Storm water and sediment run off





27 July 2021 – Big Manly beach Stormwater run off pipe onto beach to sea



Storm water and sediment run off



Flooding from Stormwater

The Creek through Doyly Drive Reserve backs up closely to homes along Donald Street and Knott Road.

Any increase in stormwater volumes will result in higher creek levels and possibly threaten homes with flooding.



Houses on Donald street – flattened vegetation shows where the creek water level has been through Doyly Reserve.





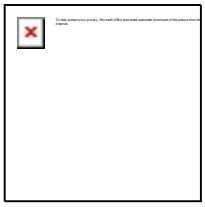
George Bramer

From: Bella Burgess <bella.burgess@pestfreekaipatiki.org.nz>
Sent: Thursday, 29 September 2022 7:31 pm
To: Unitary Plan
Subject: Submission on Plan Change 78
Attachments: Submission on Plan Change 78 Intensification 29.9.22 (1).pdf

Kia ora,

Please see attached submission on Plan Change 78 on behalf of Pest Free Kaipatiki.

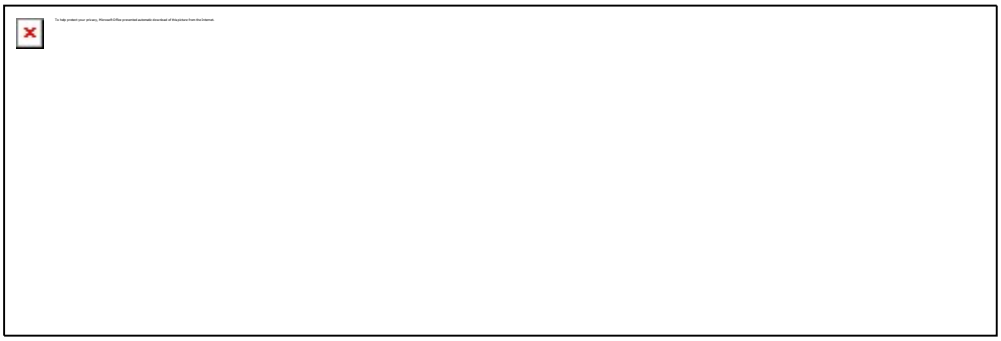
Nga mihi
Bella



Bella Burgess
Tree Champion
0224052753



Kia ora awa ratu to our sponsors



PEST FREE KAIPĀTIKI RESTORATION SOCIETY

29.9.22

5 Ross Ave,
Glenfield,
Auckland 0629

As a community conservation organisation, Pest Free Kaipatiki is concerned by the impacts that Plan Change 78 will have on our communities and the natural environment. We acknowledge that this change has been a directive from central government and so its implementation is obligatory, however we do not feel that concerns about balancing intensification with protection of the natural environment have been recognised or addressed by this plan change. We are particularly worried by the potential significant loss of urban tree coverage due to the lack of protective measures included in Plan Change 78. We would like to see greater acknowledgement of the importance of mature trees in an urban environment, particularly in regards to the benefits they provide to mitigate the impacts of climate change, support the health of local residents and retain urban biodiversity. These benefits are increased in an intensively developed environment. Pest Free Kaipatiki is not opposed to intensification, and we do not believe that intensification of housing supply inherently conflicts with the protection of urban trees. There are many examples of well-designed housing developments incorporating existing trees into new subdivisions. 2064.1

While Pest Free Kaipatiki is concerned with the overall implementation of Plan Change 78, we are pleased to see the inclusion of qualifying matters that give protection to wetland areas, significant ecological areas (SEAs), notable trees, outstanding natural features and areas of outstanding natural character. Through our work we know how important these aspects of the environment are not just biologically, but also to the health and enjoyment of the local community. We endorse all provisions in this plan change that give effect to the protection of the natural environment and biodiversity. 2064.2

Pest Free Kaipatiki supports Section 32 Significant Ecological Areas (D9) being included as a qualifying matter. We support the application of ‘Option 3’ as set out in Plan Change 78 Section 32 Significant Ecological Areas (D9) Development Options. We would like to see a strengthening of existing SEA protections and further clarification of the rules regarding properties on which they occur. As stated in this section, properties that have been assessed to include an SEA make up a small minority of land available for development. We believe that the benefits that come from strengthening protections for SEAs on these properties outweigh the negative impact this will have on limiting intensive development over Auckland. Despite SEAs being on private property, they provide significant ecological services that enhance the wellbeing of the community as a whole. 2064.3 2064.4

While our strong preference is for the application of 'Option 3' of SEAs as qualifying matters, we do support 'Option 1' as a second best option and do not oppose this choice. We are particularly pleased to see the issue of fragmentation of SEA-Ts by subdivision addressed through covenanting included in this option. We support the allowance of one dwelling per site, with a footprint of no more than 35% of the property area and endorse the use of existing cleared areas, where practical, as written. However, a total of 60% impermeable site coverage allowed for SEA-T sections seems unjustifiably high. If the biological values of SEA-Ts are of national importance (as stated) then allowing such a large proportion of properties with SEAs to be cleared is outrageous. We encourage this limit to be reduced to *no more* than 50%. 2064.5

We believe that sites with under 30% SEA coverage should also receive protection from this qualifying matter, in order to prevent fragmentation and cumulative loss and harm caused by development. We would like to see the minimum coverage to qualify for the SEA qualifying matter be reduced to 20% and additional measures introduced to protect areas of SEA on properties with coverage of less than 20% from the impacts of subdivision and development. 2064.6

Pest Free Kaipatiki supports the process of covenanting SEAs through subdivision as set out in Section 32 (D9). This strengthening of legal protection for areas of high ecological value is much needed and would be a positive outcome for the natural environment, which we welcome. We are pleased to see that the protective covenant would need to be registered prior to the subdivision scheme being deposited. 2064.7

Pest Free Kaipatiki supports the inclusion of Section 32 Wetlands (D8) as a qualifying matter to limit intensification, but strongly endorses "option 3" over the other options presented for application. This is the only option that provides strengthened protection and seeks to address the cumulative impact of increased development on these fragile ecosystems. As your report states, these are extremely rare and important ecosystems that have suffered a 3.8% loss in the Auckland region in the last 7 years alone. If this incremental loss occurs under the status quo, then it is evidence that the current system does not provide adequate protection for wetland ecosystems. With the increased development that Plan Change 78 allows for, it naturally follows that the pressures on wetlands will increase and losses and degradation will continue. As very few areas of wetland are identified by the overlay, the limitation to intensification will be minor if stronger protections of these few precious areas are brought in. 2064.8

Pest Free Kaipatiki supports the inclusion of Schedule 10 Notable Trees as a qualifying matter to limit intensification. We endorse the regular processing of new nominations and revision of this list to ensure that it is accurate and that new nominations can be included once they have been assessed as meeting the criteria for this list. We encourage further policy to extend protection to all large trees and the requirement to retain them on site. 2064.9

In regards to the subdivision policies set out under Plan Change 78 E38.3 Pest Free Kaipatiki has the following comments:
E38.3 (14). We strongly endorse this policy and would like to see further incentives to encourage design that incorporates existing native vegetation on sites. We would particularly like to see protective measures for large trees included in this. While we endorse the 2064.10

protection of indigenous vegetation, we would also like to see this policy extended to include non-invasive exotic trees. Auckland's urban ngahere is made up of a mix of native and exotic species and exotic tree species play an equally important role in mitigating climate change impacts, reducing air pollution levels, creating habitat for wildlife and enhancing the local environment for those in the local community. With the increased pressure development is placing on our urban trees, we would encourage all non-invasive tree species to be included in this policy. We would also like to see measures in place to enforce and/or incentivise this policy.

E38.3 (18) Pest Free Kaipatiki encourages the provision of open spaces, particularly those with pedestrian and cycle access and links. We are pleased to see that subdivision will be required to provide for open spaces that are proportionate to the future density of the neighbourhood. 2064.11

E38.3 (22) We strongly support this policy and endorse all protections of our natural waterways from the impacts of development and subdivision. Building new housing can have severely detrimental impacts on our freshwater systems and we encourage careful development that is required to proactively ensure that no damage is done to these areas and that improvements to water quality are required where possible. 2064.12

E38.3 (33) (c) We support the constraint of subdivision on sites with a relevant qualifying matter. 2064.13

SUBMISSION ON PROPOSED PLAN CHANGE 78: INTENSIFICATION TO THE AUCKLAND UNITARY PLAN

To: Auckland Council
Attn: Planning Technician
Unitary Plan Private Bag 92300
AUCKLAND 1142

unitaryplan@aucklandcouncil.govt.nz

Name of Submitter: Investore Property Limited

Address: c/- MinterEllisonRuddWatts
PO Box 105249
AUCKLAND 1143
Attention: Bianca Tree / Amy Dresser

bianca.tree@minterellison.co.nz

Introduction and scope of submission

1. Investore Property Limited (**Investore**) appreciates the opportunity to make this submission on Plan Change 78: Intensification (**PC 78**) to the Auckland Unitary Plan (**Plan**). PC 78 was notified on 18 August 2022.

2. As a tier 1 local authority under the National Policy Statement on Urban Development 2020 (**NPS-UD**) and the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (**Amendment Act**), Auckland Council is required to amend the Plan to enable greater density and height within city centres, metropolitan centres, and within walkable catchments of these centres and rapid transit stops. The Resource Management Act 1991 (**RMA**) requires the Plan to give effect to the NPS-UD.[1]

3. Investore supports PC 78 in part and seeks amendments to it to better give effect to the NPS-UD, as set out below.

4. For completeness, Investore could not gain an advantage in trade competition through this submission.

[1] RMA, s 75(3)(a).

Background to Investore

5. Investore is a commercial property ownership company that was established in 2015 for the purpose of investing in quality large format retail properties, and is part of Stride Property Group.

6. Stride Property Group's investment strategy is to invest in a portfolio of places with 'enduring demand'. These are places that attract the highest demand in all market conditions because they meet the needs of tenants, their staff, their visitors and their customers. The attributes of properties that have enduring demand vary depending on the sector and the market but are a combination of accessibility, amenity, functionality and a value proposition that is compelling.

7. Investore is the only NZX listed company concentrated on large format retail property assets. The value of Investore's property portfolio across New Zealand is approximately $1.1 billion.

8. In Auckland, Investore owns a portfolio of retail centre and large-format retail properties, including:

   (a) Mt Wellington Shopping Centre at 295 Penrose Road; and

   (b) the Countdown sites at:

      (i) 3 Averill Street, Papakura (**Papakura Site**); and

      (ii) 35A St Johns Road, Meadowbank (**Meadowbank Site**).

9. As Investore continues to reinvest in its portfolio, it wishes to ensure that the Plan applies appropriate controls and enables appropriate development.

10. These properties are shown in the planning maps attached as **Appendix A**. This information is provided to give context to the matters raised and relief sought in Investore's submission.

Submission

Investore supports increased intensification being enabled at and in proximity to Mt Wellington Shopping Centre

11. The Mt Wellington Shopping Centre is in the Business – Local Centre zone. Investore supports amendments to the Local Centre zone to provide for well-functioning urban environments and greater intensification.

12. Investore seeks that a 27m Height Variation Control is applied to the Mt Wellington Shopping Centre. This is because: 2066.1

    (a) The maximum building height for the Local Centre zone within a walkable catchment is 21m under PC 78 (Table H11.6.11), however a 27m Height Variation Control applies to sites in the Mixed Use zone within a walkable catchment of the Sylvia Park Metropolitan Centre zone;

    (b) Investore considers that at least the same height should be provided in the Local Centre zone as in the Mixed Use zone within the walkable catchment of the Metropolitan Centre; and

    (c) The proposed height increase would be consistent with the centres hierarchy and appropriate in the context of the (at least) 21m height limits of the surrounding properties in the Mixed Use and Terrace Housing and Apartment Building zones.

13. Investore also supports an increase in business and residential intensification within the walkable catchment of the Local Centre zone under PC 78, and seeks that this is retained. This is appropriate to recognise the amenities provided by the local centre and to give effect to Policy 3(d) of the NPS-UD. This includes rezoning properties to the Residential – Terrace Housing and Apartment Building zone. 2066.2

Investore seeks that greater height limits are applied to the Papakura Metropolitan Centre

14. The Papakura Site is in the Business – Metropolitan Centre zone. Investore supports amendments to the Metropolitan Centre zone to provide for well-functioning urban environments and greater intensification.

15. Investore seeks a height limit of 72.5m to be applied to the Papakura Metropolitan Centre, consistent with other Metropolitan Centre zones. This is because: 2066.3

    (a) The Papakura Site is subject to a 40.5m Height Variation Control under the Plan, despite the default maximum building height in a Metropolitan Centre zone being 72.5m under the Plan. No changes have been proposed to this Height Variation Control under PC 78;

    (b) Policy 3(b) of the NPS-UD requires the Plan to enable building heights and density of urban form to reflect demand for housing and business use within metropolitan centres and Objective 3 requires the Plan to enable more people to live in, and more businesses and community services to be located in areas in a centre zone that are well-serviced by public transport; and

    (c) This strong national direction and the demand for business use in proximity to rapid transit, means it is appropriate to increase the height limits in the Papakura Metropolitan Centre zone to be consistent with the default Metropolitan Centre zone height limits (despite a lower height limit being considered appropriate under the previous planning framework).

16. Alternatively, Investore seeks that height limit of 72.5m is applied to central properties within the Papakura Metropolitan Centre which are currently subject to a 40.5m height limit and a height limit of 40.5m is applied to the properties on the fringe of the Papakura Metropolitan Centre which are currently subject to a 27m height limit. 2066.4

17. Investore also supports an increase in business and residential intensification within the walkable catchment of the Papakura Metropolitan Centre under PC 78, and seeks that this is retained. 2066.5

Investore supports enabling residential intensification in the land surrounding the Meadowbank Local Centre and seeks greater height limits within the centre 2066.6

18. The Meadowbank Site is also proposed to remain in the Business – Local Centre zone under PC 78.

19. Investore seeks that a 27m Height Variation Control is applied to the Local Centre zoned land in Meadowbank, including its Meadowbank site. This is because: 2066.7

    (a) The Meadowbank Site is proposed to be subject to a height limit of 16m under PC 78, which is the same as the height limit that currently applies under the Plan;

    (b) The surrounding residential sites in the Terrace Housing and Apartment zone are proposed to now have an increased height limit of 11m for up to three dwellings, or 16m for other buildings;

    (c) The Local Centre zone anticipates that Height Variation Controls with height limits up to 27m may apply within Local Centre zones, which recognises that greater height is anticipated in this zone; and

    (d) Investore considers that it would be appropriate to enable greater density of development within the Meadowbank Local Centre zone, to provide for a well-functioning urban environment in light of the proposed increase in residential density in Meadowbank.

20. Investore also supports a greater intensity of residential development being enabled on land around the Meadowbank Site under PC 78, including the land being rezoned to the Residential – Terrace Housing and Apartment Building zone to give effect to Policy 3(d) of the NPS-UD, and seeks that this is retained. 2066.8

Relief sought and reasons for submission

21. In addition to the specific relief sought, Investore seeks such additional or consequential relief to give effect to the matters raised in this submission.

22. The amendments sought by Investore are to ensure that PC 78:

    (a) will give effect to the objectives and policies of the NPS-UD;

    (b) will contribute to well-functioning urban environments;

    (c) is consistent with the sustainable management of physical resources and the purpose and principles of the RMA;

(d) will meet the requirements to satisfy the criteria of section 32 of the RMA;

(e) will meet the reasonably foreseeable needs of future generations; and

(f) is consistent with sound resource management practice.

23. Investore wishes to be heard in support of its submission.

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

DATED this 29th day of September 2022

Investore Property Limited by its solicitors and duly authorised agents MinterEllisonRuddWatts



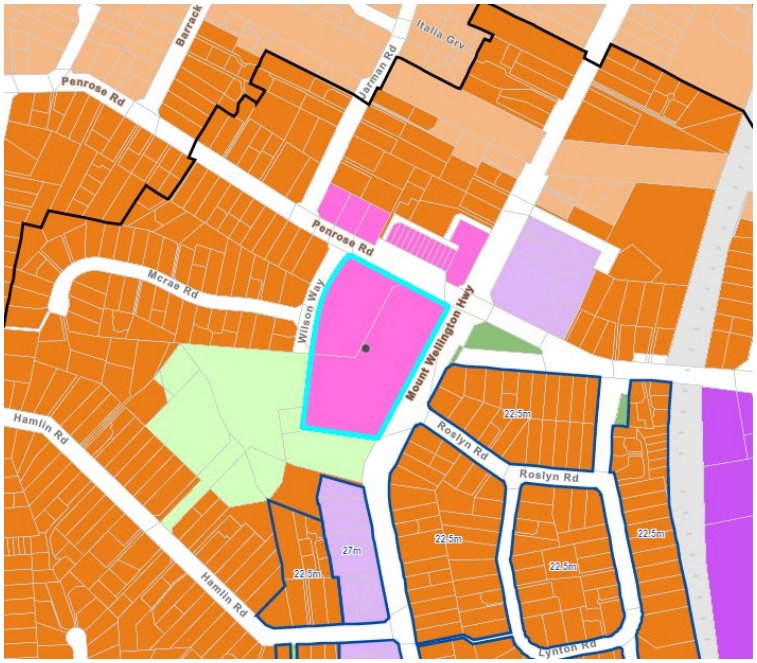
Bianca Tree / Amy Dresser

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Email: bianca.tree@minterellison.co.nz
amy.dresser@minterellison.co.nz

Appendix A – PC 78 planning maps of Investore's properties

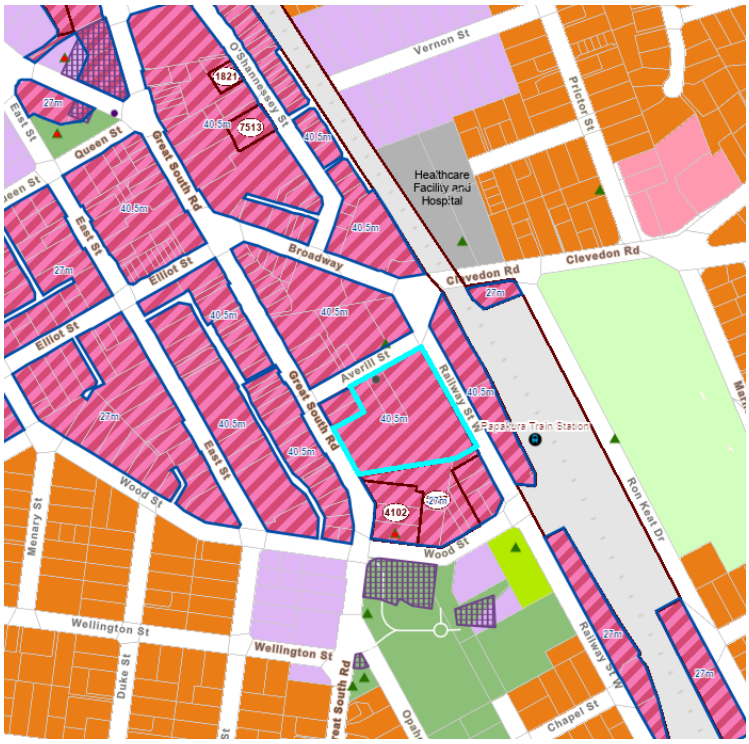
Mt Wellington Shopping Centre



Business – Local Centre Zone

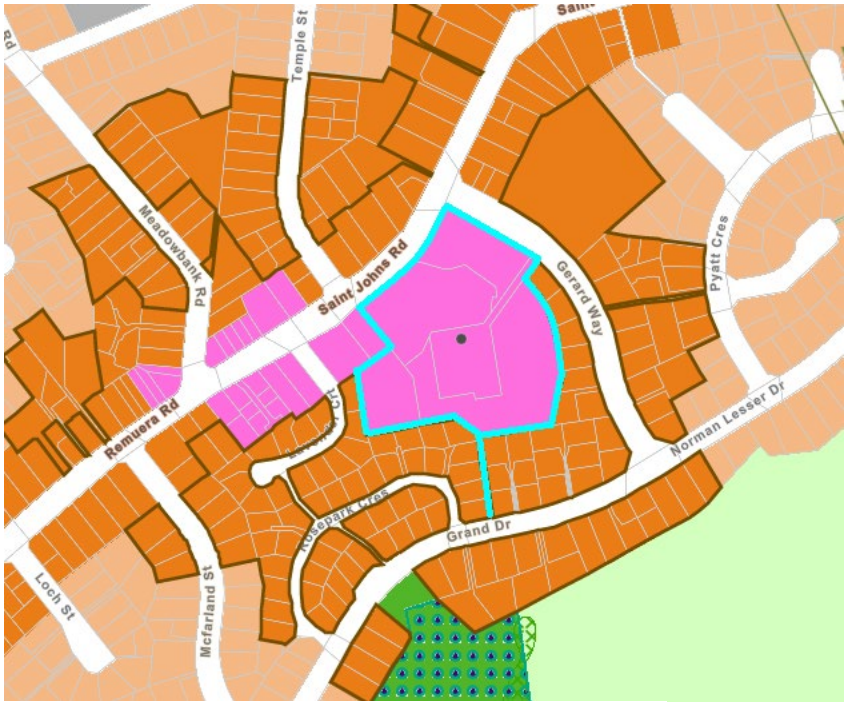
Residential – Terrace Housing and Apartment Building Zone

Papakura Countdown, 3 Averill Street



Business – Metropolitan Centre Zone

Meadowbank Countdown, 35A St Johns Road



Business - Local Centre Zone
Residential - Terrace Housing and Apartment Building Zone

KiwiRail

29 September 2022

To: Auckland City Council (**Council**)

Subject: Submission on Proposed Plan Change 78 – Intensification to the Auckland Unitary Plan (**PC 78**)

Scope and nature of submission

1. KiwiRail welcomes the opportunity to provide feedback on PC 78 to the Auckland Unitary Plan (**AUP**) to enable intensification of housing in urban areas as required under the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (**Amendment Act**).

2. This submission relates to the increased development proposed in the following zones amended by PC 78 which adjoin the railway corridor:

   (a) Residential zones: Single House, Low Density Residential (**LDR**), Mixed Housing Suburban, Mixed Housing Urban (**MHU**) and Terraced Housing and Apartment Buildings (**THAB**).

   (b) Business zones: City Centre, Metropolitan Centre, Town Centre, Local Centre, Neighbourhood Centre, Mixed Use, General Business, Business Park, Heavy Industry and Light Industry. 2069.13 2069.9

   (c) All other special zones and precincts which adjoin the rail corridor.

3. The relief KiwiRail seeks is set out at **Annexure A**. In summary, KiwiRail supports the Council's identification of the rail corridor as a qualifying matter pursuant to s77I(e) and s77O(e) of the Resource Management Act 1991 (**RMA**), but seeks that PC 78 be amended to include provisions to protect the safety and efficiency of its operations by applying:[1]

   (a) a 5m setback permitted activity standard be applied to all buildings and structures on all sites adjoining the rail corridor;

   (b) a noise permitted activity standard requiring acoustic insulation and ventilation apply to all new and altered activities sensitive to noise within 100m of the rail corridor; and

   (c) a vibration attenuation permitted activity standard apply to new and altered activities sensitive to noise within 60m of the rail corridor.

4. KiwiRail seeks that these standards are applied to the zone and precincts set out at paragraph 2 above, or through introduction of the setback provisions to Chapter E27 – Transport and the noise and vibration provisions to Chapter E25 – Noise and Vibration.

[1] Either in reliance on the qualifying matter or as a related provision which support or are consequential on the MDRS or policies 3, 4 and 5 of the NPS-UD per RMA s 80E(1)(b)(iii).

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

6. KiwiRail wishes to be heard in support of this submission.

KiwiRail's operations

7. KiwiRail is the State-Owned Enterprise responsible for the construction, maintenance and operation of New Zealand's rail network. KiwiRail is also a Requiring Authority that holds railway purpose designations in District Plans throughout New Zealand.

8. KiwiRail's national railway network (which comprises of 3,700km of track, over 200 locomotives, 18,100 hectares of land and 1,350 modern and heritage buildings)[2] is a nationally and regionally significant infrastructure asset. The rail network is critical to the safe and efficient movement of freight and passengers throughout New Zealand, and forms an essential part of the national transportation network and the wider supply chain. New Zealanders have invested significantly in the rail network and it is a critical public asset.

9. The benefits of rail to the New Zealand economy were estimated in 2019 to be in the order of $1.7 – 2.1 billion.[3] The economic significance of rail and the critical role it plays in reducing New Zealand's carbon emissions has been recognised by the Government through its continued investment in rail infrastructure. Transport modal shifts to more climate-friendly modes of transport, like rail, are critical to reduce carbon emissions. As a result, rail is experiencing a renaissance as evidenced by the significant investment being made by the Government to reinvigorate the railway network, demonstrating a strong and continued confidence in rail's current and future potential.

10. In the most recent budget, the Government allocated $349 million to replace and modernise New Zealand rail assets,[4] which has gone towards a number of major projects nationwide, including the rejuvenation of the Northland railway lines, the reopening of the Napier to Wairoa line, establishing a multi-million dollar regional freight hub in Palmerston North, and significant upgrades to the Auckland, Wellington and Hamilton metro networks.

Auckland network

11. The rail network is critical to ensure Auckland's economic wellbeing and provision of managed growth. The designated corridors of the North Island Main Trunk, Mission Bush Line, Onehunga Line, Newmarket Line and North Auckland Line pass through the Auckland District and carry metro passenger services within the surrounds of Auckland and from Hamilton, as well as freight to and from the Port of Auckland to the rest of the nation. Currently 41 stations across the Auckland network serve between 1.8 – 1.9 million commuter journeys per month.[5] As the population of Auckland grows and development intensifies, passenger rail becomes even more critical for the efficient movement of people and it is important that the rail network can meet the needs of Auckland both now and well into the future. Meeting the needs of Auckland requires a substantial change to the way we

2 Half Year Annual Report 2022 and Unaudited Financial Statements for the Six Months Ended 31 December 2021 (KiwiRail, 2022) at page 5.
3 The Value of Rail in New Zealand – Report for the Ministry of Transport (EY, Wellington, 2021) at page 8.
4 Wellbeing Budget 2022 – A Secure Future (New Zealand Government, Wellington, 2022) at page 82.
5 KiwiRail Integrated Annual Report 2020, page 17.

move around the city. As at 2018, 43% of Auckland's greenhouse gas emissions come from transport, emphasising the importance of modal shift to more sustainable modes of transport in order to reach our climate change targets.

12. While City Rail Link is critical to unlocking the capacity of the network, additional infrastructure will be needed to support any material increase in capacity and the long-term vision of a connected city. KiwiRail is working closely with Auckland Transport to develop a rail plan (looking out over a 30-year horizon) to ensure there is sufficient capacity in the network over the long term to support population growth as well as ensuring the network is safe and resilient.

13. However, as well as planning for its own operations, KiwiRail needs to manage development adjacent to the rail corridor. It is expected that the population adjacent to the rail corridor will more than double by 2050. This means careful, integrated planning is necessary to ensure that the rail corridor is enabled for growth, and effects on rail corridor are managed as well as impacts on landowners from the effects of the rail corridor, like noise and vibration.

Urban Development around the Rail Corridor

14. The fundamental driver of the Amendment Act and PC 78 is to enable intensification of housing in urban areas, as well as increase building heights and forms to promote intensification in business zones. KiwiRail supports urban development, including around transport nodes, and recognises the benefits of co-locating housing and businesses near transport corridors which provide passenger connections. It therefore does not oppose the broader upzoning PC 78 applies around the rail corridor, particularly within walking catchments of train stations.

15. However, it is critical that PC 78 still provides for adequate management of the interface between urban development and lawfully established, critical infrastructure, such as the railway network. This is necessary to ensure our communities are built in healthy living environments, and the railway network can operate and develop in the future without constraint. An integrated and proactive approach to planning is critical to support the overall vision of our urban environments, and to ensure that our transport network can support the increasing growth and housing intensification.

16. The nature of railway operations means KiwiRail cannot fully internalise all its effects within the railway corridor boundaries. Environmental legislation and caselaw recognise the lawful emission of such effects. Increasing development around railway corridors consequentially means the introduction of more sensitive receivers to adverse effects of existing and lawful railway activities.

17. With the proposed significant increases in sensitive activities in proximity to the railway corridor (particularly in walkable catchments) as a result of the increased density enabled by PC 78, KiwiRail is concerned that without appropriate planning measures in place at a territorial level, the risk of adverse health and amenity effects impacting people locating in proximity to the railway corridor, and reverse sensitivity effects constraining our operations is significantly elevated.

18. The two primary ways which KiwiRail seeks to manage this interface at a national level is through the inclusion of the following controls in district plans:

(a) **Noise and vibration controls** – requiring acoustic insulation and ventilation to be installed in new (or altered) sensitive uses within 100m of the railway corridor. Within 60m of the railway corridor, controls are sought that buildings containing new (or altered) sensitive uses are constructed to manage the impacts of vibration. These controls are important to ensure new development is undertaken in a way that achieves a healthy living environment for people locating within proximity to the railway corridor, minimising the potential for complaints about the effects of the railway network; and

(b) **Boundary setbacks** – requiring a no-build setback within 5m of the railway corridor for new buildings or structures on sites adjoining the railway corridor. This is to ensure that people can use and maintain their land and buildings safely without needing to extend out into the railway corridor, minimising the risks of physical interference on railway operations and health and safety hazards on these residents.

Auckland Unitary Plan and PC 78

Rail as a qualifying matter

19. The Council has recognised the rail corridor as a qualifying matter in PC 78 in accordance with:

(a) section 77O(e) of the RMA, recognising the need for its protection for the purpose of ensuring the safe or efficient operation of nationally significant infrastructure; and

(b) section 77O(g), recognising the need to give effect to the land subject to a designation.

20. KiwiRail strongly supports this identification. However, the application of this qualifying matter within PC 78 is limited to the Strategic Transport Corridor Zone (**STCZ**), which only provides controls on the land within the extent of the railway corridor designation. Despite this, the s 32 report acknowledges that:[6] 2069.1

> there is an increased potential for reverse sensitivity effects to arise where development which provides for greater density occurs adjacent to the STCZ.

21. From KiwiRail's perspective, in order to address the matters in section 77O(e) and (g) it is important that setbacks and noise and vibration controls are also imposed for the reasons set out below.

6 Section 32 Report – Strategic Transport Corridor Zone, page 15.

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Setbacks

22. In respect of the Amendment Act and PC 78, the MDRS mandate a 1m setback from side and rear yards, and a 1.5m setback from front yards, except where a qualifying matter applies.

23. Due to the increased potential for reverse sensitivity effects to arise KiwiRail seeks that increased setbacks of 5m are included in all zones adjoining the rail corridor. This is required where:

(a) increased building heights, density and heights in relation to boundary are proposed across both residential and commercial zones, allowing for taller, more intensive developments being constructed adjacent to, overlooking and being maintained immediately adjacent to the rail corridor; and

(b) the 1m setback enabled by the MDRS in residential zones is insufficient to manage potential safety effects.

24. The setback as drafted in PC 78 also does not apply to eaves up to a maximum of 750mm.[7] This effectively makes the 1m setback as proposed 250mm in reality. The 1m setback requirement (from rear boundaries) provides a very limited area between the rail corridor and structures within which people can use to maintain their buildings without encroaching at all into the rail corridor This creates a safety issue for those maintaining buildings and structures immediately adjacent to the rail corridor and in turn affects the safe and efficient operation of the rail corridor without potential obstructions which could interrupt or worse, be hit by, operating freight trains.

25. The intensification of land adjacent to the rail corridor increases the risk of potential interference with the rail corridor by building maintenance and other activities being undertaken on sites adjoining the rail corridor. This risk needs to be managed.

Noise and vibration controls

26. KiwiRail also seeks noise and vibration controls surrounding the rail corridor in plan changes nationally. Acoustic and vibration standards are important controls to ensure the ongoing health and wellbeing of the occupants and are instrumental in ensuring that reverse sensitivity effects on rail are minimised particularly where intensive residential development is proposed adjacent to the rail corridor. Acoustic and vibration standards do not restrict the density of development near the rail corridor, but rather seek to ensure that where urban development co-locates near the rail corridor, the health and amenity of residents is not adversely affected, and the rail corridor is protected from reverse sensitivity effects.

27. KiwiRail considers these standards are therefore a pragmatic related provision to be added to the AUP to manage the significant increase in new high-density noise sensitive activities enabled by PC 78 and avoid the reverse sensitivity effects which the s 32 report confirmed could arise from this intensification.[8]

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7 Chapter J – Definitions, "Yard"

8 Related provisions which support or are consequential on the MDRS or policies 3, 4 and 5 of the NPS-UD are enabled in Intensification Planning Instruments per RMA s 80E(1)(b)(iii).

28. In the AUP there are acoustic insulation standards for activities sensitive to noise within Chapter E25 – Noise and Vibration, which apply to the City Centre, Metropolitan Centre, Town Centre, Local Centre, Neighbourhood Centre and Mixed Use Zones.[9] However, there are no acoustic insulation standards for activities sensitive to noise in zones adjacent to the STCZ and there are no vibration controls to ensure that buildings containing new (or altered) sensitive uses are constructed to manage the impacts of vibration. KiwiRail therefore:

    (a) supports the retention of acoustic standards for the City Centre Metropolitan Centre, Town Centre, Local Centre, Neighbourhood Centre and Mixed Use Zones; and

    (b) seeks that acoustic insulation and ventilation permitted activity standards be inserted into Chapter E25 – Noise and Vibration for new activities sensitive to noise within 100m of the rail corridor to ensure that noise effects are appropriately addressed; and

    (c) seeks that a vibration attenuation permitted activity standard be inserted into the Chapter E25 – Noise and Vibration for buildings within 60m of the rail corridor to ensure that vibration effects are appropriately addressed.

29. KiwiRail considers it is appropriate that these controls apply on a district-wide basis as related provisions that are necessary to ensure intensification in and around the rail corridor is appropriately managed (particularly in the context of the additional intensification proposed through Plan Change 78). The relief sought in Annexure A applies these standards through Chapter E25 alongside the other insulation standards in the AUP. Alternatively KiwiRail seeks that the standards are applied through the zoning provisions of the Plan.

General reasons for the submission

30. The identification of the rail corridor as a qualifying matter, and the introduction of setbacks, noise and vibration provisions to activities surrounding the rail corridor will:

    (a) promote sustainable management of resources, achieve the purpose of the RMA, and are not contrary to Part 2 and other provisions of the RMA;

    (b) meet the reasonably foreseeable needs of future generations;

    (c) enable the social, economic and cultural wellbeing of the community in the Auckland region;

    (d) provide and promote the greatest health, safety and amenity outcomes and preserve operational and developmental capacity and efficiency for nationally significant infrastructure; and

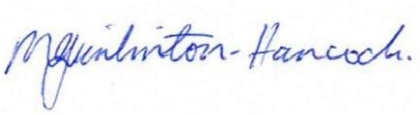
    (e) be, in terms of section 32 of the RMA, the most appropriate way to give effect to the purpose of the RMA and the objectives of the AUP and Amendment Act.

9 E25.6.10

Relief Sought

31. KiwiRail seeks the relief set out in **Anne□ure A** to this submission and such further or other consequential relief, as may be necessary, to fully give effect to the relief sought.

Yours faithfully



Michelle Grinlinton-Hancock
RMA Team Leader

Address for service: Michelle Grinlinton-Hancock
Email: michelle.grinlinton-hancock□ kiwirail.co.nz

KiwiRail

ANNE□URE A – RELIEF SOUGHT

<table>
<tr><th>Sub □</th><th>Rule(s)</th><th>Relief sought</th><th>Amendment (Plan Change 78 text in black underline and ~~strikethrough~~ and KiwiRail's proposed changes shown in red underline and ~~strikethrough~~)</th></tr>
<tr><td colspan="4">Chapter A – Introduction</td></tr>
<tr><td>1</td><td>Table A1.4.8.1 Qualifying matters in zones, overlays and Auckland-wide provisions</td><td>KiwiRail supports the identification of the STCZ and Chapter K Designations (including the rail corridor) as a qualifying matter with Table A1.4.8.1.

However, KiwiRail is concerned that the application of this qualifying matter is overly constrained in the table to just activities occurring within the STCZ and rail corridor designation. It therefore seeks the addition of reference to land surrounding the rail corridor as an area subject to a qualifying matter to ensure the rules and standards sought below are appropriately recognised / provided for in Chapter A.</td><td>Retain with amendment:

Table A1.4.□.1 Qualifying matters in zones, overlays and Auc□land-wide provisions
<table>
<tr><th>Qualifying matters</th><th>Zones, overlays and Auc□land-wide qualifying matter provisions:</th><th>Qualifying matter provisions related to zones', overlays', or Auc□land-wide qualifying matter provisions</th></tr>
<tr><td>Matters required for ensuring the safe or efficient operation of nationally significant infrastructure</td><td>___

Areas adjacent to the rail corridor</td><td>Chapter H Zones Chapter K Designations including 1100, 1101, 1102

6500, 6501,

9100, 9101, 9102 and 9104</td></tr>
</table>
2069.2
2069.15</td></tr>
<tr><td colspan="4">Chapter E25 – Noise and vibration</td></tr>
<tr><td>2</td><td>E25.6.10A

Noise levels for noise sensitive spaces in all</td><td>KiwiRail seeks a new noise insulation and ventilation standard to apply to all zones adjacent to the STCZ.</td><td>E25.6.10A Noise levels for noise sensitive spaces in all zones adjoining the Strategic Transport Corridor Zone

2069.3</td></tr>
</table>

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KiwiRail

<table>
<tr><th>Sub</th><th>Rule(s)</th><th>Relief sought</th><th>Amendment (Plan Change 78 text in black underline and ~~strikethrough~~ and KiwiRail's proposed changes shown in red underline and ~~strikethrough~~)</th></tr>
<tr><td></td><td>zones adjoining the Strategic Transport Corridor Zone</td><td>The drafting proposed mimics that of the existing standards which apply within various mixed-used business zones.

Like those standards the new standard proposed would be subject to Table E25.4.1 which provides that activities which comply with the permitted activity standards are permitted, and those that do not comply are restricted discretionary.

As alternative relief, KiwiRail seeks that these standards are included in all zones and precincts adjoining the STCZ.</td><td>(1) Noise sensitive spaces must be designed and/or insulated so that the internal noise levels do not exceed the levels in Table E25.6.10A.1 below; or
Table E25.6.10A.1 Noise levels for noise sensitive spaces in all zones adjoining the Strategic Transport Corridor Zone
<table>
<tr><th>Building type</th><th>Occupancy activity</th><th>Maximum internal noise level $L_{Aeq(1h)}$</th></tr>
<tr><td>Residential</td><td>Sleeping spaces</td><td>35 dB</td></tr>
<tr><td></td><td>All other habitable rooms</td><td>40 dB</td></tr>
<tr><td>Education</td><td>Lecture rooms/theatres, music studios, assembly halls</td><td>35 dB</td></tr>
<tr><td></td><td>Teaching areas, conference rooms, drama studios, sleeping areas</td><td>40 dB</td></tr>
<tr><td></td><td>Library</td><td>45 dB</td></tr>
<tr><td>Health</td><td>Overnight medical care, wards</td><td>40 dB</td></tr>
<tr><td></td><td>Clinics, consulting rooms, theatres, nurses stations</td><td>45 dB</td></tr>
<tr><td>Cultural</td><td>Places of worship, marae</td><td>35 dB</td></tr>
</table>
(2) Is at least 50 metres from any railway network, and is designed so that a noise barrier completely blocks line-of-sight from all parts of doors and windows, to all points 3.8 metres above railway tracks.</td></tr>
</table>

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Sub	Rule(s)	Relief sought	**Amendment** (Plan Change 78 text in black underline and ~~strikethrough~~ and KiwiRail's proposed changes shown in red underline and ~~strikethrough~~)
			(3) The levels in Table E25.6.10A.1 must be met based on an assumed level of 70 dB LAeq(1h) at a distance of 12m from the track and reduce at a rate of 3 dB per doubling of distance of up to 40m and 6 dB per doubling of distance beyond 40m. (4) Where a new room is constructed that is subject to Standard E25.6.10A(1) (internal acoustic insulation requirement) and the noise levels in Table E25.6.10A.1 can only be complied with when doors or windows to those rooms are closed, those rooms must, as a minimum: (a) be constructed to ensure compliance with the noise limits in Table E25.6.10A.1; and (b) meet the ventilation and heating/cooling requirements provided at Standard E25.6.10(3)(b)-(f) above.
3	E25.6.30 Vibration (4)-(5)	KiwiRail seeks new vibration controls be included to apply to sensitive uses within 60m of the legal boundary of the STCZ. The proposed standards would be included at the end of the existing vibration standards within the AUP. Like those standards the new standard proposed would be subject to Table E25.4.1 which provides that activities which comply with the permitted activity standards are permitted, and those that do not comply are restricted discretionary. As alternative relief, KiwiRail seeks that these standards are included in all zones and precincts adjoining the STCZ.	**E25.6.30 Vibration** (4) Any new buildings or alterations to existing buildings containing an activity sensitive to noise, within 60 metres of the boundary with the Strategic Transport Corridor Zone, must be protected from vibration arising from the nearby rail corridor. (5) Compliance with standard (4) above shall be achieved by a report submitted to the council demonstrating compliance with the following matters: (a) the new building or alteration or an existing building is designed, constructed and maintained to achieve rail vibration levels not exceeding 0.3 mm/s vw,95 or (b) the new building or alteration to an existing building is a single-storey framed residential building with: i. a constant level floor slab on a full-surface vibration isolation bearing with natural frequency not exceeding 10 Hz, installed in accordance with the supplier's instructions and recommendations; and

2069.4

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Sub	Rule(s)	Relief sought	**Amendment** (Plan Change 78 text in black underline and ~~strikethrough~~ and KiwiRail's proposed changes shown in red underline and ~~strikethrough~~)	
			ii. vibration isolation separating the sides of the floor slab from the ground; and iii. no rigid connections between the building and the ground.	
4	E25.8.1 Matters of discretion	KiwiRail supports the matters of discretion provided within E25.8.1 and seeks additions to these to provide for the new noise and vibration standards sought above. As alternative relief, KiwiRail seeks similar matters of discretion are included in all zones and precincts adjoining the STCZ.	**E25.□.1. Matters of discretion** The Council will restrict its discretion to all of the following matters when assessing a restricted discretionary resource consent application: (2) for internal noise levels of noise sensitive spaces in the Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone, Business – Local Centre Zone, Business – Neighbourhood Centre Zone or the Business – Mixed Use Zone and zones adjoining the Strategic Transport Corridor Zone: (a) reverse sensitivity effects; ~~and~~ (b) alternative temperature control solutions; and (c) mitigating environmental conditions. (3) for vibration attenuation controls of noise sensitive spaces in zones adjoining the Strategic Transport Corridor Zone: (a) reverse sensitivity effects; (b) mitigating environmental conditions; and (c) health and amenity effects.	2069.5
5	E25.8.2 Assessment criteria	KiwiRail supports the assessment criteria at E25.8.2 and seeks further additions to provide for the new noise and vibration standards sought above. As alternative relief, KiwiRail seeks similar matters of	**E25.□.2. Assessment criteria** The Council will consider the relevant assessment criteria for restricted discretionary activities from the list below: (3) for reverse sensitivity effects: (a) whether the activity or infringement proposed will ~~unduly~~ constrain the operation, maintenance and upgrading of existing activities (excluding construction or demolition activities); and	2069.6

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Sub	Rule(s)	Relief sought	**Amendment** (Plan Change 78 text in black underline and ~~strikethrough~~ and KiwiRail's proposed changes shown in red underline and ~~strikethrough~~)
		discretion are included in all zones and precincts adjoining the STCZ.	(b) the outcome of any consultation with KiwiRail. (5) for alternative temperature control solutions: (a) whether alternative solutions such as passive or mixed-mode cooling can provide a sufficient thermal comfort level that can be maintained having regard to ASHRAE (US) Standard 55:2013 - Thermal environmental conditions for human occupancy, CIBSE (UK) Technical Memorandum TM52:2013 – The limits of thermal comfort: avoiding overheating in European buildings, BS EN 15251:2007 – Indoor environmental input parameters for design and assessment of energy performance of buildings addressing indoor air quality, thermal environment, lighting and acoustics. (6) for mitigating environmental conditions: (a) the location of the building; and (b) special topographical, building features or ground conditions which will mitigate noise or vibration impacts.

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KiwiRail

<table>
<tr><th>Sub</th><th>Rule(s)</th><th>Relief sought</th><th>Amendment (Plan Change 78 text in black underline and ~~strikethrough~~ and KiwiRail's proposed changes shown in red underline and ~~strikethrough~~)</th></tr>
<tr><td colspan="4">Chapter H – Residential Zones</td></tr>
<tr><td>6</td><td>Yards Tables
(Various provisions across Chapters H)</td><td>KiwiRail seeks a new permitted activity standard requiring buildings and structures to be setback 5m from a boundary with a rail corridor be added to the setback rules for all zones adjoining the STCZ.
As alternative relief, KiwiRail seeks similar yard exceptions apply on a region-wide basis through inclusion within Chapter E27 – Transport.</td><td>(1) A building or parts of a building must be set back from the relevant boundary by the minimum depth listed in Table H3.6.8.1 Yards below.
Table H3.6.□.1 Yards
<table>
<tr><td>Yard</td><td>Minimum depth</td></tr>
<tr><td>Front</td><td>3m</td></tr>
<tr><td>Side</td><td>1m</td></tr>
<tr><td>Rear</td><td>1m</td></tr>
<tr><td>Riparian</td><td>10m from the edge of all other permanent and intermittent streams</td></tr>
<tr><td>Lakeside</td><td>30m</td></tr>
<tr><td>Coastal protection yard</td><td>10m, or as otherwise specified in Appendix 6 Coastal Protection Yard</td></tr>
<tr><td>Strategic Transport Corridor Zone</td><td>5m from the edge of the STCZ</td></tr>
</table>
[...]</td></tr>
<tr><td>7</td><td>Matters of Discretion
(Various provision numbers across Zones)</td><td>KiwiRail seeks a new matter of discretion be added to the Residential Zones for activities that do not comply with the new</td><td>(2) for buildings that do not comply with Standard H3.6.6 Building height; Standard H3.6.7 Height in relation to boundary; Standard H3.6.8 Yards; Standard H3.6.9 Maximum impervious areas; Standard H3.6.10 Building coverage; Standard H3.6.11 Landscaped area; Standard H3.6.12 Front, side and rear fences and walls:</td></tr>
</table>

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2069.8

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Sub	Rule(s)	Relief sought	Amendment (Plan Change 78 text in black underline and ~~strikethrough~~ and KiwiRail's proposed changes shown in red underline and ~~strikethrough~~)	
		permitted activity rule requiring buildings and structures to be setback at least 5m from the rail corridor. As alternative relief, KiwiRail seeks similar matters of discretion apply on a region-wide basis through inclusion within Chapter E27 – Transport.	(a) any policy which is relevant to the standard; (b) the purpose of the standard; (c) the effects of the infringement of the standard; (d) the effects on the suburban built character of the zone; (e) the effects on the amenity of neighbouring sites; (ee) the effects on the safe and efficient operation of neighbouring infrastructure; (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	2069.8 2069.16
8	Assessment criteria (Various provision numbers across Zones)	KiwiRail seeks associated assessment criteria to be added to the Residential Zones for activities that do not comply with the new permitted activity rule requiring buildings and structures to be setback at least 5m from the rail corridor. As alternative relief, KiwiRail seeks similar assessment criteria apply on a region-wide basis through inclusion within Chapter E27 – Transport.	**H5.□.2. Assessment criteria** The Council will consider the assessment criteria below for restricted discretionary activities to the extent relevant to the proposal: (X) for yards: (XX) The location and design of the building as it relates to the ability to safely use, access and maintain buildings without requiring access on, above or over the rail corridor.	2069.9 2069.17

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Sub □	Rule(s)	Relief sought	**Amendment** (Plan Change 78 text in black underline and ~~strikethrough~~ and KiwiRail's proposed changes shown in red underline and ~~strikethrough~~)
Chapter H – Business and other Zones and Precincts adjoining the rail corridor			
9	Standards Building setback from boundary with Strategic Transport Corridor Zone (Various provision numbers across Zones)	KiwiRail seeks a new standard requiring buildings and structures to be setback 5m from a boundary with a rail corridor be added to the setback rules for all zones adjoining the STCZ. As alternative relief, KiwiRail seeks similar setback provisions apply on a region-wide basis through inclusion within Chapter E27 – Transport.	**H□.□ Standards** All activities listed as permitted, controlled or restricted discretionary in Table HX.X.X Activity table must comply with the following standards. HX.X Strategic Transport Corridor Zone setback A building or parts of a building or structure must be set back 5m from the boundary of a site adjoining the Strategic Transport Corridor Zone.
10	Matters of discretion (Various provision numbers across Zones)	KiwiRail seeks a new matter of discretion be added to the zones for activities that do not comply with the new permitted activity rule requiring buildings and structures to be setback at least 5m from the rail corridor. As alternative relief, KiwiRail seeks similar matters of discretion apply on a region-wide basis through inclusion within Chapter E27 – Transport.	**H□.□1. Matters of discretion** The Council will reserve its discretion to all of the following matters when assessing a restricted discretionary resource consent application: (X) The location and design of the building as it relates to the ability to safely use, access and maintain buildings without requiring access on, above or over the rail corridor.

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THE PLANNING COLLECTIVE

Form 5

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

Clause 6 of Schedule 1, Resource Management Act 1991

To:	Auckland Council (via email unitaryplan@aucklandcouncil.govt.nz)
Name of Submitter:	The Kingsway Trust, owners of 20 Goodall Road, Snells Beach (legally described as Lot 1 DP 127021)

This submission is made on behalf of The Kingsway Trust to Auckland Council on Proposed Plan Change 78 - Intensification and Proposed Plan Change 79 - Transport

Scope of Submission

The specific part of Plan Change 78 that the submission relates to is:

- That the land at 20 Goodall Road, Snells Beach has the Medium Density Residential zoning applied because the land is situated within an urban environment in accordance with Section 77F.
- Subdivision provisions relating to access to rear site.

The specific part of Plan Change 79 that the submission relates to is:

- Subdivision provisions relating to access to rear sites through Plan Change 79 (PC79).

The Kingsway Trust could not gain an advantage in trade competition through this submission.

Section 77G(1) of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 outlines that *every relevant residential zone of a specified territorial authority must have the MDRS incorporated into that Zone.*

Section 77F of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 notes that urban environment means:

> *"any area of land (regardless of size, and irrespective of local authority or statistical boundaries) that: is, or is intended to be, predominantly urban in character; and is, or is intended to be, part of a housing and labour market of at least 10,000 people."*

Part 1, Subpart 1, Section 4 of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 defines relevant residential zones as:

Relevant residential zones -
(a) means all residential zones; but

(b) does not include -
(i) a 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

Section 6.1 of Auckland Council's *Section 32 Overview Report* states that:

"For Auckland, existing relevant residential zones are the Single House zone; Mixed Housing Suburban zone; Mixed Housing Urban zone; and the Terrace Housing and Apartment Buildings zone.

The exclusions under (b)(i), (iii), and (iv) exclude any settlements zoned Large Lot or Rural and Coastal Settlement in the AUP, and all residential areas on offshore islands (e.g., Waiheke, Great Barrier, Kawau).

Outside of the Large Lot zone and the Rural and Coastal Settlement zone there are 27 rural towns and villages that have Single House and/or Mixed Housing Suburban zonings.

The policy intent is clear that subpart (b)(ii) of the definition requires the application of MDRS to all settlements with populations over 5,000 and to give councils discretion to apply the MDRS to settlements under 5,000, where the council intends the area to become part of an urban environment.

Council has decided that the discretion to apply the MDRS to smaller settlements (less than 5,000 population) should not be taken up. This is because the smaller settlements are separated from the main urban area, where public transport is limited and increased density of development will add to vehicle travel distances and associated greenhouse gas emissions."

Snells Beach has a population of 3,405 at the 2018 New Zealand census. Snells Beach - Algies Bay is one of the 23 settlements excluded from the definition of a relevant residential zone, and the incorporation of the MDRS, by Auckland Council. This is even though Snells Beach - Algies Bay is part of the residential housing and employment market of Warkworth given its close geographical proximity to Warkworth as is evident in Figure 1 overleaf. There are limited employment opportunities within Snells Beach and Algies Bay. It is typical for people who live in these settlements to commute to Warkworth or even further afield to Auckland to access employment.

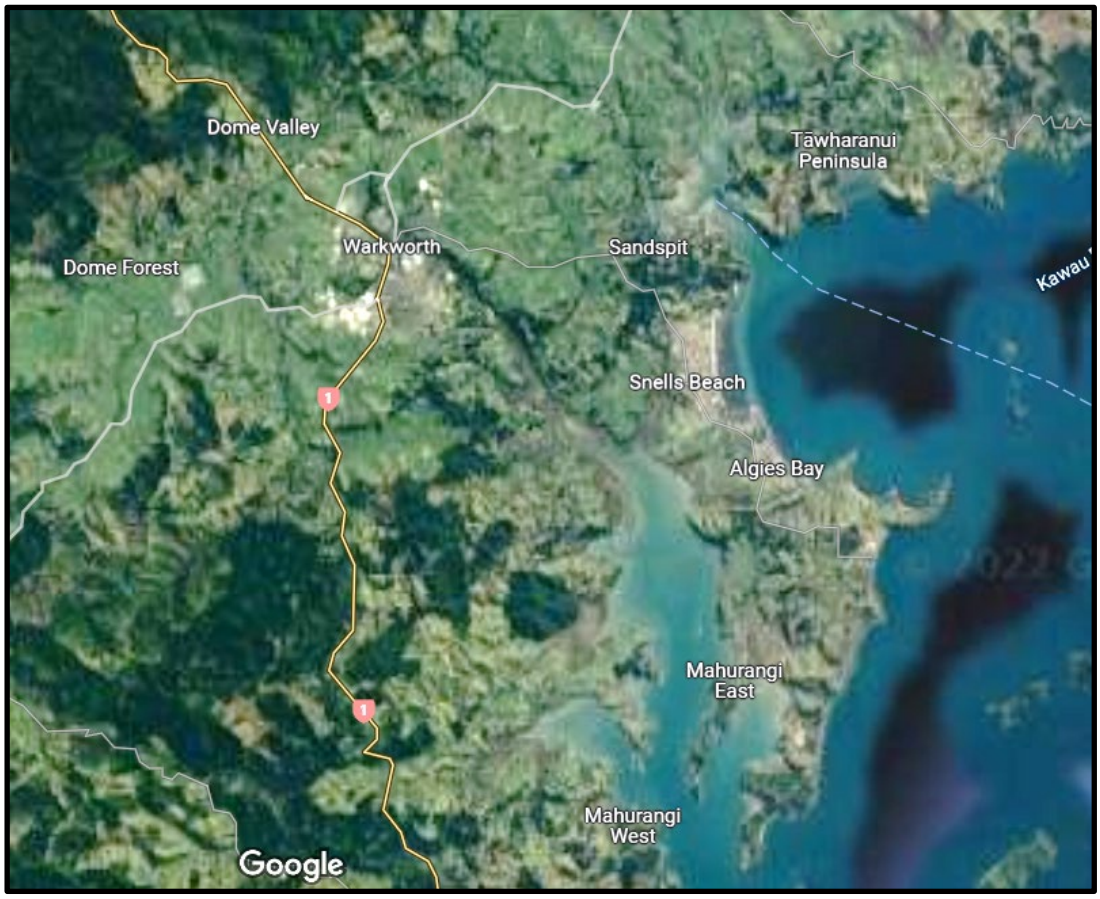


Figure 1: Aerial image showing proximity of Snells Beach to Warkworth Town Centre (Source: Google Maps, 29/09/2022)

Furthermore, the Section 32 Report stipulates that Auckland Council have taken a blanket approach to excluding Residential - Large Lot zoned sites from the application of the MDRS on the basis that this zone does not fall within the definition of a *'relevant residential zone'.*

However in light of the above, Section 77G(2) of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 notes that *"Every residential zone in an urban environment of a specified territorial authority must give effect to policy 3 or policy 5, as the case requires, in that zone."*

The definition of "Residential Zone" within the Act refers to *"all residential zones listed and described in Standard 8 of the national planning standards or equivalent zone."*

Standard 8 of the National Planning Standards 2019 includes the following residential zones:

- Large Lot Residential Zone
- Low Density Residential Zone
- General Residential Zone
- Medium Density Residential Zone
- High Density Residential Zone

Policy 3(d) of the National Policy Statement for Urban Development (NPS-UD) notes that:

> *"In relation to tier 1 urban environments, regional policy statements and district plans enable:*
> *…*
> *(d) within and adjacent to neighbourhood centre zones, local centre zones, and town centre zones (or equivalent), building heights and densities of urban form commensurate with the level of commercial activity and community services."*

The Proposed Plan Change 78- Intensification (PC78) Implementation of Policy 3 of the National Policy Statement- Urban Development Section 32 Report, prepared by Auckland Council, notes that Auckland Council has interpreted the *'urban environment'* in the context of Auckland to include "*All land zoned residential, business and adjoining special purpose zones and open space zones as identified in the AUP, including the Hauraki Gulf Island Section, which includes metropolitan Auckland, all towns, and all rural and coastal towns and villages*."

The Section 32 Report notes that for clarity, the ***'urban environment'*** in Auckland:

- *Includes all urban areas in the region regardless of size that are of an urban character*
- *includes all urban areas that are part of the wider Auckland housing and labour market*
- *includes areas which are zoned for urban purposes, but which are not yet urbanised (i.e., areas intended to be urban in character)*
- *utilises zonings already in the AUP*
- *does not include the Future Urban Zone*

As this submission relates to a zone that has not been fully assessed in the Section 32 reports prepared by Auckland Council, it is necessary to refer to the relevant case law in regard to what is considered to be within 'scope' to submit on.

Paragraph 66 of the Clearwater Resort Decision notes two points, which I have outlined below:

1. *A submission can only be fairly regarded as 'on' a variation if it is addressed to the extent to which the variation changes the pre-existing status quo.*
2. *But if the effect of regarding a submission as 'on' a variation would be to permit a planning instrument to be appreciably amended without real opportunity for participation by those potentially affected, this is a powerful consideration against any argument that the submission is truly 'on the variation.'*

In regard to point 1 above, PC78, should Auckland Council be of the opinion that Snells Beach is included as an urban environment, changes to the pre-existing status quo of the existing surrounding environment from a Residential - Single Housing Zone to the Residential - Mixed Housing Urban. As a result, the existing environment surrounding the subject site will be able to become highly urbanised which is out of character with the development restrictions imposed by the Residential - Large Lot zoning at 20 Goodall Road.

Should Auckland Council be of the opinion that Snells Beach is included as an urban environment, this would result in the adjoining Residential - Single House zoned site to the north and west to be upzoned to Residential - Mixed Housing Urban. The surrounding site boundaries either adjoin land owned by the submitter, the road or esplanade reserve. The road and esplanade reserve provides a level of visual separation between the site and surrounding rural properties. There are not considered to be any

potential affected landowners by including the site within PC78 through applying the Residential - Mixed Housing Urban zoning to the land. The submission therefore meets point 2 above.

In conclusion, it is considered that this submission is 'on' PC 78 and within the scope of the plan change as per the guidance provided by the Clearwater Resort Decision. On this basis, there is scope through section 77G(2) of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 to apply the MDRS to Snells Beach due to the area forming part of an urban environment and that scope exists to consider the most appropriate residential zoning that should be applied to the land at 20 Goodall Road, Snells Beach. Furthermore, the PC78 map viewer visually depicts land that is subject to zoning under PC78 and the land that is not within the scope of PC78 as "white". In the context of the subject site, this land is shown on the PC78 map viewer as being subject to PC78. It is therefore evident that this submission is within the scope of PC78.

Reasons for Submission

Site and Surrounding Area

The land subject to this submission is located at 20 Goodall Road and is situated on the south-western periphery of Snells Beach. The site is legally described as Lot 1 DP 127021 and is approximately 11.375 hectares in area. We have reviewed the Record of Title for the property and there are no limitations registered against the Title that would limit application of the MDRS.

The land fronts Goodall Road to the north-east. An aerial image of the subject site is provided in Figure 2 overleaf. The northern and eastern portions of the site are currently occupied by Horizon School. The site is bound by a recently formed residential subdivision at Kia Kaha Drive to the northwest, a shared stormwater wetland pond to the east, the banks of the Mahurangi Harbour inlet to the south, and the rural property of 77 Dawson Road to the west.

In terms of the surrounding area, the Snells Beach shopping centre is located approximately 1km from the subject site. Included in this shopping centre a mixture of cafes and restaurants, a petrol station, the warehouse and other retail stores. Snells Beach School (primary) is approximately a 400m walk from the site via Kia Kaha Drive, and Horizon School adjoins the subject site to the north. A supermarket is also proposed for Snells Beach.

The Warkworth Township is located approximately 7km to the north-west of the site and acts as a service town to the surrounding areas such as Snells Beach.



Figure 2: Aerial image of 20 Goodall Road. The subject site is identified in yellow.
(Source: Grip Maps, 29/09/2022)

Subdivision Proposal

A combined land use and subdivision consent application was lodged with Auckland Council on the 18 July 2022 to subdivide the site and undertake enabling land use works, plus blanket land use consents for infringement of development standards to enable future development to comply with the Residential – Single House zone standards, rather than the Residential – Large Lot standards.

The subdivision component relates to the southern portion of the site where it is proposed to create 12 residential lots ranging in size between 601m^2 - 749m^2, an access lot that will be connected to the access lot within the Kia Kaha Drive development that facilitates legal access to Kai Kaha Drive and a 10.48-hectare balance lot. A copy of the proposed scheme plans is provided in Figures 3 and 4 below and provided **Attachment 3** to this submission.

Numerous expert assessments have been submitted with the resource consent application which demonstrate that the sites to be created through the subdivision have the ability to be developed, will have safe and efficient access and will be appropriately serviced in terms of power and telecommunications, potable and firefighting water supply, stormwater and wastewater management and disposal.

The land use component of the application seeks that a blanket land use consent is applied to the residential lots to enable the sites to be developed in accordance with the Residential - Single House Zone provisions, specifically:

- The 3m front yard, 1m side and 1m rear yard setbacks;
- A maximum impervious surface allowance of 60% of the site area;
- A maximum building coverage of 35%; and

Application of Standard H3.16.13 which sets out specific standards relating to rainwater tanks



Figure 3: Proposed subdivision scheme plan

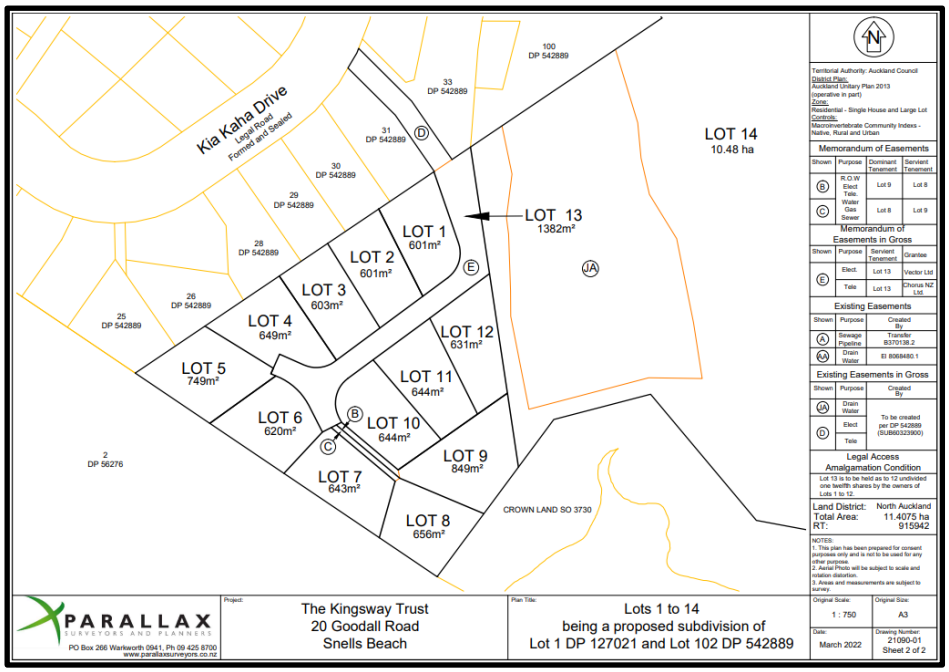


Figure 4: Proposed subdivision scheme plan

Current Zoning

The subject site is currently split-zoned Residential - Large Lot under the Auckland Unitary Plan - Operative in Part (AUP-OP) and is subject to the following controls:

- Macroinvertebrate Community Index - Rural
  Macroinvertebrate Community Index - Urban
- Macroinvertebrate Community Index - Native

Refer to **Attachment 1** for a copy of the AUP-OP maps for the subject site.

Catchment, Hydrology and Coastal Impact Layers

The Auckland Council GeoMaps - Catchments and Hydrology layer show several overland flowpaths (including minor overland flowpaths) that traverse the wider site as shown in Figure 5 below. The layer also shows that an open watercourse extends through the central portion of the site. The banks of the watercourse are identified as flood plains with the southern portion of the land being identified as a flood prone area.

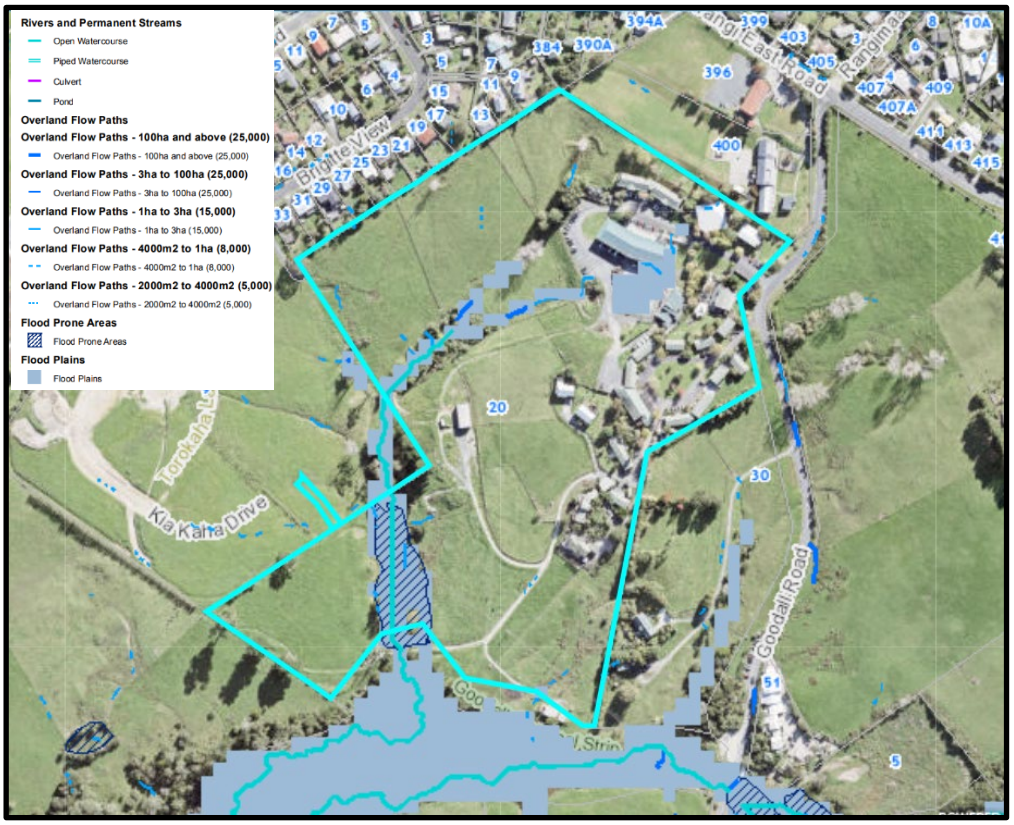


Figure 5: Aerial image of 20 Goodall Road showing location and extent of floodplain, flood prone areas, open watercourse and overland flowpaths over the site (Source: Auckland Council GeoMaps Catchments and Hydrology Layer, 29/09/2022)

The Auckland Council GeoMaps - Climate Impact layer shows that the southern site boundary is identified as being susceptible to coastal erosion as shown in Figure 6 below. A marginal area of land in the south-eastern most corner of the site is identified as being subject to coastal inundation on a 1% AEP plus 2m seal level rise modelling scenario.

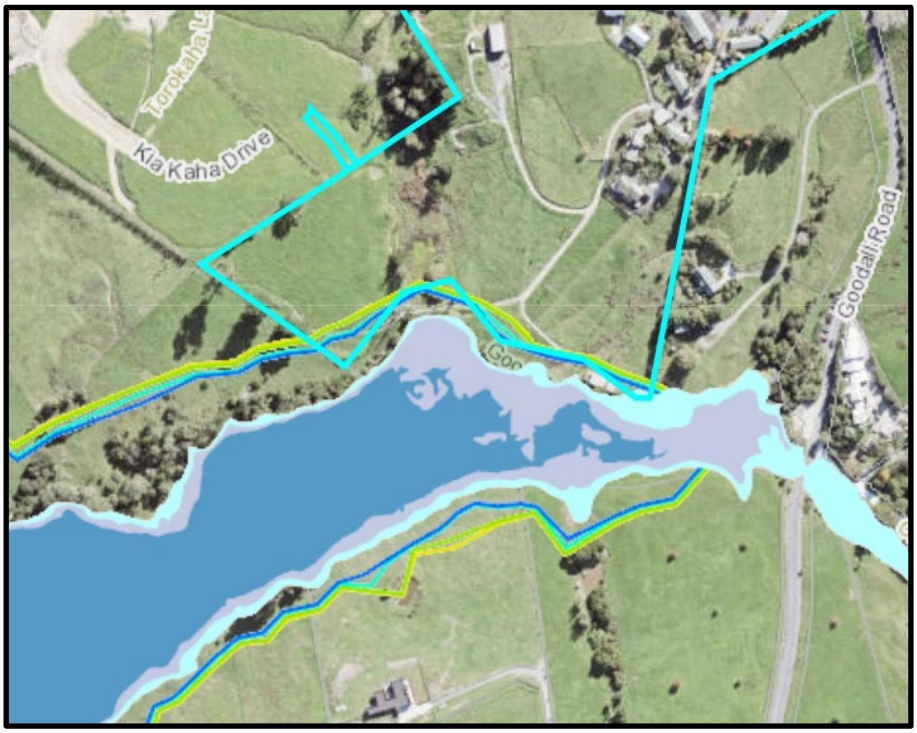


Figure 6: Aerial image of 20 Goodall Road showing location and extent of coastal inundation and coastal erosion areas over the site (Source: Auckland Council GeoMaps Climate Impact layer, 29/09/2022)

Plan Change 78: Intensification

Zoning

The Residential - Large Lot zoning of the subject site is proposed to remain unchanged through PC78. The flood plain and coastal erosion areas over the site are spatially identified qualifying matters over the site as shown in PC78 maps provided in **Attachment 2** to this submission.

While Snells Beach had a population of less than 5,000 at the time of the 2018 census, its location means it can be considered part of the housing and labour market of Warkworth. Warkworth is a satellite town planned to have a population greater than 20,000 by 2040. Whilst Warkworth contains a town centre and associated residential development, the town also serves as a rural service to the many communities nearby, including Snells Beach, Matakana, Leigh, Omaha, Point Wells, Algies Bay and Scotts Landing. For this reason, Snells Beach and Algies Bay clearly forms part of a wider urban environment and is already part of a housing and labour mark of at least 10,000 people and therefore the MDRS should be applied to the residential zones

Given the location of the land, proximity to the existing and newly constructed residential development areas, and the site's greenfield development potential it is essential to consider whether the present Residential - Large Lot zoning imposed through the Auckland Unitary Plan drafting is still considered appropriate. This is particularly so in light of the NPS-UD and the Resource Management Amendment Act which seeks to better enable housing supply. The rezoning of the land to incorporate the Medium Density Residential Standards, through the application of the Residential- Mixed Housing Urban Zone would achieve the outcomes sought in this legislation and would be the most efficient use of the land

particularly given the greenfield development potential, proximity to the local centres and areas of open space and local public transport networks.

Qualifying Matters

In terms of the flood plain and coastal erosion areas. These areas have been identified by Auckland Council as qualifying matters for the subject site through 771(a) and 771(b) which state that:

> ***77I Qualifying matters in applying medium density residential standards and policy 3 to relevant residential zones***
>
> *A specified territorial authority may make the MDRS and the relevant building height or density requirements under policy 3 less enabling of development in relation to an area within a relevant residential zone only to the extent necessary to accommodate 1 or more of the following qualifying matters that are present:*
>
> *(a) a matter of national importance that decision makers are required to recognise and provide for under section 6:*
>
> *(b) a matter required in order to give effect to a national policy statement (other than the NPS-UD) or the New Zealand Coastal Policy Statement 2010:*
>
> *(c) a matter required to give effect to Te Ture Whaimana o Te Awa o Waikato— the Vision and Strategy for the Waikato River:*
>
> *(d) a matter required to give effect to the Hauraki Gulf Marine Park Act 2000 or the Waitakere Ranges Heritage Area Act 2008:*
>
> *(e) a matter required for the purpose of ensuring the safe or efficient operation of nationally significant infrastructure:*
>
> *(f) open space provided for public use, but only in relation to land that is open space:*
>
> *(g) the need to give effect to a designation or heritage order, but only in relation to land that is subject to the designation or heritage order:*
>
> *(h) a matter necessary to implement, or to ensure consistency with, iwi participation legislation:*
>
> *(i) the requirement in the NPS-UD to provide sufficient business land suitable for low density uses to meet expected demand:*
>
> *(j) any other matter that makes higher density, as provided for by the MDRS or policy 3, inappropriate in an area, but only if section 77L is satisfied.*

To impose Qualifying Matters a territorial authority must meet the requirements of s77J. Specifically, 77J requires -

> *(3) The evaluation report must, in relation to the proposed amendment to accommodate a qualifying matter:*
>
> *(a) demonstrate why the territorial authority considers—*
>
> *(i) that the area is subject to a qualifying matter; and*
>
> *(ii) that the qualifying matter is incompatible with the level of development permitted by the MDRS (as specified in Schedule 3A) or as provided for by policy 3 for that area; and*
>
> *(b) assess the impact that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity; and*
>
> *(c) assess the costs and broader impacts of imposing those limits.*

The isolated nature of the flood plain and coastal erosion areas over the site presents a good opportunity for the site to be develop the site in accordance with the MDRS without these natural hazard areas becoming limiting factors to development of the site. Furthermore, the flood plain and coastal erosion modelling has been undertaken at a regional-scale and therefore does not provide a site-specific assessment as to natural hazard risks for the site.

It is more appropriate for this site-specific assessment of hazard risk to be undertaken when developing a design for development of sites subject to natural hazards. No new mapping has been undertaken by Auckland Council and the existing maps are non-statutory because of the high level and non-site-specific detail of those maps. The future coastal hazards plan change may also address specific coastal hazards that may or may not apply to the land and therefore any determination of these qualifying matters is best determined as part of that future process. Accordingly, the coastal erosion and flood plain areas should not be applied as qualifying matters to the site.

In summary, The Kingsway Trusts submission is that the MDRS should be applied to Snells Beach and that the land at 20 Goodall Road be rezoned to incorporate the Medium Density Residential zoning with no qualifying matters applying.

Plan Changes 78 and 79 - Transport Provisions

The purpose of PC79 is to manage the impacts of the proposed increase in development on Auckland's Transport Network, with a focus on pedestrian safety, loading, cycle parking and EV charging facilities. PC79 seeks to make changes to Chapter E25, Chapter E27 and Chapter E38. PC78 proposes changes to the subdivision rules and standards in Chapter E38.

The Kingsway Trust opposes the changes to subdivision standard E38.8.1.2 relating to Access to rear sites proposed through PC79. If the changes are to be made to this standard, the provisions require further clarification that Auckland Council and Auckland Transport will assess the effects of individual proposals via a resource consent for a Restricted Discretionary activity where the standard is infringed. It is often more efficient to service more than 10 sites from a joint owned access lots or a right of way easement. Providing a clearer consenting pathway with supporting matters of discretion and assessment criteria can enable better environmental outcomes to be achieved. To achieve this:

- Rule E38.4.2 (A13F) proposed through PC78 should be amended to change the activity status to RD – Restricted Discretionary from D – Discretionary. E38.12 Assessment restricted discretionary activities, E38.12.1 and E38.12.2 should be amended to provide for infringements to the Access to rear sites rules. The provisions will need to be amended to include matters of discretion and related assessment criteria.

Decision Sought

The Kingsway Trust seeks the following decision by Auckland Council on Plan Change 78:

- That PC78 be approved in part subject to the matters raised in this submission, namely that the land at 20 Goodall Road, Snells Beach has the Residential- Mixed Housing Urban zone applied with no qualifying matters applying. 2078.1 2078.2
- Rule E38.4.2 (A13F) should be amended to change the activity status to RD – Restricted Discretionary from D – Discretionary. 2078.3

2078.4

- Add matters of discretion and assessment criteria to E38.12.1 and E38.12.2 to provide for infringements to the Access to rear sites standards. The provisions will need to be amended to include matters of discretion and related assessment criteria.
-
- Any other relief required to achieve the outcomes sought in this submission.

The Kingsway Trust seeks to the following decision by Auckland Council on Plan Change 79:

- That PC79 be approved in part subject to the matters raised in this submission, namely that:
    - Rule E38.4.2 (A13F) should be amended to change the activity status to RD – Restricted Discretionary from D – Discretionary.
    - Add matters of discretion and assessment criteria to E38.12.1 and E38.12.2 to provide for infringements to the Access to rear sites standards. The provisions will need to be amended to include matters of discretion and related assessment criteria.
    - Any other relief required to achieve the outcomes sought in this submission.

Hearing of Submission

The Kingsway Trust do wish to be heard in support of its submission and will consider presenting a joint case at a hearing with others if they make a similar submission.



Jessica Andrews
Planner
The Planning Collective Limited
(person authorised to sign on behalf of submitter)

Date: 29 September 2022

Address for Service:

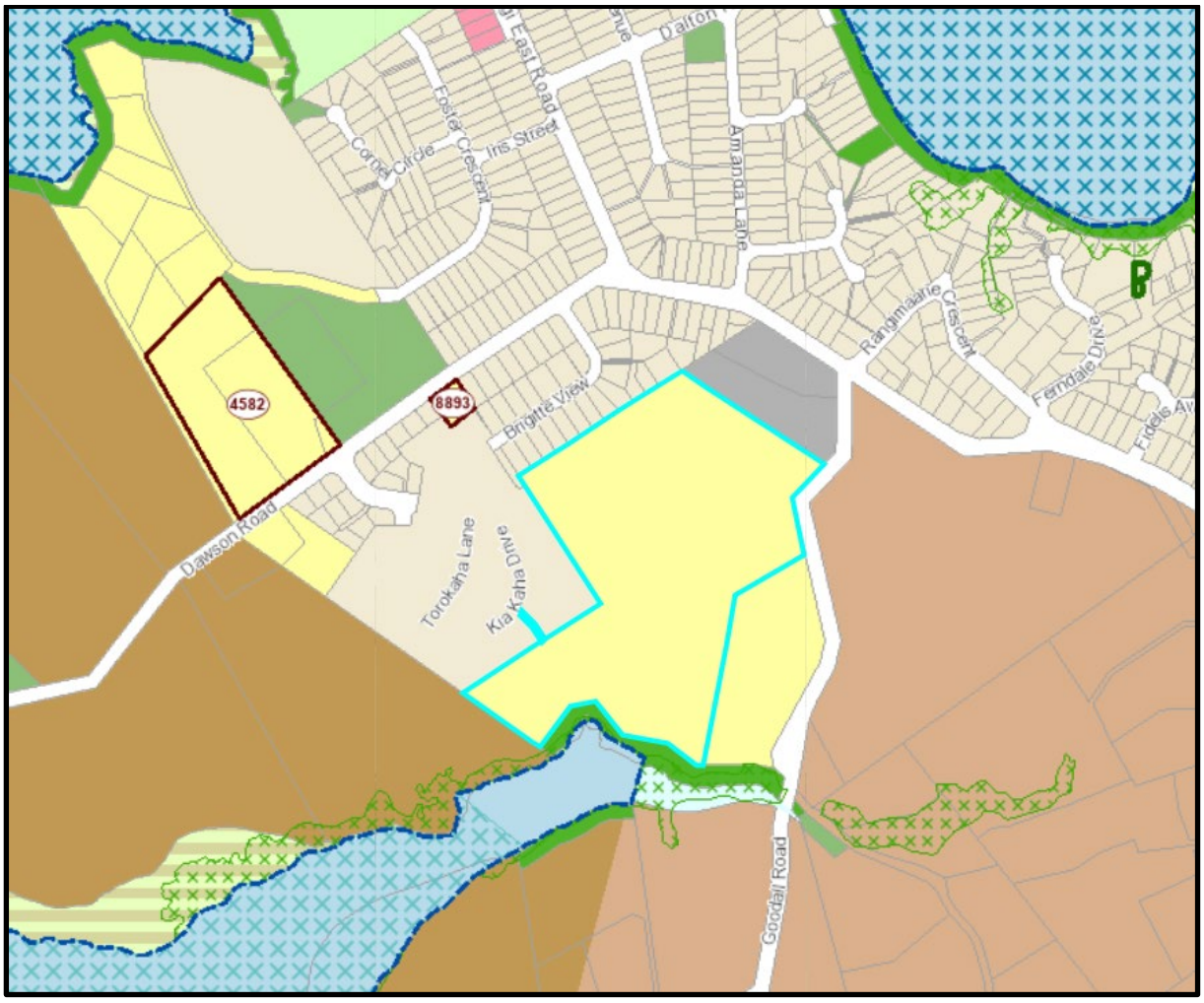
The Kingsway Trust
Jessica Andrews
Planner
The Planning Collective Limited
PO Box 591
Warkworth, 0941
Attn: Jessica Andrews
E: Jessica@thepc.co.nz
Ph: 021 422 713

Attachments:

1: Auckland Unitary Plan - Operative in Part Maps
2: Plan Change 78 Maps
3: Scheme Plan lodged with Resource Consent Application

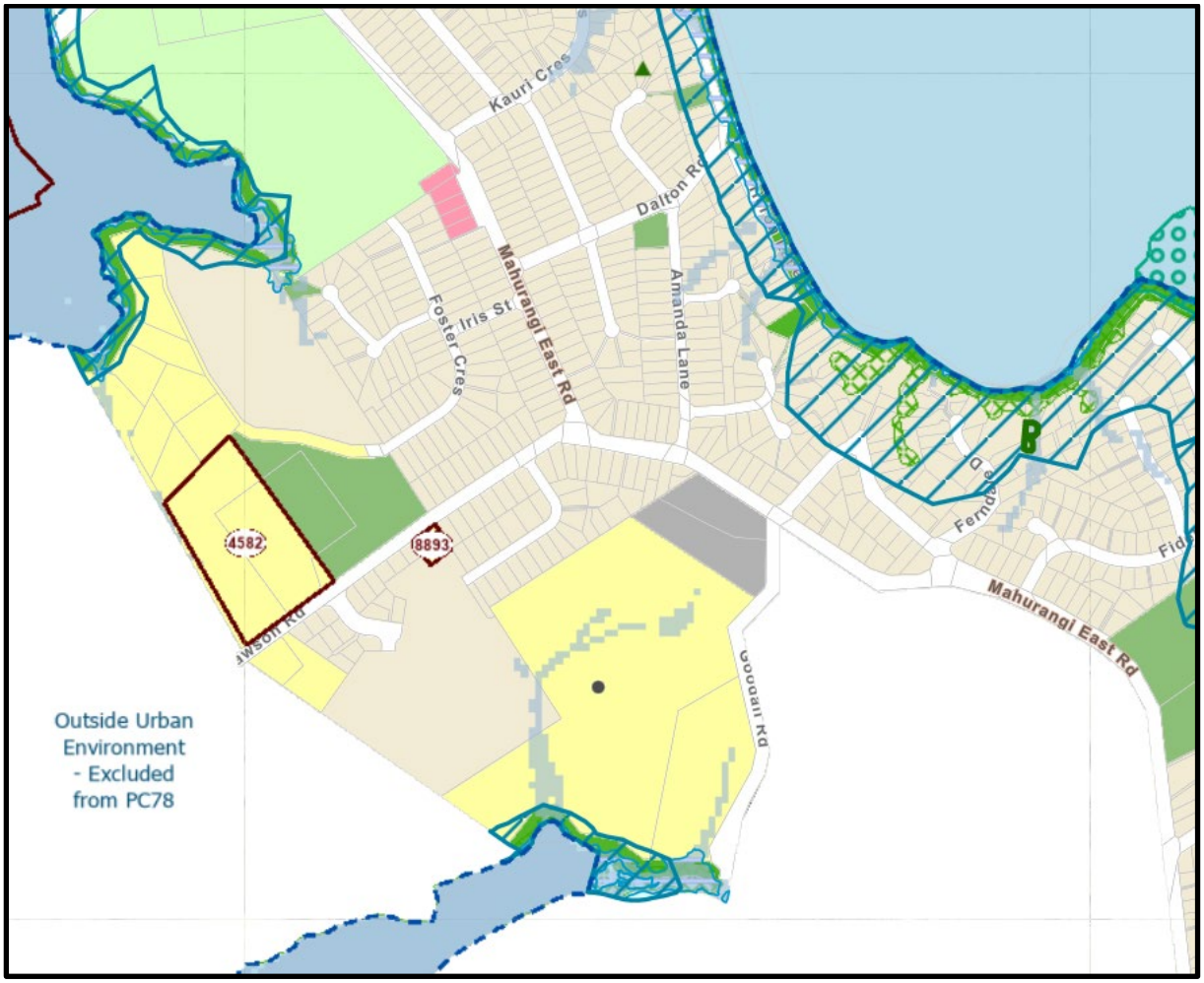
Attachment 1:

Auckland Unitary Plan - Operative in Part Maps



Attachment 2:

Plan Change 78 Maps



Attachment 3:

Scheme Plan lodged with Resource Consent Application



PC 78 Sub #2078

Territorial Authority: Auckland Council
District Plan:
Auckland Unitary Plan 2013
(operative in part)
Zone:
Residential - Single House and Large Lot
Controls:
Macroinvertebrate Community Indexs - Native, Rural and Urban

Memorandum of Easements

Shown	Purpose	Dominant Tenement	Servient Tenement
B	R.O.W Elect Tele. Water Gas Sewer	Lot 9	Lot 8
C		Lot 8	Lot 9

Memorandum of Easements in Gross

Shown	Purpose	Servient Tenement	Grantee
E	Elect.	Lot 13	Vector Ltd
	Tele	Lot 13	Chorus NZ Ltd.

Existing Easements

Shown	Purpose	Created By
A	Sewage Pipeline	Transfer B370138.2
AA	Drain Water	EI 8068480.1

Existing Easements in Gross

Shown	Purpose	Created By
JA	Drain Water	To be created per DP 542889 (SUB60323900)
D	Elect	
	Tele	

Legal Access Amalgamation Condition

Lot 13 is to be held as to 12 undivided one twelfth shares by the owners of Lots 1 to 12.

Land District: North Auckland
Total Area: 11.4075 ha
RT: 915942

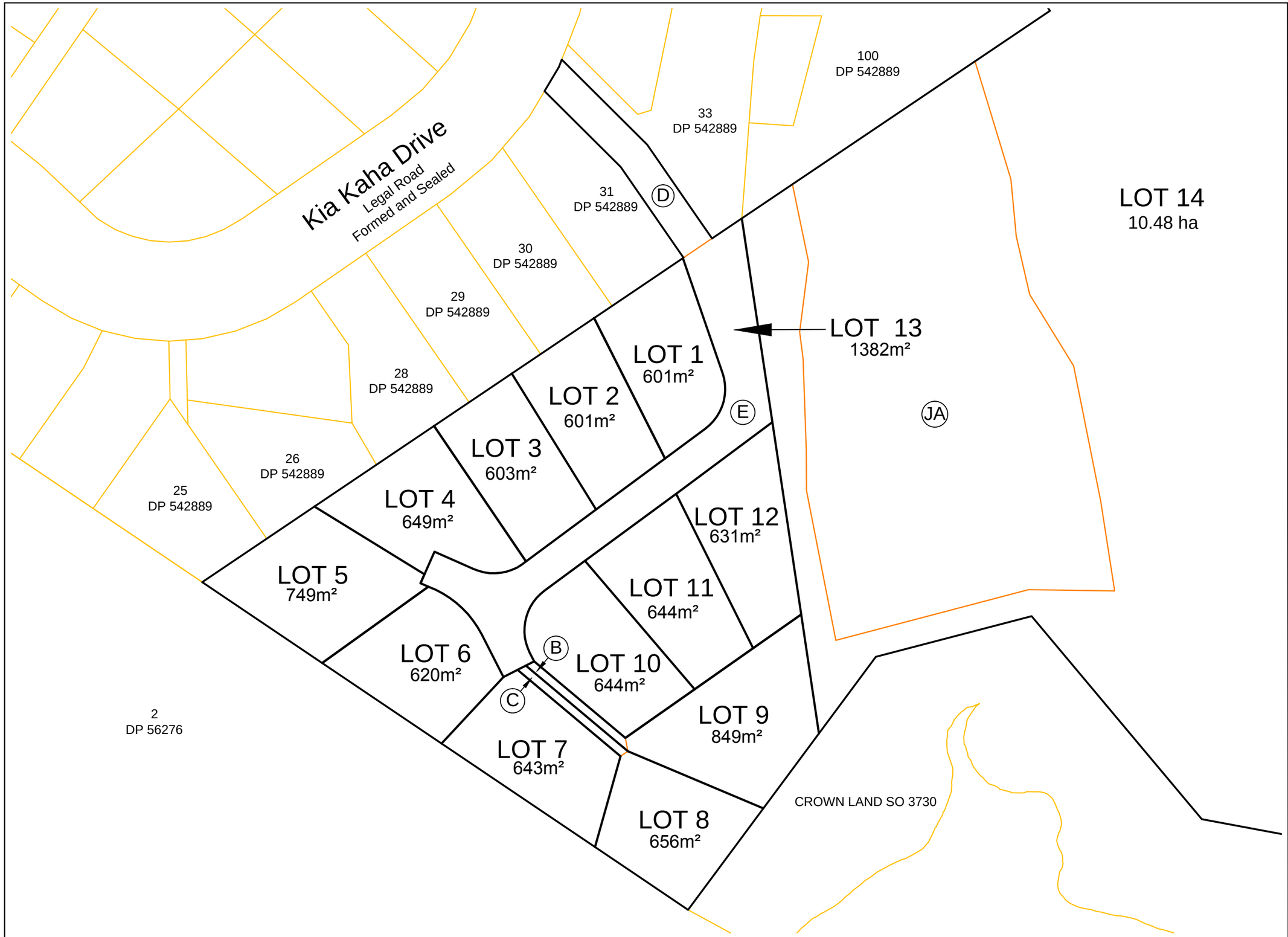
NOTES:
1. This plan has been prepared for consent purposes only and is not to be used for any other purpose.
2. Aerial Photo will be subject to scale and rotation distortion.
3. Areas and measurements are subject to survey.

PARALLAX
SURVEYORS AND PLANNERS
PO Box 266 Warkworth 0941, Ph 09 425 8700
www.parallaxsurveyors.co.nz

Project:
The Kingsway Trust
20 Goodall Road
Snells Beach

Plan Title:
Lots 1 to 14
being a proposed subdivision of
Lot 1 DP 127021 and Lot 102 DP 542889

Original Scale:	Original Size:
1 : 2000	A3
Date: March 2022	Drawing Number: 21090-01 Sheet 1 of 2



PC 78 Sub #2078

N

Territorial Authority: Auckland Council
District Plan:
Auckland Unitary Plan 2013
(operative in part)
Zone:
Residential - Single House and Large Lot
Controls:
Macroinvertebrate Community Indexs - Native, Rural and Urban

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	Tele	

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Project:
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Plan Title:
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Lot 1 DP 127021 and Lot 102 DP 542889

Original Scale:	Original Size:
1 : 750	A3
Date: March 2022	Drawing Number: 21090-01 Sheet 2 of 2

End of Report

SUBMISSION ON PROPOSED PLAN CHANGE 78 TO THE AUCKLAND UNITARY PLAN

To: Auckland Council

Name of submitter: Universal Homes

This submission relates to Proposed Plan Change 78 to the Auckland Unitary Plan (AUP).

The specific Plan Change provisions that this submission relates to are listed within the table provide at **Attachment A.**

The reasons for the submitter's support, where relevant, are set out within the table attached as Attachment A. In general, where the submitter supports the provisions as notified the submitter considers that:

1. The applicable provisions will promote the sustainable management of natural and physical resources, contrary to Part 2 of the Resource Management Act 1991 ('the Act");

2. The applicable provisions are soundly based on evidence or an appropriate cost benefit analysis as required by section 32 of the Act;

3. The applicable objectives, policies and rules of the AUP, as they relate to the Submitter's sites:

    i) will promote the sustainable management of natural and physical resources;
    ii) are consistent with the purpose and principles of the Act;
    iii) will not give rise to adverse effects on the environment that are not avoided, remedied or mitigated;
    iv) are appropriate and justified in terms of Section 32 of the Act.

4. The applicable provisions that are supported will give effect to the National Policy Statement: Urban Development (NPS-UD), the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021, and the Medium Density Residential Standards (MDRS).

The specific reasons for the submitter's concerns, where relevant, are set out within the table attached as Attachment A. In general, where the submitter opposes the provisions as notified the submitter considers that:

1. The applicable provisions do not promote the sustainable management of natural and physical resources, contrary to Part 2 of the Resource Management Act 1991 ('the Act");

2. The provisions are not soundly based on evidence or an appropriate cost benefit analysis as required by section 32 of the Act;

3. The applicable objectives, policies and rules of the AUP, as they relate to the Submitter's sites:

   i) will not promote the sustainable management of natural and physical resources;
   ii) are inconsistent with the purpose and principles of the Act;
   iii) will give rise to adverse effects on the environment that are not avoided, remedied or mitigated;
   iv) are inappropriate and unjustified in terms of Section 32 of the Act.

4. The submitter is of the opinion that the intention of the NPS-UD and MDRS is to simplify the planning process, not complicate it, by ensuring planning decisions improve housing affordability through supporting competitive land and development markets, and by *enabling* development and intensification. This in turn is expected to increase the supply and affordability of housing.

5. In contrast, the submitter is of the view that the provisions as proposed would place significant additional (and unreasonable) cost on a resource consent application and add to unaffordability, as well as risk further limiting the supply of housing and development to meet demand. The proposed approach is overly onerous and would lead to numerous, overly complicated and costly resource consent applications, as well as potential interpretation issues. This is not consistent with the NPS-UD nor MDRS.

6. Furthermore, while being both costly and inefficient, the submitter considers that the provisions as notified risk encouraging lower density and less challenging development by making intensification too difficult to be achieved. This would not achieve the intensification nor affordability objectives sought by the NPS-UD and MDRS, nor would it amount to an efficient use of land.

7. The submitter considers that the proposed changes should go further to give effect to the NPS-UD. Objective 3 of the NPS-UD requires district plans to enable more people to live in, and more businesses and community services to be located in, areas of Auckland that are in or near a centre zone or other area with many employment opportunities, or are well-serviced by public transport, or where there is high demand for housing or for business land in the area. This is supported by Policy 3 of the NPS-UD. The submitter is of the view that there are numerous additional locations where intensification is appropriate, where the market will deliver intensification, and consequently where significant intensification should be provided for. These include Town Centre Zones, wider walkable catchments and additional corridors serviced by frequent bus services. among others. The submitter also considers that provision in the policy framework should be made for a contextual analysis of the appropriateness of additional height and intensity outside of walkable catchments and centres to ensure these opportunities are not lost by an overly prescriptive planning framework.

8. The submitter notes that Policy 6(b) of the NPSUD also states that the planned urban built form in those RMA planning documents may involve significant changes to an area, and those changes "*may detract from amenity values appreciated by some people but improve amenity values appreciated by other people, communities, and future generations, including by providing increased and varied housing densities and types and are not, of themselves, an adverse effect."* The submitter is concerned that a number of the changes ignore the intent of this policy.

The submitter seeks the following decision from the Auckland Council, regarding the Proposed Plan Change 78:

a) That the relief sought within the table attached as **Attachment A** is provided; and

b) Any other consequential changes that would give effect to the relief sought in this submission.

The submitter wishes to be heard in support of their submission. If others make a similar submission, the submitter will consider presenting a joint case with them at a hearing.

The submitter is not a trade competitor, and could not gain an advantage in trade competition through this submission.



Michael Campbell
Campbell Brown Planning Limited
For and on behalf of Universal Homes as its duly authorised agent.

Date: 29 September 2022

Address for service of submitter:

Universal Homes
C/- Campbell Brown Planning Limited
PO Box 147001
Ponsonby
AUCKLAND 1144

Attention: Michael Campbell

Telephone: (09) 378 4936
Mobile: (021) 2789018
Email: michael@campbellbrown.co.nz

Attachment 1

Table 1: Identifies the specific proposed amendments or changes to the Auckland Unitary Plan under PC78 which the submitter either supports, seeks amendment to, or opposes.

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	Chapter C General Rules				
1.	**C1.6A Overlay and precinct rules** (1) Where an activity is subject to a rule in an overlay, the overlay may specify whether the overlay rule replaces a zone rule, a precinct rule or an Auckland-wide rule. (2) Where an activity is subject to a rule in a precinct, the precinct may specify whether the precinct rule replaces an overlay rule or a zone rule, or an Auckland-wide rule.	Support	The revised wording clarifies the status of precinct or Auckland Wide Rules.	Retain the proposed wording.	2083.1
	Chapter D Overlays - Natural Heritage				
2.	**D14. ~~Volcanic~~ Maunga Viewshafts and Height and Building Sensitive Areas Overlay** **D14.4. Activity table [rcp/dp]** **Buildings in a height and building sensitive area, excluding network utilities, electricity generation facilities, broadcasting facilities and road networks** (A7) Buildings up to 9m in height except as specified in Standard D14.6.3. — P (A7A) Buildings that do not comply with standard D14.6.5 Building coverage — RD (A7B) Buildings that do not comply with standard D14.6.6 Landscaped area — RD (A7C) Buildings not complying with underlying zone Yards standards — RD (A7D) Buildings that do not comply with standard D14.6.7 Earthworks — RD	Oppose	The submitter opposes the additional activities in activity Table D14.5, being A7A, A7B, A7C and A7D. The submitter also opposes Standards D14.6.5 – D14.6.8 The additional standards for buildings are unnecessary and will not be efficient or effective in managing the effects on the Maunga View Shafts. The standards will reduce the ability to achieve the outcomes sought by the MDRS standards.	Delete the additional activities in activity Table D14.5, being A7A, A7B, A7C and A7D. Delete proposed Standards D14.6.5 – D14.6.8 Any other consequential changes that would give effect to the relief sought in this submission.	2083.2 2083.3
	Chapter G RUB and Walkable Catchments				
3.	**G2. Walkable Catchments** Policy 3(c) of the National Policy Statement on Urban Development 2020, updated May 2022, requires regional policy statements and district plans in tier 1 urban environments to enable building heights of at least six storeys within at least a walkable catchment of the following: (i) existing and planned rapid transit stops (ii) the edge of city centre zones, and (iii) the edge of metropolitan centre zones. Auckland is a tier 1 urban environment. A walkable catchment of around 1,200m is applied from the edge of the Business – City Centre Zone. A walkable catchment of around 800m is applied from both the edge of the Business – Metropolitan Centre Zones and from the pedestrian access points to existing or planned rapid transit stops. Edge and route modifying factors such as property boundaries, road boundaries, severance, topography, block sizes, the walking environment and the mix of land use activities can affect these general walkable catchment distances. The depiction of walkable catchments in the planning maps is a district plan method pursuant to section 75(2) of the Resource Management Act 1991 for implementing the policies of the district and giving effect to the National Policy Statement on Urban Development 2020, updated May 2022. The planning maps show the location and extent of walkable catchment boundaries, many of which overlap with each other. The location or extent of a walkable catchment can only be amended by way of a plan change pursuant to Schedule 1 of the Resource Management Act 1991. Any amendment to the location or extent of a walkable catchment must give effect Policy 3(c) of the National Policy Statement on Urban Development 2020, updated May 2022.	Support in Part	The submitter considers that the explanation for walkable catchment should note that in some cases the RTN or centres (where slightly beyond an 800m or 1,200m walkable catchment distance) is connected by extensive cycleways that make micro mobility transportation a viable choice. 'Micro mobility' and 'active' transport modes (i.e., scooters, bikes etc) are expanding traditional 'walkable' distances and this is acknowledged by the MfE guidance on walkable catchments. The guidance notes that:[1] *…not all places are equal and different locations with different characteristics may often have different-sized walkable catchments […] a city or a metropolitan centre with a rapid transit stop located within or close by, is also likely to have a larger walkable catchment than a centre without a rapid transit stop.* The use of such alternative modes and their relationship to 'walkability' is also acknowledged within Auckland Transport's 'Urban Street and Road Design Guide' in which it is noted in relation to increased density of residential occupation:[2] Density (and a diversity of housing choices) gives people the opportunity to live in neighbourhoods that meet their lifestyle preferences and economic means. The goal should be to provide residents with the choice to live in amenity-rich neighbourhoods where they are a short walk *or* bike ride away from shopping, parks, schools and cafés, and take public transport or drive to work and regional destinations. Density allows for more options for more people. Prioritising investment in frequent, high-capacity public transport to support density is a mutually supportive strategy that can rapidly shift people from	That the following wording is added to G2: The suitability of a walkable catchment can vary depending on a number of factors, including topography, connectivity and access to a regular public transport network. In some cases, there may be sites that are located outside a 'walkable catchment' that are suitable for additional intensification and building height. Such sites should be considered on their merits having regard to their context and their ability to provide additional housing choice in an area that is well served by a range of amenities, including public transport. Any other consequential changes that would give effect to the relief sought in this submission.	2083.4

[1] Ministry for the Environment, *Understanding and implementing intensification provisions for NPS-UD*, clause 5.5.3 Different locations will have different-sized walkable catchments. https://environment.govt.nz/publications/understanding-and-implementing-intensification-provisions-for-the-national-policy-statement-on-urban-development/

[2] Auckland Transport 'Urban Street and Road Design Guide', page 51.

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
			private cars to public transport and active modes [emphasis added].		
4.		Support in Part	The submitter considers that the walkable catchment should be amended to be 1200m from the edge of Metropolitan Centre Zones, as well as the City Centre Zone. The range of amenities, services, shops, cafés and the extent of employment within Business – Metropolitan Centre Zones is often comparable to that of the City Centre Zone. In fact, the edge of Business – Metropolitan Centre Zones is often more desirable to walk to than the edge of the City Centre zone from a destination and availability of services and amenity perspective. This availability of activities and amenities is acknowledged within the zone description of Chapter H9. Business – Metropolitan Centre Zone which states that the Business – City Centre Zones: *"act as focal points for community interaction and commercial growth and development and contain hubs serving high frequency transport. The zone provides for a wide range of activities including commercial, leisure, high density residential, tourist, cultural, community and civic services. Zone provisions, in conjunction with rules in the other business zones, reinforce metropolitan centres as locations for all scales of commercial activity. These centres are identified for growth and intensification."* Furthermore, taking into account the above points with respects to micro mobility (refer submission point 3 above), a 1200m 'walkable catchment' from Business – Metropolitan Centre zones is considered appropriate. Metropolitan Centre Zones are well serviced by micro mobility and also incorporate high frequency transport options (numerous bus services, train stations and bus ways, among others).	Amend the extent of a 'walkable catchment' to be 1200m from the edge of Business – Metropolitan Centre zones. Any other consequential changes that would give effect to the relief sought in this submission.	2083.5
	H3A. Residential – Low Density Residential Zone				
5.	**H3A.1. Zone description** In the urban environment, the Residential – Low Density Residential Zone is applied to identified sites within residential neighbourhoods, subject to relevant qualifying matters, with the purpose being to: • incorporate MDRS, and make development less enabling to the extent necessary to accommodate the qualifying matter(s) that are present; • protect significant ecological areas and outstanding natural features and landscapes and high natural landscapes; • protect areas of distinct cultural, historic and natural heritage; • protect areas subject to risks from natural hazards including coastal hazards, coastal erosion, overland flow paths and flood plains; • maintain and enhance special character residential areas; and • provide for low density residential activities and buildings consistent with a suburban scale and subdivision pattern, such as one to two storey houses. It is applied in the urban environment where the relevant qualifying matters have resulted in a lower intensity of development. Limiting levels of re-development is necessary to accommodate one or more qualifying matters while enabling residential development. The zone applies to: • the Waitakere Ranges Heritage Area; • neighbourhoods with special character based on past development patterns;	Oppose in Part	The submitter notes that the Low Density Residential Zone has been applied to a range of Qualifying Matters. Consistent with the current approach of the Auckland Unitary Plan, the submitter considers that rezoning should be based on land use principles and issues such as flooding or the presence of an SEA over part of the site should not determine the zoning, unless there is clear evidence of significant risk from natural hazards, or if the site is completely covered in an SEA. In its interim guidance on flooding and hazards as part of the hearings for the Auckland Unitary Plan, the Auckland Unitary Plan Independent Hearings Panel noted that it was not convinced about the degree of restriction on use and development in existing built up areas under the natural hazard and flooding provisions. The Panel considered that more consideration should be given to enabling design-led solutions using controlled or restricted discretionary activity status, with appropriately limited matters of control or discretion, and clear and succinct assessment criteria that assist with giving effect to the objectives and policies for natural hazards and flooding. It is noted that there are existing examples of high density residential and business zones that are presently featured in the current Unitary Plan that have a SEA, flood plain or	That the Auckland Council reviews **all** OLFP's, flood plain and SEA areas identified as Qualifying Matters on the planning maps within Plan Change 78, and any areas that have been downzoned to a Low Density Residential Zone due to the flood plain, OLFP or SEA overlay, are rezoned to a zoning that is based on the most appropriate zone based on accepted land use principles. Any other consequential changes that would give effect to the relief sought in this submission.	2083.6

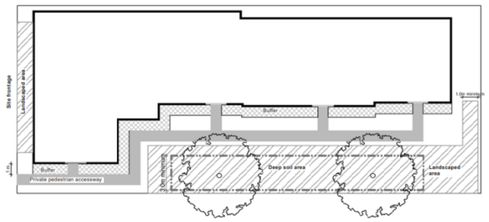
	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	• a coastal setting; • sites containing cultural values or substantial proportions of significant ecological areas; • sites that are subject to high natural character, outstanding natural features or landscapes; or, • other factors such as natural hazards risks in the coastal environment and from flooding. To respond to the identified purpose the Residential – Low Density Residential zone may also be applied in plan changes that rezone Future Urban zone land to a residential zone where relevant qualifying matters exist. Within the zone, MDRS are incorporated to the extent qualifying matters can be accommodated. The activities and standards are limited by Auckland-wide provisions and overlays as the Residential - Low Density Residential Zone works with other plan provisions to provide for dwellings while accommodating relevant qualifying matters. To support the purpose of the zone, development is managed with additional dwellings provided for only where dwellings and other buildings do not detract from the values of the identified qualifying matter. The zone is generally characterised by residential activities and buildings consistent with a suburban scale and subdivision pattern, such as one to two storey high buildings with yards and landscaping consistent with a low intensity built character, except where the zone exhibits high landscape or natural heritage values.		OLFP restriction. In some cases, increases in heights can provide greater flexibility in terms of managing the effects of natural hazards, such as the provision of higher freeboard levels. It is further noted that the SEA is currently located on some sites proposed within MHU and THAB zones. The current Unitary Plan includes objectives, policies and methods to manage the effects on these Qualifying Matters. It is considered more appropriate to manage the effects on these features through overlays or controls, rather than downzoning an area. It may well be that a special overlay reduces all or part of a site from being developed to the full extent of the underlying zoning, but the submitter considers that this is a more efficient and effective approach than downzoning an entire site, on the basis that part of the site is impacted by a particular overlay or control.		
H5. Residential – Mixed Housing Urban Zone					
H5.2. Objectives					
6.	(1) Land ~~near the Business – Metropolitan Centre Zone and the Business – Town Centre Zone, high-density residential areas and close to the public transport network~~ is efficiently used for higher density residential living and to provide urban living that increases housing capacity and choice and access to public transport.	Support	Consistent with the MDRS.	Retain the revised wording.	2083.7
7.	(3) Development provides **high-**quality **amenity**: **(a)** on-site ~~residential amenity~~ for residents and **(b) to** adjoining sites; and **(c) to** the street.	Oppose	The inclusion of 'high' and 'amenity' does not reconcile with the outcomes of the MDRS standards of the zone as they exist or are proposed. The term 'high-quality amenity' is open to subjectivity and will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Retain existing wording.	2083.8
8.	**(6) Development contributes to a high-quality built environment that is resilient to the effects of climate change.**	Oppose	The term 'high-quality built environment' is open to subjectivity and will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete the proposed wording or reword to delete reference to high quality built environment.	2083.9
9.	**(8) Enable a safe street environment for pedestrians.**	Oppose	The policy addresses aspects of a site that are located outside the zone boundary. Chapter 27 Transportation addresses pedestrian safety for developments that adjoin the road.	Delete the proposed wording.	2083.10
10.	**(9) Development is enabled on sites within significant ecological areas where it provides for the protection and management of the significant ecological values.**	Oppose	It is considered that effects of development on SEA are already suitably dealt with via Chapter D9 and E15. The inclusion in the zone is not necessary and undermines the existing AUP framework and the efficient use of land.	Delete the proposed wording.	2083.11
11.	**(10) Intensification is avoided in areas with significant transport infrastructure constraints.**	Oppose	Objective should clearly identify the Beachlands area identified in the mapping control for transport constraints.	Delete the proposed objective or amend to specifically refer to Beachlands only.	2083.12
H5.3. Policies					
12.	(6A) 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; (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.	Oppose in part	The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Amend the text of Policy 6A as follows (6A) Require development to achieve a built form that contributes to the planned outcomes of the zone ~~high-quality built environment outcomes~~ by: (a) maintaining reasonable 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, commensurate with the expectations of the zone; (e) minimising visual dominance effects of carparking and garage doors to streets ~~and private accessways~~;	2083.13

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
				~~(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~~. Any other consequential changes that would give effect to the relief sought in this submission.	
13.	(12) Require dwellings to be provided with access to safe and reliable drinking water, wastewater and stormwater disposal services.	Oppose	Infers that the quality of the drinking water is able to be influenced by the applicant. This is the responsibility of Watercare. Any wording should be similar to that already identified in the existing assessment criteria.	Delete the proposed wording	2083.14
14.	(14) Require development of four or more dwellings per site to contribute to a safe urban road environment for pedestrians through improvements to the adjacent road network.	Oppose	This does not correspond to an effect from the construction of four dwellings. The development contributions already include a component for local transport upgrades.	Delete the policy in its entirety.	2083.15
15.	(15) Require buildings on sites subject to significant ecological areas to be of a scale that protects and maintains the significant ecological values of those areas.	Oppose	It is considered that effects of development on an SEA are already suitably dealt with via Chapter D9 and E15. The inclusion in the zone is not necessary and undermines the existing AUP framework and the efficient use of land.	Delete the policy in its entirety.	2083.16
16.	(16) Avoid developments of more than one dwelling per site in areas identified on the planning maps as subject to significant transport infrastructure constraints.	Oppose in part	Policy should clearly identify the Beachlands area identified in the mapping control.	Delete the proposed objective or amend to specifically refer to Beachlands only.	2083.17
H5.4. Activity table					
17.	(A1) activities not provided for.	Oppose	It is considered activities not provided for should be DA as per Chapter C.	Amend A1 to be a Discretionary Activity	2083.18
18.	(A2A) One dwelling per site subject to a Significant Ecological Area Overlay which complies with Standards E15.4.2(A29) and E15.6.5	Oppose	It is considered that effects of development on SEA are already suitably dealt with via Chapter D9 and E15. The inclusion in the zone is not necessary and undermines the existing AUP framework and the efficient use of land. Additional Standards added beyond the MDRS requirement. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Delete the activity from the table.	2083.19
19.	(A2B) Two or more dwellings per site subject to a Significant Ecological Area Overlay (refer to Vegetation management and biodiversity E15.4.2(A43) and E15.6.5) (A33B) New buildings and additions and alterations to buildings in a Significant Ecological Area Overlay which do not comply with H5.6.10(2) Building coverage.	Oppose	It is considered that effects of development on SEA are already suitably dealt with via Chapter D9 and E15. The inclusion in the zone is not necessary and undermines the existing AUP framework and the efficient use of land. Additional Standards added beyond the MDRS requirement for activity (A2B). The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Delete the activities from the table.	2083.20
20.	Activity Table - Standards to be complied with (multiple activities) Standard H5.6.3A Number of dwellings per site; H5.6.3B Dwellings within the Infrastructure – Combined Wastewater Network Control as identified on the planning maps; H5.6.3C Dwellings within the Infrastructure – Stormwater Disposal Constraints Control as identified on the planning maps; Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; ~~Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones;~~ Standard H5.6.8 Yards; Standard H5.6.9 Maximum	Oppose	Additional standards beyond the MDRS are not required as directed by government. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Delete all standards that are not identified within the MDRS.	2083.21

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	impervious areas; Standard H5.6.10(1) Building coverage; Standard H5.6.11(3) and (4) Landscaped area; Standard H5.6.12(A1) Outlook space; ~~Standard H5.6.13 Daylight~~; Standard H5.6.14 Outdoor living space(A1) and (B1); Standard H5.6.15 Front, side and rear fences and walls; Standard H5.6.18(1) Windows to street and private vehicle and pedestrian accessways; Standard H5.6.19 Deep soil area and canopy tree; Standard H5.6.20 Safety and privacy buffer from private pedestrian vehicle accessways; Standard H5.6.21 Residential waste management.				
21.	(A4) Four or more dwellings per site H5.6.3B Dwellings within the Infrastructure – Combined Wastewater Network Control as identified on the planning maps; H5.6.3C Dwellings within the Infrastructure – Stormwater Disposal Constraints Control as identified on the planning maps; Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.6 Alternative height in relation to boundary Standard H5.6.8 Yards; Standard H5.6.9 Maximum impervious areas; Standard H5.6.10(1) Building coverage; Standard H5.6.11(5), (6) and (7) Landscaped Area; H5.6.12(1) – (9) Outlook space; Standard H5.6.13 Daylight; H5.6.14(1) – (4) Outdoor living space; Standard H5.6.15 Front, side and rear fences and walls; Standard H5.6.16 Minimum Dwelling Size: Standard H5.6.18(2) Windows to street and private vehicle and pedestrian accessways; Standard H5.6.19 Deep soil area and canopy tree; Standard H5.6.20 Safety and privacy buffer from private pedestrian vehicle accessways; Standard H5.6.21 Residential waste management.	Oppose	The additional standards for: - Infrastructure standards: - Deep soil area and canopy tree; - Safety and privacy buffer - Residential waste management Shall be deleted as identified below. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Delete standards that are not identified within the MDRS.	2083.22
H5.5. Notification					
22.	(5) 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 resource consent is precluded if the application is for the construction and use of four or more dwellings that comply with the following standards: (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 H5.6.9 Maximum impervious area; (v) Standard H5.6.10 Building coverage; (vi) Standard H5.6.11 (5), (6) and (7) Landscaped area; (vii)Standard H5.6.12 (1) – (9) Outlook space; (viii) Standard H5.6.13 Daylight;5 (ix) Standard H5.6.14(1) – (4) Outdoor living space; (x) Standard H5.6.15 Front, side and rear fences and walls; (xi) Standard H5.6.16 Minimum dwelling size; (xii)Standard H5.6.18(2) Windows to street and private vehicle and pedestrian accessways; (xiii) Standard H5.6.19 Deep soil area and canopy tree; (xiv) Standard H5.6.20 Safety and privacy buffer from private vehicle and pedestrian accessways (xv) Standard H5.6.21 Residential waste management.	Oppose	Compliance should only be for the bulk and form and adjacent site amenity standards being: (i) Standard H5.6.4 Building height; (ii) Standard H5.6.5 Height in relation to boundary; (iii) Standard H5.6.8(1) Yards; (v) Standard H5.6.10 Building coverage; (vii)Standard H5.6.12 (1) – (9) Outlook space; The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards Amend notification standard to make it clear that restricted discretionary matters such as earthworks, contamination flood plains and technical parking infringements do not remove the notification exclusions. The notifications effects of this technical elements of an application will be considered in accordance with their restricted discretionary status.	Delete standards that are not identified within the MDRS. Amend the notification standard to make it clear that restricted discretionary matters such as earthworks, contamination, flood plains and technical parking infringements do not remove the notification exclusions. In terms of notification, those effects outside the zone standards that form part of a bundled application will be considered in accordance with their particularly restricted discretionary status and the associated matters for discretion for those particular consent matters.	2083.23
23.	(6) Any application for a resource consent which is listed in H5.5(4) or H5.5(5) 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.	Oppose	All developments will likely trigger additional AUP reasons for consent. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete.	2083.24
24.	H5.6.3B Dwellings within the Infrastructure – Combined Wastewater Network Control as identified on the planning maps	Oppose	These effects are already managed by Chapter E8. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Delete.	2083.25
25.	H5.6.3C Dwellings within the Infrastructure – Stormwater Disposal Constraints Control	Oppose	These effects are already managed by Chapter E8. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Delete.	2083.26
26.	**H5.6.5. 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.	Oppose	Oppose addition of 'privacy' not required by the MDRS wording within Schedule 3A.	Delete wording and retain existing purpose.	2083.27
27.	**H5.6.5. Height in relation to boundary** (1) Buildings must not project beyond a ~~45~~ 60 degree recession plane measured from a point ~~3~~ 4m vertically above ground level alongside and rear boundaries, as shown in Figure H5.6.5.1 Height in relation to boundary below.	Support	The proposed wording will be efficient and effective in achieving the outcomes sought by the MDRS standards	Accept the proposed text changes	2083.28
28.	~~(b)~~ [Deleted] ~~sites within the Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or the Open Space – Community Zone:~~ ~~(i) that are greater than 2000m^2;~~ ~~(ii) where that part of the site in (i) is greater than 20 metres in width, when measured perpendicular to the shared boundary; and~~ ~~(iii) Where an open space comprises multiple sites but has a common open space zoning, the entire zone will be treated as a single site for the purpose of applying the standards listed below.~~	Oppose	The exclusions should be retained, as they deal with minor protrusions and they are helpful on sloping sites. It is beneficial to provide activation to Open Space zones.	Retain the existing minor protrusions HIRB is excluded from applying where the site adjoins open space more than 2,000m^2 area in accordance with the current standard.	2083.29

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	~~(5)~~ [Deleted] ~~A gable end, dormer or roof may project beyond the recession plane where that portion beyond the recession plan is: (a) no greater than 1.5m2 in area and no greater than 1m in height; and (b) no greater than 2.5m cumulatively in length measured along the edge of the roof as shown in Figure H5.6.5.2 Exceptions for gable ends and dormers and roof projections below.~~ ~~(6) No more than two gable end, dormer or roof projections are allowed for every 6m length of site boundary.~~				
29.	**H5.6.9. Maximum impervious area** (1) The maximum impervious area must not exceed 60 per cent of site area	Oppose	The retention of this standard is not an efficient use of land and is not demonstrated by an adverse effect. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Amend standard to 70%.	2083.30
30.	**H5.6.10. 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.	Oppose	It is considered that effects of development in proximity to an SEA are already suitably dealt with via Chapter D9 and E15. The inclusion is not necessary and undermines the existing AUP framework and the efficient use of land.	Delete the additional wording.	2083.31
31.	(1) The maximum building coverage must not exceed ~~45~~ 50 per cent of the net site area.	Support	The proposed wording will be efficient and effective in achieving the outcomes sought by the MDRS standards	Accept the proposed text changes.	2083.32
32.	H5.6.10. Building coverage (2) On a site subject to a Significant Ecological Areas Overlay: (a) the maximum building coverage must not exceed 50 per cent of the net site area; and (b) building coverage must not be located in any area within 3m of vegetation within a significant ecological area, including following the alteration or removal of up to 300m2 of vegetation for a dwelling per site provided for under E15.3.2(A29) and E15.6.5; and (c) other than provided for in H5.6.10(2)(b), building coverage must not be located within a significant ecological area.	Oppose	It is considered that effects of development in proximity to an SEA are already suitably dealt with via Chapter D9 and E15. The inclusion is not necessary and undermines the existing AUP framework and the efficient use of land. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Delete the proposed text changes relating to the SEA..	2083.33
33.	**H5.6.11. Landscaped area** **Development containing four or more dwellings and any other developments must comply with the following:** (5) The minimum landscaped area must be at least 20 per cent of the net site area and comprise natural grass, plants or trees and can include the canopy of existing trees regardless of the surface underneath provided the surface of the protected root zone is in natural grass, plants or natural mulch. (6) Any part of the landscaped area must have a minimum dimension of 1m and minimum area of 4m^2 as shown below in Figure H5.6.19.1 Example of Deep soil area requirements and the relationship with Landscaped area and the Safety and privacy buffer.	Oppose	The standard wording should match the MDRS standard that applies for 1-3 dwellings. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Amend the proposed text changes to match the MDRS standard.	2083.34
34.	**H5.6.12. Outlook space** Development containing four or more dwellings and any other development must comply with the following: Development containing four or more dwellings and any other development must comply with the following: (1) An outlook space must be provided from the face of a building containing windows **or balconies** to a habitable room. Where the room has two or more external faces with windows **or balconies** the outlook space must be provided from, **in order of priority,** the face with the largest **balcony or** area of glazing. (2) The minimum dimensions for a required outlook space are as follows: (a) a principal living room of a dwelling or main living and dining area within a boarding house or supported residential care must have a outlook space with a minimum dimension of: **i.** 6m in depth and 4m in width **as shown below in Figure H5.6.12.1 Outlook space from habitable room windows for four or more dwellings and any other development**; ~~and~~ **or** **ii. Where the principal living room outlook is on the ground floor and is defined by a boundary fence, outlook depth may be reduced to 5m.** (b) a principal bedroom of a dwelling or a bedroom within a boarding house or supported residential care unit must have an outlook space with a minimum dimension of 3m in depth and 3m in width; and (c) all other habitable rooms must have an outlook space with a minimum dimension of 1m in depth and 1m in width. (3) The depth of the outlook space is measured at right angles to and horizontal from the window to which it applies.	Oppose	The standard wording should match the MDRS standard that applies for 1-3 dwellings. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Amend the proposed text changes to match the MDRS standard.	2083.35

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	(4) The width of the outlook space is measured from: (a) the centre point of the largest window on the building face to which it applies **where outlook depth is reduced to 5m as provided for under H5.6.12A(2)(ii) above; or** **(b) the centre line of the facade of the largest window or balcony edge whichever is closer to the boundary or opposing building.** (5) The height of the outlook space is the same as the floor height, measured from floor to ceiling, of the building face to which the standard applies. (6) Outlook spaces may be within the site, over a public street, or other public open space. (7) Outlook spaces required from different rooms within the same building may overlap. (8) Outlook spaces may overlap where they are on the same wall plane. (9) Outlook spaces must: (a) be clear and unobstructed by buildings **and servicing area;** and (b) not extend over adjacent sites, except for where the outlook space is over a public street or public open space as outlined in H5.6.12(15) above; and (c) not extend over an outlook spaces or outdoor living space required by another dwelling; **and** (d) **must align with private outdoor living space, except for where the outlook space is over a public street or public open space as outlined in H6.6.12(15) above.**				
35.	**H5.6.13. Daylight**	Oppose	It is not a method retained in the MDRS. The proposed standard will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete the daylight standard.	2083.36
36.	**H5.6.14. Outdoor living space** Purpose: to provide dwellings, integrated residential development, supported residential care and boarding houses 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:** ~~is accessible from the dwelling.7~~ • 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.	Oppose	The addition of communal outdoor living space requirements is opposed. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Amend the proposed text changes to match the MDRS standard	2083.37
37.	**H5.6.14. Outdoor living space** (4) In addition to H5.6.14(1) and H5.6.14(2) above, developments of 20 or more dwellings, including integrated residential development of 20 or more dwellings, must provide a communal outdoor living space that: (a) is located in a communally accessible location; (b) is at least 10m2 for every five dwellings it serves; (c) is a minimum dimension of 4m; (d) free of buildings, parking spaces and servicing and manoeuvring areas; (e) for at least 20m2 of the communal living space must receive a minimum of 3 hours of sunlight per day between the hours of 9am – 4pm on 21 June; (f) has a gradient not exceeding 1 in 20; and (g) may be split into no more than two outdoor communal living spaces per development.	Oppose	This additional standard is unnecessary, with the private open space requirements sufficient. The provision for wider public open space is the responsibility of Council not developers. A specific open space development contribution is already payable for each dwelling.	Amend the proposed text changes to match the match the MDRS standard and delete the communal outdoor living space requirements.	2083.38
38.	**H5.6.18 Windows to street and private vehicle and pedestrian accessways** Development contained four or more dwellings and any other development must comply with the following: 2) Any dwelling, integrated residential development, supported residential care, boarding house and visitor accommodation facing the street or private vehicle accessway or private pedestrian accessway, must have a minimum of 20 per cent of the relevant façade in glazing. This can be in the form of windows or doors.	Oppose	Any additional text beyond MDRS wording should be captured via assessment criteria not as a standard.	Delete standard and rely on MDRS wording.	2083.39
39.	**H5.6.19 Deep soil area and canopy tree** Purpose: To build resilience to climate change effects through provision of deep soil areas that support canopy trees, which assist in removing carbon, reducing urban heat island effects and enabling the infiltration of stormwater. (1) Any site greater than 200m2 must provide a deep soil area that must comply with the following: (a) 10 per cent of the site area must be provided as 1 contiguous deep soil area with minimum 3m dimensions; (b) Except that sites 1,200m2 or greater may have more than 1 deep soil area provided that: (i) each deep soil area is a minimum of 60m2 with 3m dimensions; and	Oppose	It is not a method retained in the MDRS. The proposed standard will not be efficient or effective in achieving the outcomes sought by the MDRS standards. The proposed Deep Soil Area and Canopy Tree standards (and allied Special Information requirements) will result in disparate landscaping outcomes and do not foster sustainable landscape design solutions. The Deep Soil Area and Canopy Tree requirements as proposed are generic and do not reflect an understanding of landscaping and	Delete the proposed new standard.	2083.40

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:
	(ii) the combined total deep soil area is a minimum 10 per cent of the site area; (c) Deep soil areas must not be provided in private outdoor living spaces but can be provided as part of communal outdoor living spaces and landscape areas as shown below in Figure H5.6.19.1 Example of Deep soil; area requirements and the relationship with Landscaped Area and the Safety and privacy buffer; and (d) The deep soil area(s) must contain a canopy tree(s) that meets the minimum requirements as set out in Table H5.6.9.1 Minimum requirements for canopy trees; and (2) Trees required by H5.6.19(1) can be existing canopy trees or new canopy trees in accordance with Table H5.9(3). **Table H5.6.19.1 Minimum requirements for canopy trees** **Site Area (prior to development or re-development)** / **Minimum canopy tree requirements** 200m² – 600m² / 1 small canopy tree per 200m² of site 601m² – 1,500m² / 1 medium canopy tree per 300m² of site 1,501m² or more / 1 large canopy tree or 2 medium canopy trees per 500m² of site **Figure H5.6.19.1 Example of the Deep soil area requirements and the relationship with Landscaped area and the Safety and privacy buffer**  		arboricultural/horticultural techniques and the different abilities of a range of canopy trees to exist successfully in varied conditions. Also using a formula relating the number of trees to site area is inappropriate as the number, size and location of trees is driven by building location and size, the shape of buildings and the location and spatial context of land areas available for plantings. The Deep Soil Area and Canopy Tree provisions are unnecessary and go to a level of detail that is better addressed through detailed landscape design which is already covered in the Plan provisions.	
40.	**H5.6.20 Safety and privacy buffer from private pedestrian and vehicle accessways** Purpose: to provide a reasonable standard of safety and privacy for ground floor dwellings located adjacent to pedestrian and vehicle accessways. (1) A minimum 1m buffer areas must be provided between a dwelling and private pedestrian and/or vehicle accessways as shown in Figure H5.6.19.1 Example of Deep soil area requirements and the relationship with Landscape area and the Safety and privacy buffer above. (2) The buffer area must be: (a) free of buildings, parking spaces, servicing and manoeuvring areas. (b) Planted with shrubs or ground cover plants.	Oppose	It is not a method retained in the MDRS. This matter would be better placed as assessment criteria rather than as standards. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete the proposed new standard.
41.	**H5.6.21 Residential waste management** Purpose: To provide accessible on-site storage space for waste bins and safe vehicle access for the collection of waste (refuse, recyclables and food scraps) for dwellings. (1) On-site waste storage using individual or communal waste bins must be provided as follows: (a) Where individual bins are used, a total storage space of 1.4m2 per dwelling. (b) Where communal bins are used, the total storage space provided must be calculated in accordance with the Auckland Council's Solid Waste Calculator. (c) The location of bins must: (i) be visually screened from within the site, from the street and/or adjacent sites. (ii) not require bins to be transported through dwellings, across unpaved surfaces or up and down stairs or steep gradients (refer to Transport E27.6.6.2) (iii) be accessible for collectors and residents with a minimum on-site footpath width of 1.35m; and (v) provide lighting (refer to Lighting E24.6.2) between storage locations and collection points. (2) Where kerbside collection is used, there must be kerbside space of at least 1m per dwelling, contained within the road frontage of the site without impeding the public footpath. Developments that cannot comply with this will instead need to comply with H5.6.21(3) and either H5.6.21(4) or (5). (3) Four or more dwellings using a private collection service must provide a waste management and minimisation plan.	Oppose	It is not a method retained in the MDRS. This matter would be better placed as a broader assessment criteria rather than as standards. The new information requirement for a waste minimisation plan for 10+ dwellings is an additional cost that is not warranted and would not be monitored following grant of consent. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete the proposed new standard.

2083.41

2083.42

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	(4) Where on-site collection of individual waste bins is used, there must be a space of at least 1m2 per dwelling in an accessible location for the collection vehicle for collection of individual bins from shared driveways within the site. (5) Where on-site collection of communal waste bins is used, there must be an accessible location for collection of communal bins by a collection vehicle within the site. (6) A waste management and minimisation plan must be provided and implemented for 10 or more dwellings.				
42.	**H5.7. Assessment – controlled activities** ~~There are no controlled activities in this zone.~~ H5.7.1. Matters of control The Council will restrict its control to all of the following matters when assessing a controlled activity resource consent application: (1) For one dwelling per site subject to a Significant Ecological Area Overlay: (a) The extent to which the built development is designed to minimise or mitigate adverse effects on the ecological values of the relevant significant ecological area; (b) The location, bulk and scale of built development relative to the surrounding ecological values H5.7.2 Assessment criteria The Council will consider the assessment criteria below for controlled activities to the extent relevant to the proposal: (1) For one or more dwellings per site subject to a Significant Ecological Area Overlay: (a) refer to Policy H5.3(15)	Oppose	It is considered that effects of development in proximity to an SEA are already suitably dealt with via Chapter D9 and E15. The inclusion is not necessary and undermines the existing AUP framework and the efficient use of land.	Delete the proposed new assessment criteria	2083.43
H5.8. Assessment – restricted discretionary activities					
43.	**H5.8. Assessment – restricted discretionary activities** H5.8.1. Matters of discretion The Council will restrict its discretion to all of the following matters when assessing a restricted discretionary activity resource consent application: (1) (c) the effects of the development on the safe access for pedestrians on the adjacent road network.	Oppose	This does not correspond to an effect from the activities identified in H5(1) on the wider adjacent network. The existing matters for discretion already include traffic and access (Chapter E27 Transportation). The development contributions already include a component for local transport upgrades. It is inequitable and inefficient to target one developer to upgrade infrastructure that will likely benefit a wider area.	Delete the proposed new assessment criteria	2083.44
44.	**H5.8. Assessment – restricted discretionary activities** **H5.8.1. Matters of discretion** (2) for four or more dwellings per site: (a) the effects on the neighbourhood character, residential amenity, safety, and the surrounding residential area from all of the following: (i) building ~~intensity~~, scale and location, including: A. the way in which buildings are orientated to the street and adjoining sites, and B. the extent to which the height, roof form and design of buildings respond to the local streetscape and the planned urban built character of the surrounding area, (ia) building form and appearance including: A. use of built elements such as materials, surface and architectural detailing and roof design to create visual interest; B. use of deep soil and/or outdoor living areas, modulation, architectural features, windows, doors and breaks in building length to minimise bulk and visual dominance; C. whether design provides for the balance between resident's privacy and opportunities for passive surveillance; D. whether the design provides for privacy, and sunlight and daylight access for adjoining sites; E. the interface with an identified special character area or a scheduled historic heritage place; (ib) the extent to which the functional, day to day needs of residents are provided for in terms of: A. the size and dimensions of living areas relative to the likely occupancy levels of the dwellings; B. internal storage; C. residential waste management, including the kerbside and/or on-site capacity for residential waste management (ii) traffic; and	Oppose in part	Oppose the inclusion of: - deep soil within B; - introduction of interfaces with identified special character area or a scheduled historic heritage place; and - references to wider upgrades of the adjacent road network under (d) do not correspond to the quantum of effects from the activities this is triggered by i.e. 4 dwellings. There are already matters for pedestrian access under (iii). The development contributions already include a component for local transport upgrades. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete the proposed new assessment criteria (ia) building form and appearance including: A. use of built elements such as materials, surface and architectural detailing and roof design to create visual interest; B. ~~use of deep soil and~~/or outdoor living areas, modulation, architectural features, windows, doors and breaks in building length to minimise bulk and visual dominance; C. whether design provides for the balance between resident's privacy and opportunities for passive surveillance; D. whether the design provides for privacy, and sunlight and daylight access for adjoining sites; ~~E. the interface with an identified special character area or a scheduled historic heritage place;~~ (ib) the extent to which the functional, day to day needs of residents are provided for in terms of: ~~A. the size and dimensions of living areas relative to the likely occupancy levels of the dwellings;~~ ~~B. internal storage;~~ C. residential waste management, including the kerbside and/or on-site capacity for residential waste management. …	2083.45

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	(iii) location and design of ~~parking and~~ access (including pedestrian access) and parking (if provided). b) [deleted] ~~all of the following standards:~~ ~~(i) Standard H5.6.9 Maximum impervious areas;~~ ~~(ii) Standard H5.6.10 Building coverage;~~ ~~(iii) Standard H5.6.11 Landscaped area;~~ ~~(iv) Standard H5.6.12 Outlook space;~~ ~~(v) Standard H5.6.13 Daylight; (vi) Standard H5.6.14 Outdoor living space;~~ ~~(vii) Standard H5.6.15 Front, side and rear fences and walls; and~~ ~~(viii) Standard H5.6.16 Minimum dwelling size~~ (c)~~I~~ the effects on infrastructure and servicing including: (i) Existing infrastructure capacity. (d) the effects of the development on the safe access for pedestrians on the adjacent road network.			~~(d) the effects of the development on the safe access for pedestrians on the adjacent road network.~~	
45.	**H5.8. Assessment – restricted discretionary activities** **H5.8.1. Matters of discretion** (3) for integrated residential development: (a) the effects on the neighbourhood character, residential amenity, safety, and the surrounding residential area from all of the following: (i) building ~~intensity,~~ scale, location, form and appearance including the extent to which buildings as viewed from the street or public places are designed to minimise visual dominance effects taking into account: A. the planned urban built character of the zone; B. the location, orientation and design of development; and C. the effect of the proposed height on the surrounding and neighbouring development. (ii) traffic; (iii) location and design of parking and access (including pedestrian access) and parking (if provided); and (iv) noise, lighting and hours of operation. (b) [deleted] ~~all of the following standards:~~ ~~(i) Standard H5.6.9 Maximum impervious areas;~~ ~~(ii) Standard H5.6.10 Building coverage;~~ ~~(iii) Standard H5.6.11 Landscaped area;~~ ~~(iv) Standard H5.6.12 Outlook space;~~ ~~(v) Standard H5.6.13 Daylight;~~ ~~(vi) Standard H5.6.14 Outdoor living space;~~ ~~(vii) Standard H5.6.15 Front, side and rear fences and walls; and~~ ~~(viii) Standard H5.6.16 Minimum dwelling size.~~ (c) Infrastructure and servicing (d) the effects of the development on the safe access for pedestrians on the adjacent road network.	Oppose in part	the effect of the proposed height on the surrounding and neighbouring development should only be required in terms of additional height over and above the zone standard.	Amend the proposed new assessment criteria to refer to "C. the effect of the proposed additional height above the zone standards on the surrounding and neighbouring development." ~~(d) the effects of the development on the safe access for pedestrians on the adjacent road network.~~	2083.46
46.	**H5.8. Assessment – restricted discretionary activities** **H5.8.1. Matters of discretion** (6) For more than one dwelling per site in areas identified on the planning maps as being subject to the Infrastructure –Combined Wastewater Network Control or the Infrastructure – Water and Wastewater Constraints Control. (a) Infrastructure and servicing. (7) For more than one dwelling per site in areas identified on the planning maps as being subject to the Infrastructure –Stormwater Disposal Constraints Control. (a) Stormwater disposal.	Oppose	These effects are already managed by Chapter E8 for 1 dwellings and additions and alternations to. Furthermore, **H5.8. Assessment – restricted discretionary activities** for four or more dwellings per site deals with infrastructure capacity.	Delete the proposed new assessment criteria	2083.47
47.	**H5.8.2. Assessment criteria** (1) for supported residential care accommodating greater than 10 people per site inclusive of staff and residents; boarding houses accommodating greater than 10 people per site inclusive of staff and residents; visitor accommodation accommodating greater than 10 people per site inclusive of staff and visitors; dairies up to 100m2 gross floor area per site; care centres accommodating greater than 10 people per site excluding staff; community facilities; and healthcare facilities up to 200m2 gross floor area per site: (a) infrastructure and servicing:	Support in part	Support removal of 'intensity' though ensure remove from (1)(b)(i) for consistency. Remove requirement for off-site roading or pedestrian upgrades	Amend and retain text as identified in reasons for submission. ~~(f) The extent to which the adjacent road network provides safe pedestrian movements~~.	2083.48

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:
	(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. (b) building ~~intensity~~, scale, location, form and appearance: (i) whether the intensity and scale of the activity, the building location, form and appearance is of a high-quality and compatible with the character and residential amenity provided for within the zone and compatible with the surrounding residential area. (c) traffic: (i) whether the activity avoids or mitigates high levels of additional non-residential traffic on local roads. (d) location and design ~~of parking~~ and access (including pedestrian access) and parking (if provided): (i) whether adequate ~~parking and~~ access is provided or required. (ii) whether car parking and accessways are integrated into the overall design of the development (iii) whether parking is located away from street frontages and screened from the street by buildings or landscaping (iv) Whether safe, well-lit pedestrian access is provided and integrated into the design of the development. (e) noise, lighting and hours of operation: (i) whether noise and lighting and the hours of operation of the activity avoids, remedies or mitigates adverse effects on the residential amenity of surrounding properties, by: • locating noisy activities away from neighbouring residential boundaries; • screening or other design features; and • controlling the hours of operation and operational measures (f) The extent to which the adjacent road network provides safe pedestrian movements.			
48.	**H5.8.2. Assessment criteria** The Council will consider the assessment criteria below for restricted discretionary activities to the extent relevant to the proposal: (2) for four or more dwellings on a site: (a) the extent to which or whether the development achieves the purpose outlined in the ~~following~~ relevant standards identified in Table 5.4.1 or what alternatives are provided that result in the same or a better outcome.~~:~~ (i) [deleted]~~Standard H5.6.9 Maximum impervious areas;~~ (ii) [deleted]~~Standard H5.6.10 Building coverage;~~ (iii) [deleted]~~Standard H5.6.11 Landscaped area;~~ (iv) [deleted]~~Standard H5.6.12 Outlook space;~~ (v) [deleted]~~Standard H5.6.13 Daylight;~~ (vi) [deleted]~~Standard H5.6.14 Outdoor living space;~~ (vii) [deleted]~~Standard H5.6.15 Front, side and rear fences and walls; and~~ (viii) [deleted]~~Standard H5.6.16 Minimum dwelling size.~~ (aa) the extent to which the scale of the activity, the building location, form and appearance is of a high-quality and compatible with the planned urban built character and residential amenity of the surrounding residential area provided for within the zone. (ab) the extent to which buildings are designed to manage building length and bulk and visual dominance by: (i) placing taller buildings on the street front (ii) varying roof form and building height (iii) using modulation and architectural features to break up the mass of buildings into visually distinct elements (iv) using the proportions and arrangement of windows and doors to provide relief to building length and bulk (v) using other building elements including materials, surface detailing, architectural detail and roof design to provide visual interest along building facades including blank side/party walls (vi) providing adequate breaks in long continuous buildings to minimise the appearance of length (vii) locating deep soil areas and/or communal outdoor spaces around and between buildings to provide space and soften the built form (viii) designing balconies as an integral part of the building (ac) the extent to which buildings use quality, durable and easily maintainable materials. (ad) the extent to which buildings adjoining or across the street from an identified special character area or a scheduled historic heritage place are designed to respect the prevailing character of the area or key historic heritage design and location elements of that place. New and contemporary interpretations in form and detail may be used.	Oppose in part	Oppose the references to: - Deep soil and communal open space in (ab)(vii) and (fe). - References to the need for wider upgrades of the adjacent road network under (d) and (gd). For the latter it is not considered that the quantum of effects corresponds to the activities it triggers. There are already matters for pedestrian access under (iii). The development contributions already include a component for local transport upgrades. - The additional assessment criteria under (ad) for the interface with an identified special character area or a scheduled historic heritage place is not considered an effective method nor warranted by an effect.	Delete the relevant assessment criteria wording as noted: (aa) the extent to which the scale of the activity, the building location, form and appearance ~~is of a high-quality and~~ compatible with the planned urban built character and residential amenity of the surrounding residential area provided for within the zone. … (ab) ~~(vii) locating deep soil areas and/or communal outdoor spaces around and between buildings to provide space and soften the built form~~ … ~~(ac) the extent to which buildings use quality, durable and easily maintainable materials.~~ ~~(ad) the extent to which buildings adjoining or across the street from an identified special character area or a scheduled historic heritage place are designed to respect the prevailing character of the area or key historic heritage design and location elements of that place. New and contemporary interpretations in form and detail may be used.~~ … ~~(i) The extent to which the adjacent road network enables safe pedestrian movements.~~

2083.49

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:
	(ae) the extent to which building frontage contribute positively to the visual amenity and safety of public streets, public open spaces, and private vehicle and pedestrian accessways by: (i) having clearly defined fronts that provide passive surveillance from windows and balconies . (ii) maximising doors, windows and balconies over all levels on the front façades whilst not impacting on privacy. (iii) maximising the number of dwellings on the site that directly front, align and orientate to public streets . (iv) ground level dwellings closest to the street each have direct and clearly defined pedestrian access from the street in preference to a single building entrance. (v) where a site adjoins public open space, buildings include entrances, windows of habitable rooms and balconies facing the open space. (af) the extent to which site layout creates legible, visible attractive, safe and well-lit connections between dwellings and the street. (b) [deleted]~~The extent to which the development contributes to a variety of housing types at higher densities in the zone and is in keeping with the neighbourhood's planned urban built character of predominantly three storey buildings (attached or detached) by limiting the height, bulk and form of the development and managing the design and appearance as well as providing sufficient setbacks and landscaped areas.~~ (c) [deleted]~~The extent to which development achieves attractive and safe streets and public open space by:~~ ~~(i) providing doors, windows and/or balconies facing the street and public open spaces~~ ~~(ii) minimising tall, visually impermeable fences~~ ~~(iii) designing large scale development (generally more than 15 dwellings) to provide for variations in building form and/or façade design as viewed from streets and public open spaces.~~ ~~(iv) optimising front yard landscaping (v) providing safe pedestrian access to buildings from the street~~ ~~(vi) minimising the visual dominance of garage doors, walkways or staircases to upper level dwellings, and carparking within buildings a viewed from streets or public open spaces~~ (d) [deleted]~~The extent to which the height, bulk and location of the development maintains a reasonable standard of sunlight access and privacy and minimises visual dominance to adjoining sites;~~ (e) [deleted]~~The extent to which dwellings:~~ ~~(i) Orientate and locate windows to optimise privacy and encourage natural cross ventilation within the dwelling~~ ~~(ii) Optimise sunlight and daylight access based on orientation, function, window design and location, and depth of the dwelling floor space~~ ~~(iii) Provide secure and conveniently accessible storage for the number and type of occupants the dwelling is designed to accommodate.~~ ~~(iv) Provide the necessary waste collection and recycling facilities in locations conveniently accessible and screens from streets and public open spaces.~~ (f) [deleted]~~The extent to which outdoor living space:~~ ~~(i) Provides for access to sunlight~~ ~~(ii) Provides privacy between the outdoor living space of adjacent dwellings on the same site and between outdoor living space and the street.~~ ~~(iii) When provided at ground level, is located on generally flat land or otherwise functional~~ (fa) refer to Policy H5.3(A1); (fb) refer to Policy H5.3(C1); (fc) refer to Policy H5.3(D1); (fd) refer to Policy H5.3(E1); (fe) refer to Policy H5.3(6A) (g) [deleted]~~refer to Policy H5.3(7); and~~ (ga) refer to Policy H5.3(10); (gb) refer to Policy H5.3(11); (gc) refer to Policy H5.3(12); (gd) refer to Policy H5.3(14); (h) infrastructure and servicing: (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. (i) The extent to which the adjacent road network enables safe pedestrian movements.			
49.	**H5.8.2. Assessment criteria** (3) for integrated residential development: (a) the extent to which or whether the development achieves the purpose outlined in the following relevant standards and identified in Table H5.4.1 or what alternatives are provided that result in the same or a better outcome: (i) [deleted] ~~Standard H5.6.9 Maximum impervious areas;~~ (ii) [deleted] ~~Standard H5.6.10 Building coverage;~~	Oppose in part	Oppose the references to: - deep soil and communal open space in 3(g). - references to the need for wider upgrades of the adjacent road network under (l). It is not considered that the quantum of effects corresponds to the activities it triggers. The level of service within the existing road reserve is the responsibility of Auckland Transport. The	Delete the relevant assessment criteria. ~~(l) The extent to which the adjacent road network enable safe pedestrian movements, including:~~ ~~i. Footpaths of at least 1.8m in width~~ ~~ii. Facilities to safely and conveniently cross the road including pram crossings, and tactile paving,~~ ~~iii. Narrowed pedestrian crossing distances of vehicle carriageways~~

2083.50

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:
	(iii) [deleted] ~~Standard H5.6.11 Landscaped area;~~ (iv) [deleted] ~~Standard H5.6.12 Outlook space;~~ (v) [deleted] ~~Standard H5.6.13 Daylight;~~ (vi) [deleted] ~~Standard H5.6.14 Outdoor living space;~~ (vii)[deleted] ~~Standard H5.6.15 Front, side and rear fences and walls; and~~ (viii) [deleted] ~~Standard H5.6.16 Minimum dwelling size (excluding retirement villages).~~ (aa) refer to Policy H5.3(C1) (ab) refer to Policy H5.3(D1) (ac) refer to Policy H5.3(E1) (b) [deleted] ~~refer to Policy H5.3(1);~~ (c) [deleted] ~~refer to Policy H5.3(2);~~ (d) [deleted] ~~refer to Policy H5.3(3);~~ (e) [deleted] ~~refer to Policy H5.3(4);~~ (f) [deleted] ~~refer to Policy H5.3(5);~~ (g) refer to Policy H5.3(6A); (h) [deleted] ~~refer to Policy H5.3(7);13~~ (i) refer to Policy H5.3(8); (j) refer to Policy H5.3(9); ~~and~~ (ja) refer to Policy H5.3(11); (jb) refer to Policy H5.3(12); (ic) refer to Policy H5.3(14); and (k) infrastructure and servicing: (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. (l) The extent to which the adjacent road network enable safe pedestrian movements, including: i. Footpaths of at least 1.8m in width ii. Facilities to safely and conveniently cross the road including pram crossings, and tactile paving, iii. Narrowed pedestrian crossing distances of vehicle carriageways iv. Front berms to separate pedestrians from traffic.		development contributions already include a component for local transport upgrades. - Infrastructure provision is already included within existing assessment criteria (k) the cross reference under 3(jb) is unnecessary.	~~iv. Front berms to separate pedestrians from traffic.~~
50.	**H5.8.2. Assessment criteria** (4) for building height: (aa) refer to Policy H5.3(A1); (ba) refer to Policy H5.3(B1); (ca) refer to Policy H5.3(E1); (da) refer to Policy H5.3(6A); (a) ~~refer to Policy H5.3(2~~); (b) ~~refer to Policy H5.3(4).;~~ and **Visual dominance** (4) 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: (i) the planned urban built character of the zone; and (ii) the location, orientation and design of development. (iii) the effect of the proposed height on the surrounding and neighbouring development.	Oppose in part	Consideration of the effect of the proposed height on the surrounding and neighbouring development should only be required in terms of additional height over and above the zone standard.	Amend the proposed new assessment criteria to refer to: "iii. the effect of the proposed additional height above the zone standards on the surrounding and neighbouring development."
51.	**H5.8.2. Assessment criteria** (6) for height in relation to boundary: (aa) refer to Policy H5.3(A1); (ba) refer to Policy H5.3(E1); (ba) refer to Policy H5.3(6A) and (a) ~~refer to Policy H5.3(2);~~ (b) ~~refer to Policy H5.3(4); and~~ (c) ~~refer to Policy H5.3(5).~~ **Sunlight access** (d) Whether sunlight access to the outdoor living space of an existing dwelling on a neighbouring site satisfies the following criterion:13	Oppose in part	Consideration of the effect of the proposed height in relation to boundary infringement on the surrounding and neighbouring development should only be required in terms of additional bulk over and above the zone standard.	Amend the proposed new assessment criteria to refer to additional HIRB infringements over the standard.

2083.51

2083.52

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	Four hours of sunlight is retained between the hours of 9am – 4pm during the Equinox (22 September): (i) over 75% of the existing outdoor living space where the area of the space is greater than the minimum required by Standard H5.6.4: or (ii) over 100% of existing outdoor living space where the area of this space is equal to or less than the minimum required by Standard H5.6.14. (e) 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 (a): (i) 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 Height in relation to boundary control; and (ii) 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. **Visual dominance** (f) 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: (i) the planned urban built character of the zone; (ii) the location, orientation and design of development; and (iii) the physical characteristics of the site and the neighbouring site. (iv) the design of side and rear walls, including appearance and dominance; and (v) providing adequate visual and/or physical break up of long continuous building forms. **Overlooking and privacy** (g) 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.				
52.	**H5.8.2. Assessment criteria** (12) for landscaped area: (aa) refer to Policy H5.3(A1); (ba) refer to Policy H5.3(C1); (ca) refer to Policy H5.3(6A); (da) refer to Policy H5.3(10); and (a) [deleted] ~~refer to Policy H5.3(2);~~ (b) [deleted] ~~refer to Policy H5.3(4); and~~ (c) [deleted] ~~refer to Policy H5.3(5).~~ (d) the extent to which existing trees are retained.	Oppose	The are no general tree protection controls.	Delete the additional assessment criteria.	2083.53
53.	**H5.8.2. Assessment criteria** (14) for daylight: (aa) refer to Policy H5.3(D1); (ab) refer to Policy H5.3(6A); and (a) [deleted] ~~refer to Policy H5.3(2);~~ (b) [deleted] ~~refer to Policy H5.3(4); and~~ (c) [deleted] ~~refer to Policy H5.3(5).~~	Oppose	It is not a method retained in the MDRS.	Delete H5.8.2. in its entirety	2083.54
54.	**H5.8.2. Assessment criteria** (15) for outdoor living space: (aa) refer to Policy H5.3(A1); (ba) refer to Policy H5.3(D1); and (a) [deleted] ~~refer to Policy H5.3(2);~~ (b) [deleted] ~~refer to Policy H5.3(4);~~ (c) [deleted] ~~refer to Policy H5.3(5); and~~ (d) [deleted] ~~refer to Policy H5.3(6). and;~~ (e) The extent to which dwellings provide private open space and communal open space that is useable, accessible from each dwelling and attractive for occupants.	Oppose in part	The inclusion of 'communal' open space is unnecessary with the private open space requirements sufficient. The provision for wider public open is the responsibility of Council not developers. A specific open space development contribution is already payable for each dwelling. The use of the term attractive can be ambiguous and open to interpretation.	Deletion of this text. (e) The extent to which dwellings provide private open space ~~and communal open space~~ that is useable, and accessible from each dwelling ~~and attractive~~ for occupants.	2083.55
55.	**H5.8.2. Assessment criteria** (15A) For windows to street and private vehicle and pedestrian accessways	Oppose in part	The text goes beyond MDRS in terms of referencing private vehicle and pedestrian accessways.	Deletion of the following text. H5.8.2. Assessment criteria	2083.56

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	(a) refer to Policy H5.3(C1) (b) refer to Policy H5.3(6A); and (c) The extent to which the glazing: (i) allows views to the street and/or accessways to ensure passive surveillance; and (ii) provides a good standard of privacy for occupants.			(15A) For windows to street ~~and private vehicle and pedestrian accessways~~ (a) refer to Policy H5.3(C1) (b) refer to Policy H5.3(6A); and (c) The extent to which the glazing: (i) allows views to the street ~~and/or accessways~~ to ensure passive surveillance; and (ii) provides a good standard of privacy for occupants.	
56.	**H5.8.2. Assessment criteria** (18) for deep soil area and canopy tree (a) refer to Policy H5.3(6A); (b) The extent to which the proposed deep soil area uses or adds to existing deep soil areas to support canopy trees; and	Oppose	It is not a method retained in the MDRS. It is not efficient use of land, and is neither effective or efficient.	Delete entire assessment criteria.	2083.57
57.	**H5.8.2. Assessment criteria** (19) for safety and privacy buffer from private pedestrian and vehicle accessways: (a) refer to Policy H5.3(6A); and (b) the extent to which the buffer is: (i) free of buildings, parking spaces, structures, servicing facilities and manoeuvring areas; (ii) planted with suitable and low level plants.	Oppose	It is not a method retained in the MDRS. This matter would be better placed as assessment criteria rather than as standards.	Delete entire assessment criteria.	2083.58
58.	**H5.8.2. Assessment criteria** (20) For residential waste management: (a) refer to Policy H5.3(D1) (b) refer to Policy H5.3(6A); (c) refer to Policy H5.3(10); (d) The extent to which sufficient space is provided for residential waste management that is suitably located for ease of movement to collection points; (e) The extent to which the waste management area is designed to minimise visibility; (f) How the development intends to ensure the on-going management and maintenance of any communal residential waste management area; (g) Whether waste storage areas are located outside windows or doors to bedrooms, living areas and outdoor living areas to avoid effects of odour and noise; and (h) Whether waste management vehicle can safely undertake collection.	Oppose in part	Consider matters related to waste should be included in the assessment criteria for 4+ dwellings and integrated residential development.	Delete section (20) and move necessary criteria to H5.8.2. (1), (2) and (3).	2083.59
59.	**H5.8.2. Assessment criteria** (21) For more than one dwelling per site in areas identified on the planning maps as being subject to the Infrastructure – Combined Wastewater Network Control or the Infrastructure – Water and Wastewater Constraints Control: (a) Whether there is adequate capacity in the existing public reticulated water supply and / or wastewater network to service the proposed dwelling(s). (b) Whether sufficient water supply and access to water supplies for firefighting purposes in accordance with the NZ Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 is available. (c) Whether there is the ability to connect the dwelling(s) to a reticulated water supply and / or wastewater network in the future.	Oppose	These effects are already managed by Chapter E8 and the assessment criteria under H5.8.2.(1), (2) and (3).	Delete proposed text.	2083.60
60.	**H5.8.2. Assessment criteria** (22) For more than one dwelling per site in areas identified on the planning maps as being subject to the Infrastructure – Stormwater Disposal Constraints Control. (a) Whether stormwater can be disposed via a connection to the public stormwater network. (b) Whether stormwater from the site can be disposed of in accordance with the current version of Guideline Document 007 Stormwater Soakage and Groundwater Recharge in the Auckland Region, and the Auckland Stormwater Code of Practice.	Oppose	These effects are already managed by Chapter E8 and the assessment criteria under H5.8.2.(1), (2) and (3).	Delete proposed text.	2083.61
H5.9. Special information requirements					
61.	**Landscaped Plan as required by H5.6.11 Landscape area** (1) A scaled landscape plan must be provided that contains landscaped areas and includes: (a) Plant and tree species, number of each species to be planted and planting grades; (b) Canopy of existing trees to be retained; (c) Any area of grass; and15 (d) Any paths included in landscaped area.	Oppose	Chapter C1.2.(1) already addresses this matter - no need for a specific information requirement.	Delete proposed text.	2083.62

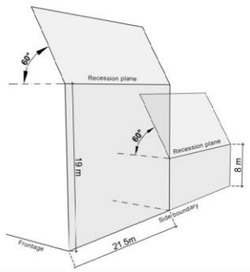
	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
62.	**Deep Soil Area and Canopy Tree** (2) The deep soil area provided must be demonstrated on a scaled landscape plan that at a minimum identifies the following: (a) plant and tree species, number of each species to be planted and planting grades; (b) location of existing trees to be retained; (c) dimensions of individual mature tree canopy; (d) any areas of grass; and (e) Minimum tree canopy dimensions are specified in Table H5.9(3) below. **Table H5.9(3) Minimum tree canopy dimension** | | Minimum mature tree height | Minimum mature canopy diameter | Minimum tree height above ground when planted | Indicative tree planting grade | |---|---|---|---|---| | Small | 8m | 6m | 2m | 120L | | Medium | 10m | 8m | 2.5m | 160L | | Large | 15m | 12m | 3m | 200L |	Oppose	It is not a method retained in the MDRS. It is not efficient use of land, and is neither effective or efficient.	Delete proposed text.	2083.63
63.	**Residential waste management** (3) Applications for where communal bins are proposed, must include calculations for required storage space as determined using the Auckland Council's Solid Waste Calculator (Standard H5.6.21(1)(b)). (4) When preparing the waste management and minimisation plan, applicants should refer to the Waste Management and Minimisation Bylaw 2019. The following information must be provided at a minimum: a) the estimate of the volume of waste by the type of waste created, collected, received, stored or disposed of; b) the frequency, location, access and on-site route of waste collection or transportation; and c) the method of waste collection, transportation or disposal.	Neutral	Needs to be clear that it only relates to communal collection.	Clarify that this is only related to communal collection.	2083.64
	H6. Residential – Terrace Housing and Apartment Buildings Zone				
64.	**H6.1. Zone Description** The Residential – Terrace Housing and Apartment Buildings Zone is a high-intensity zone enabling a ~~greater~~ high ~~-~~ intensity of residential development ~~than previously provided for~~. This zone provides for urban residential living in a range of ~~the~~ forms ~~of~~ including terrace housing and apartments. The zone is predominantly located around metropolitan, town and local centres and the public transport network to support the highest levels of intensification. The purpose of the zone is to make efficient use of land and infrastructure, increase the capacity of housing and ensure that residents have convenient access to services, employment, education facilities, retail and entertainment opportunities, public open space and public transport. This will promote walkable neighbourhoods and increase the vitality of centres. The zone provides for the greatest density, height and scale of development of all the residential zones. Within walkable catchments, as identified on the planning maps, development of at least six storeys is enabled unless qualifying matters apply. Outside the walkable catchments, ~~B~~buildings are enabled up to at least five storeys ~~six or seven storeys in~~. In identified Height Variation Control areas buildings of seven or more storeys are enabled. Permitted height standards vary depending on the scale of the adjoining centre, to achieve a transition in height from the centre to adjoining ~~lower scale~~ residential zones. ~~This form of development will, o~~The zone anticipates the greater intensity of development will transition neighbourhoods ~~and over time~~, ~~result in a change~~ from a suburban character to urban built character with a corresponding ~~a high~~ degree of visual change. The zone enables a mix of housing types including three-storey attached and detached dwellings, terraced housing and apartment buildings and integrated residential developments such as retirement villages and Papakāinga. The Residential – Terrace Housing and Apartment Buildings Zone is a relevant residential zone as defined in the RMA. The zone incorporates Medium Density Residential Standards (MDRS). The development outcomes anticipated by the RMA are enabled in the zone and are less enabling of development where one or more qualifying matters apply. Standards are applied to all buildings and resource consent is required for ~~all~~ developments with four or more dwellings and for other specified buildings and activities in order to: • achieve the planned urban built character of the zone;	Support in part	The suitability of a walkable catchment can vary depending on a number of factors, including topography, connectivity and access to a regular public transport network. In some cases, there may be sites that are located outside a 'walkable catchment' that are suitable for additional intensification and building height. Such sites should be considered on their merits having regard to their context and their ability to provide additional housing choice in an area that is well served by a range of amenities, including public transport.	Amend the zone description as follows: The zone provides for the greatest density, height and scale of development of all the residential zones. Within walkable catchments, as identified on the planning maps, development of at least six storeys is enabled unless qualifying matters apply. Outside the walkable catchments, ~~B~~buildings are enabled up to at least five storeys ~~six or seven storeys in~~. In identified Height Variation Control areas buildings of seven or more storeys are enabled or where appropriate, additional height, having regard to the context of the site and the ability to provide additional housing choice in an area that is well served by a range of amenities, including public transport. Permitted height standards vary depending on the scale of the adjoining centre, to achieve a transition in height from the centre to adjoining ~~lower scale~~ residential zones. Any other consequential changes that would give effect to the relief sought in this submission	2083.65

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	• achieve attractive and safe streets and public open spaces; • manage the effects of development on adjoining sites, including visual amenity, privacy and access to daylight and sunlight; and • achieve high quality on-site living environments. The resource consent requirements for four or more dwellings enable the design and layout of the development to be assessed; recognising that the need to achieve a quality design is increasingly important as the scale of development increases. This zone also provides for a range of non-residential activities so that residents have convenient access to these activities and services while maintaining the urban residential character of these areas.				
H6.2. Objectives					
65.	(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 three-storey buildings.	Support in part	Additional wording proposed to clarify the objectives of the zone.	Amend the text as follows: ii The neighbourhood's planned urban built character, including three-storey attached and detached dwellings, terraced housing and apartment buildings and integrated residential developments such as retirement villages and Papakāinga; and iii Walkable catchments and/or other accessibility to frequent public transport to enable multilevel apartment typologies featuring a range of building heights that respond to the context of the site.	2083.66
66.	(1A) Development of at least six storeys is enabled within walkable catchments, with seven or more storey buildings in identified areas, while also achieving a high-quality built environment.	Oppose in part	The term 'high-quality built environment' is open to subjectivity and will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete the proposed wording or reword to delete reference to high quality building.	2083.67
67.	(2) Development outside walkable catchments is in keeping with the areas' changing planned urban built character of predominantly five storeys or six or seven storey buildings where specified in identified areas, in a variety of forms.	Oppose in part	The suitability of a walkable catchment can vary depending on a number of factors, including topography, connectivity and access to a regular public transport network. In some cases, there may be sites that are located outside a 'walkable catchment' that are suitable for additional intensification and building height. Such sites should be considered on their merits having regard to their context and their ability to provide additional housing choice in an area that is well served by a range of amenities, including public transport.	(2) Development outside walkable catchments is in keeping with the areas' changing planned urban built character of predominantly five storeys or six or seven storey buildings where specified in identified areas, or where appropriate, having regard to the context of the site and the ability to provide additional housing choice in an area that is well served by a range of amenities, including public transport. ~~in a variety of forms.~~	2083.68
68.	(3) Development provides high-quality amenity: a. on-site ~~residential amenity~~ for residents; b. to adjoining sites; and c. to the street.	Oppose	The inclusion of 'high' and 'amenity' does not reconcile with the outcomes of the MDRS standards of the zone as they exist or are proposed. The term 'high-quality amenity' is open to subjectivity and will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Retain existing wording.	2083.69
69.	(4) Non-residential activities provide for the community's social, economic and cultural well-being, while being compatible with the scale and intensity of development anticipated by the zone so as to contribute to the amenity of the neighbourhood.	Support	Providing for non-residential activities will provide for the community's social, economic and cultural well-being of the community and support the MDRS outcomes.	Retain existing wording.	2083.70
70.	(5) Development contributes to a high-quality built environment that is resilient to the effects of climate change.	Oppose	The term 'high-quality built environment' is open to subjectivity and will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete the proposed wording or reword to delete reference to high quality building.	2083.71
71.	(8) (Enable safer pedestrian movement within the immediate locality of higher density developments to ensure ease of pedestrian movement to the rapid transport stops.	Oppose	The policy addresses aspects of a site that are located outside the zone boundary. Chapter 27 Transportation addresses pedestrian safety for developments that adjoin the road.	Delete the proposed wording	2083.72
72.	(9) Development is enabled on sites subject to significant ecological areas where it provides for the protection and management of the significant ecological values.	Oppose	It is considered that effects of development on SEA are already suitably dealt with via Chapter D9 and E15. The inclusion in the zone is not necessary and undermines the existing AUP framework and the efficient use of land.	Delete the proposed wording	2083.73
H6.3. Policies					
73.	(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.	Support in part	Will generally give effect to the MDRS and the NPSUD	Retain proposed Policy	2083.74

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	(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.				
74.	(1) Enable a variety of housing types at high densities including terrace housing and low to mid-rise and higher rise apartments within walkable catchments and integrated residential development such as retirement villages.	Oppose in part	Additional wording proposed to recognise that some sites located outside the walkable catchment may still be suitable for additional intensity.	(1) Enable a variety of housing types at high densities including terrace housing and low to mid-rise and higher rise apartments within walkable catchments and integrated residential development such as retirement villages or where appropriate, having regard to the context of the site and the ability to provide additional housing choice in an area that is well served by a range of amenities, including public transport.	2083.75
75.	(2) Require the height, bulk, form and appearance of multi-unit development ~~and the provision of setbacks and landscaped areas~~ to achieve a high-quality built environment: (a) with a high-density urban built character of predominantly five, six or seven storey buildings in identified areas; and (b) through building and site design which locates bulk and mass towards the street and provides for setbacks, outlook spaces, private and communal outdoor spaces and landscaped areas~~., in a variety of forms.~~	Oppose	The term 'high-quality built environment' is open to subjectivity and will not be efficient or effective in achieving the outcomes sought by the MDRS standards. Additional wording proposed to recognise that some sites located outside the walkable catchment may still be suitable for additional intensity.	Reword the policy as follows: (2) Require the height, bulk, form and appearance of multi-unit development ~~and the provision of setbacks and landscaped areas~~ to achieve a reasonable ~~high~~-quality built environment: (a) with a high-density urban built character of predominantly five, six or seven storey buildings in identified areas or where appropriate, having regard to the context of the site and the ability to provide additional housing choice in an area that is well served by a range of amenities, including public transport.; and (b) through building and site design which locates bulk and mass towards the street and provides for setbacks, outlook spaces, private and communal outdoor spaces and landscaped areas~~., in a variety of forms.~~	2083.76
76.	(A4) 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 resident's' safety and privacy while enabling passive surveillance on the street; (c) minimising visual dominance effects on 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; (f) minimising the maximum impervious area on a site in order to manage 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; and (h) designing practical, sufficient space for residential waste management; and (i) designing practical, sufficient space for internal storage and living areas.	Oppose	The term 'high-quality built environment' is open to subjectivity and will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	(A4) Require development to achieve a ~~built~~ planned urban form that contributes to reasonable ~~high~~-quality built environment outcomes by: (a) maintaining a reasonable level of 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 on adjoining sites; (d) maintaining a reasonable 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; (f) minimising the maximum impervious area on a site in order to manage 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~~	2083.77

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
				~~climate change, by providing deep soil areas that enable the growth of canopy trees~~; and (h) designing practical, sufficient space for residential waste management; and (ii) designing practical, sufficient space for internal storage and living areas.	
77.	(4) In identified locations adjacent to centres, enable greater building height ~~through the~~ of five storey's outside walkable catchments, at least six storeys within walkable catchments and the application of the Height Variation Control where additional development potential is enabled and which: (a) provides an appropriate transition in building scale from the adjoining higher density business zone to neighbouring lower intensity residential zones, and; (b) supports public transport networks, social infrastructure and the vitality of the adjoining centre.	Support in part	Additional wording proposed to recognise that some sites located outside the walkable catchment may still be suitable for additional intensity.	(4) In identified locations adjacent to centres, enable greater building height ~~through the~~ of five storey's outside walkable catchments, at least six storeys within walkable catchments and the application of the Height Variation Control where additional development potential is enabled or where appropriate, having regard to the context of the site and the ability to provide additional housing choice in an area that is well served by a range of amenities, including public transport and which: (a) provides an appropriate transition in building scale from the adjoining higher density business zone to neighbouring lower intensity residential zones, and; (b) supports public transport networks, social infrastructure and the vitality of the adjoining centre.	2083.78
78.	(9) Provide for non-residential activities that: (a) support the social and economic well-being of the community; (b) are in keeping with the with the scale and intensity of development anticipated within the zone; (c) avoid, remedy or mitigate adverse effects on residential amenity; and (d) will not detract from the vitality of the Business – City Centre Zone, Business – Metropolitan Centre Zone and Business – Town Centre Zone.	Support	Providing small scale non-residential activities will support the social and economic wellbeing of the community	Retain the wording	2083.79
79.	(12) Require dwellings to be provided with access to safe and reliable drinking water and wastewater services.	Oppose	Infers that the quality of the drinking water is able to be influenced by the applicant. This is the responsibility of Watercare. Any wording should be similar to that already identified in the existing assessment criteria.	Delete the policy in its entirety.	2083.80
80.	(13) Require development of new dwellings in areas identified on the planning maps as subject to water, wastewater or stormwater infrastructure constraints, to be provided with appropriate infrastructure.	Oppose	Matters of infrastructure already addressed by Chapter E8 and assessment criteria.	Delete the policy in its entirety.	2083.81
81.	(14) Require development to contribute to safety improvements of the immediate urban road environment to achieve pedestrian connectivity to public transport.	Oppose	Requirement for the need for wider upgrades of the adjacent road network needs to be linked to an effect. The level of service within the existing road reserve is the responsibility of Auckland Transport. The development contributions already include a component for local transport upgrades.	Delete the policy in its entirety.	2083.82
82.	(15) Require buildings on sites subject to significant ecological areas to be of a scale that protects and maintains the significant ecological values of those	Oppose	It is considered that effects of development on SEA are already suitably dealt with via Chapter D9 and E15. The inclusion in the zone is not necessary and undermines the existing AUP framework and the efficient use of land.	Delete the policy in its entirety.	2083.83
H6.4 Activity Table					
83.	(A1) activities not provided for.	Oppose	It is considered activities not provided for should be DA as per Chapter C.	Amend A1 to be a Discretionary Activity	2083.84
84.	Commercial Activities	Oppose	In order to create sustainable local communities and in doing so support the intrinsic principle imbedded in the purposes of PC 78 there needs to be greater flexibility in the THAB provisions to enable a range of small-scale commercial activities to occur as permitted activities at ground level in residential developments in the walkable catchment of the THAB zone.	The submitter seeks that a wider range of commercial activities (at a small scale) are provided for in the walkable catchment of the THAB Zone as permitted activities. New Standards to be introduced to reflect the relief sought by the submitter to give effect to all commercial activities at ground level and/or street level up to 100m2 GFA per premises to be provided for as a Permitted	2083.85

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
				Activity in Table H6.4.1 with consequential amendments	
85.	**(A2A) <u>One dwelling per site subject to a Significant Ecological Area Overlay which complies with Standards E15.4.2(A29) and E15.6.5</u>**	Oppose	It is considered that effects of development on SEA are already suitably dealt with via Chapter D9 and E15. The inclusion in the zone is not necessary and undermines the existing AUP framework and the efficient use of land. Additional standards should not be added beyond the MDRS requirement. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Delete the activity from the table.	2083.86
86.	**<u>(A2B) Two or more dwellings per site subject to a Significant Ecological Area Overlay (refer to Vegetation management and biodiversity E15.4.2(A43) and E15.6.5)</u> <u>(A32B) New buildings and additions and alterations to buildings in a Significant Ecological Area Overlay which do not comply with H5.6.10(2) Building coverage.</u>**	Oppose	It is considered that effects of development on SEA are already suitably dealt with via Chapter D9 and E15. The inclusion in the zone is not necessary and undermines the existing AUP framework and the efficient use of land. Additional standards should not be added beyond the MDRS requirement for activity (A2B). The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Delete the activities from the table.	2083.87
87.	**Activity Table - Standards to be complied with (multiple activities)** <u>Standard H6.6.4A.(1) Number of dwellings per site; Standard H6.6.4B Dwellings within the Infrastructure – Combined Wastewater Network Control as identified on the planning maps; Standard H6.6.4C Dwellings within the Infrastructure – Stormwater Disposal Constraints Controls; Standard H6.6.5(1)(a) Building height; Standard H6.6.6(1) Height in relation to boundary; Standard H6.6.9 Yards; Standard H6.6.10(3) Maximum impervious area; Standard H6.6.11(2) Building coverage; Standard H6.6.12(A1), (A2) and (4) Landscaped area; Standard H6.6. 13(A1) Outlook space; Standard H6.6.15(A1) – (B1) Outdoor living space; Standard H6.6.19(1) Windows to street and private vehicle and pedestrian accessways; Standard H6.6.20 Deep soil area and canopy tree; Standard H6.6.21 Safety and privacy buffer to private pedestrian and vehicle accessways; and Standard H6.6.20 Residential waste management.</u>	Oppose	Additional standards beyond the MDRS are not required as directed by government. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Delete standards that are not identified within the MDRS.	2083.88
88.	**H6.5. Notification**	Oppose	Compliance should only be for the bulk and form and adjacent site amenity standards. Amend notification standard to make it clear that restricted discretionary matters such as earthworks, contamination, flood plains, and technical parking infringements do not remove the notification exclusions. The notification effects of these technical elements of an application will be considered in accordance with their restricted discretionary status.	Delete standards that are not identified within the MDRS. Amend the notification standard to make it clear that restricted discretionary matters such as earthworks, contamination, flood plains, and technical parking infringements do not remove the notification exclusions. In terms of notification, those effects outside the zone standards that form part of a bundled application will be considered in accordance with their particular restricted discretionary status and the associated matters for discretion for those consent matters.	2083.89
89.	**<u>H6.6.4B Dwellings within the Infrastructure – Combined Wastewater Network Control as identified on the planning maps</u>** <u>Purpose: to restrict development in any area served by a combined sewer network where public sewer separation has not occurred while enabling new dwellings where separation is in progress and the new dwelling can connect to a separated local stormwater pipe that is part of the public stormwater network.</u> <u>(1) A new dwelling in an area served by the combined sewer network must be able to connect to an existing separated local stormwater pipe that is part of the public stormwater network.</u>	Oppose	The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Delete standard.	2083.90
90.	**<u>H6.6.4C Dwellings within the Infrastructure - Stormwater Disposal Constraints Control</u>** <u>Purpose: to manage development in any area where stormwater disposal is constrained by the lack of any connection or ability to connect to a public stormwater network and where on-site soakage capacity is insufficient to ensure adequate provision for stormwater disposal from the site.</u> (1) <u>A new dwelling in an area identified as having no current connection to the public stormwater network and poor on-site soakage capacity must either be able to connect to the public stormwater network or provide sufficient stormwater disposal capacity on-site.</u>	Oppose	These effects are already managed by Chapter E8. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Delete standard.	2083.91

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
91.	**H6.6.6. Height in relation to boundary** ~~(b)~~ [Deleted] ~~sites within the Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or the Open Space – Community Zone:~~ ~~(i) that are greater than 2000m^2;~~ ~~(ii) where that part of the site in (i) is greater than 20 metres in width, when measured perpendicular to the shared boundary; and~~ ~~(iii) Where an open space comprises multiple sites but has a common open space zoning, the entire zone will be treated as a single site for the purpose of applying the standards listed below.~~ ~~(5)~~ [Deleted] ~~A gable end, dormer or roof may project beyond the recession plane where that portion beyond the recession plan is: (a) no greater than 1.5m2 in area and no greater than 1m in height; and (b) no greater than 2.5m cumulatively in length measured along the edge of the roof as shown in Figure H5.6.5.2 Exceptions for gable ends and dormers and roof projections below.~~ ~~(6) No more than two gable end, dormer or roof projections are allowed for every 6m length of site boundary.~~	Oppose	The exclusions should be retained, as they deal with minor protrusions and they are helpful on sloping sites. It is beneficial to provide activation to Open Space zones.	Retain the existing minor protrusion exclusions HIRB is excluded from applying where the site adjoins open space greater than 2,000m^2 in accordance with the current standard.	2083.92
92.	**H6.6.6. Height in relation to boundary** **Figure H6.6.6.1B Height in relation to boundary for four or more dwellings and any other development within walkable catchments**  	Support in part	Support new HIRB control within Walkable catchments. New HIRB will give effect to the NPS-UD. However, the recession plane standard for the first 21.5m of site from the frontage, and corresponding limitation applied for any part of the site, farther than 21.5m from the frontage of any site is not justifiable in respect to apartment building typologies, configurations/floor layouts and dimensions, also having regard to lot sizes and shapes. Based on design experience a 25m offset as applied to this standard is a more realistic and pragmatic method to achieve the intended outcomes of the THAB Zone.	Amend the proposed new HIRB standard of 19 metres and 60 degrees for the first 25 metres of the site.	2083.93
93.	**H6.6.11. Building coverage** (1) the maximum building coverage must not exceed 50 per cent of the net site area (2) On a site subject to a Significant Ecological Areas Overlay: (a) the maximum building coverage must not exceed 50 per cent of the net site area; and (b) building coverage must not be located in any area within 3m of vegetation within a significant ecological area, including following the alteration or removal of up to 300m2 of vegetation for a dwelling per site provided for under E15.3.2(A29) and E15.6.5; and (c) other than provided for in H5.6.10(2)(b), building coverage must not be located within a significant ecological area.	Oppose	In order to enable greater intensification, building coverage should be increased to 60% within the walkable catchment. It is considered that effects of development in proximity to an SEA are already suitably dealt with via Chapter D9 and E15. The inclusion is not necessary and undermines the existing AUP framework and the efficient use of land. The SEA proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Amend the proposed text changes. (1) the maximum building coverage must not exceed 50 per cent of the net site area outside the walkable catchment and 60% inside a walkable catchment. ~~(2) On a site subject to a Significant Ecological Areas Overlay:~~ ~~(a) the maximum building coverage must not exceed 50 per cent of the net site area; and~~ ~~(b) building coverage must not be located in any area within 3m of vegetation within a significant ecological area, including following the alteration or removal of up to 300m2 of vegetation for a dwelling per site provided for under E15.3.2(A29) and E15.6.5; and~~ ~~(c) other than provided for in H5.6.10(2)(b), building coverage must not be located within a significant ecological area.~~	2083.94
94.	**H6.6.12. Landscaped area**	Oppose	The standard wording should match the MDRS standard that applies for 1-3 dwellings. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards	Amend the proposed text changes to match the MDRS standard.	2083.95
95.	**H6.6.13. Outlook space**	Oppose	The proposed outlook space standard for four or more dwellings and in relation to buildings over 3 levels as set out in H6.6.13(2)(a)(ii) as proposed require an 8m outlook depth from main living spaces for dwellings at 4 levels and above. The new THAB Zone outlook standard will also introduce a test for where the outlook standard is applied, adding the 'external face of a balcony' where provided closer to an external boundary as the start point for outlook depth. In combination both of these amendments	In the THAB Zone, the relevant outlook standards should be amended so that the proposed residential dwellings main outlook area, for level 4 and above, should be for a 6m depth x 4m width and the depth (at whichever level it is applied) should be measured from the largest portion of glazing as opposed to from the edge of any balcony.	2083.96

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
			proposed to the THAB Zone outlook standard will unfairly alienate and impact on overall building design when considered in relation to lot size and shape variations across the Isthmus. While the intent of the prescription of the amendments to the outlook standards, is acknowledged, the actual application of the amended standards has not been justified by Auckland Council or tested with any basis on achieving good design outcomes, protecting amenity and/or any improvement in creating attractive streetscape. There is no evidential basis for shifting to an 8m outlook depth above 3 levels nor is there a sound rationale for testing this depth from the edge of a balcony as opposed to the main glazing from a living space. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS.		
96.	**H6.6.14. Daylight**	Oppose	It is not a method retained in the MDRS. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete the standard.	2083.97
97.	**H6.6.15. Outdoor living space**	Oppose	The addition of communal outdoor living space requirements is opposed. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Amend the proposed text changes to match the MDRS standard and delete the communal outdoor living space requirements.	2083.98
98.	**H6.6.19 Windows to street and private vehicle and pedestrian accessways** Development contained four or more dwellings and any other development must comply with the following: 2) Any dwelling, integrated residential development, supported residential care, boarding house and visitor accommodation facing the street or private vehicle accessway or private pedestrian accessway, must have a minimum of 20 per cent of the relevant façade in glazing. This can be in the form of windows or doors.	Oppose	Any additional text beyond MDRS wording should be captured via assessment criteria not as a standard.	Delete standard and rely on MDRS wording.	2083.99
99.	**H6.6.20 Deep soil area and canopy tree**	Oppose	It is not a method retained in the MDRS. The proposed standard will not be efficient or effective in achieving the outcomes sought by the MDRS standards. The proposed Deep Soil Area and Canopy Tree standards (and allied Special Information requirements) will result in disparate landscaping outcomes and do not foster sustainable landscape design solutions. The Deep Soil Area and Canopy Tree requirements as proposed are generic and do not reflect an understanding of landscaping and arboricultural/horticultural techniques and the different abilities of a range of canopy trees to exist successfully in varied conditions. Also using a formula relating the number of trees to site area is inappropriate as the number, size and location of trees is driven by building location and size, the shape of buildings and the location and spatial context of land areas available for plantings. The Deep Soil Area and Canopy Tree provisions are unnecessary and go to a level of detail that is better addressed through detailed landscape design which is already enshrined in the Plan provisions.	Delete the proposed new standard.	2083.100
100.	**H6.6.21 Safety and privacy buffer from private pedestrian and vehicle accessways** Purpose: to provide a reasonable standard of safety and privacy for ground floor dwellings located adjacent to pedestrian and vehicle accessways. (3) A minimum 1m buffer areas must be provided between a dwelling and private pedestrian and/or vehicle accessways as shown in Figure H5.6.19.1 Example of Deep soil area requirements and the relationship with Landscape area and the Safety and privacy buffer above. (4) The buffer area must be:	Oppose	It is not a method retained in the MDRS. This matter would be better placed as assessment criteria rather than as standards. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete the proposed new standard.	2083.101

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	(c) free of buildings, parking spaces, servicing and manoeuvring areas. (d) Planted with shrubs or ground cover plants.				
101.	**H6.6.22 Residential waste management**	Oppose	It is not a method retained in the MDRS. This matter would be better placed as assessment criteria rather than as standards. The new information requirement for a waste minimisation plan for 10+ dwellings is an additional cost that is not warranted and would not be monitored following grant of consent. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete the proposed new standard.	2083.102
102.	**H6 Residential – Terrace Housing and Apartment Buildings Zone - Assessment matters**	Oppose in part	SEA assessment criteria It is considered that effects of development in proximity to an SEA are already suitably dealt with via Chapter D9 and E15. The inclusion is not necessary and undermines the existing AUP framework and the efficient use of land. The pedestrian network This does not correspond to an effect from the activities identified in H5(1) on the wider adjacent network. The existing matters for discretion already include traffic and access (Chapter E27 Transportation). The development contributions already include a component for local transport upgrades. It is inequitable and inefficient to target one developer to upgrade infrastructure that will likely benefit a wider area. Reference to - deep soil within B; - introduction of interfaces with an identified special character area or a scheduled historic heritage place; and	Delete the proposed new assessment criteria	2083.103
103.	**H6.7. Assessment – controlled activities** ~~There are no controlled activities in this zone.~~ H6.7.1. Matters of control The Council will restrict its control to all of the following matters when assessing a controlled activity resource consent application: (1) For one dwelling per site subject to a Significant Ecological Area Overlay: (a) The extent to which the built development is designed to minimise or mitigate adverse effects on the ecological values of the relevant significant ecological area; (b) The location, bulk and scale of built development relative to the surrounding ecological values H6.7.2 Assessment criteria The Council will consider the assessment criteria below for controlled activities to the extent relevant to the proposal: (1) For one or more dwellings per site subject to a Significant Ecological Area Overlay: (a) refer to Policy H5.3(15)	Oppose	It is considered that effects of development in proximity to an SEA are already suitably dealt with via Chapter D9 and E15. The inclusion is not necessary and undermines the existing AUP framework and the efficient use of land.	Delete the proposed new assessment criteria	2083.104
104.	**H6.8. Assessment – restricted discretionary activities** H6.8.1. Matters of discretion The Council will restrict its discretion to all of the following matters when assessing a restricted discretionary activity resource consent application:	Oppose	This does not correspond to an effect from the activities identified in H5(1) on the wider adjacent network. The existing matters for discretion already include traffic and access (Chapter E27 Transportation).	Delete the proposed new assessment criteria	2083.105

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	(1) (c) the effects of the development on the safe access for pedestrians on the adjacent road network.		The development contributions already include a component for local transport upgrades. It is inequitable and inefficient to target one developer to upgrade infrastructure that will likely benefit a wider area.		
105.	**H6.8. Assessment – restricted discretionary activities** **H6.8.1. Matters of discretion** (2) for four or more dwellings per site: (a) the effects on the neighbourhood character, residential amenity, safety, and the surrounding residential area from all of the following: (i) building ~~intensity~~, scale and location, including: A. the way in which buildings are orientated to the street and adjoining sites, and B. the extent to which the height, roof form and design of buildings respond to the local streetscape and the planned urban built character of the surrounding area, (ia) building form and appearance including: A. use of built elements such as materials, surface and architectural detailing and roof design to create visual interest; B. use of deep soil and/or outdoor living areas, modulation, architectural features, windows, doors and breaks in building length to minimise bulk and visual dominance; C. whether design provides for the balance between resident's privacy and opportunities for passive surveillance; D. whether the design provides for privacy, and sunlight and daylight access for adjoining sites; E. the interface with an identified special character area or a scheduled historic heritage place; (ib) the extent to which the functional, day to day needs of residents are provided for in terms of: A. the size and dimensions of living areas relative to the likely occupancy levels of the dwellings; B. internal storage; C. residential waste management, including the kerbside and/or on-site capacity for residential waste management (ii) traffic; and (iii) location and design of ~~parking and~~ access (including pedestrian access) and parking (if provided). b) [deleted] ~~all of the following standards:~~ ~~(i) Standard H6.6.10 Maximum impervious areas;~~ ~~(ii) Standard H6.6.11 Building coverage;~~ ~~(iii) Standard H6.6.12 Landscaped area;~~ ~~(iv) Standard H6.6.13 Outlook space;~~ ~~(vi) Standard H6.6.14 Daylight;~~ ~~(vii) Standard H5.6.15 Outdoor living space;~~ ~~(vii) Standard H6.6.16 Front, side and rear fences and walls; and~~ ~~(viii) Standard H6.6.17 Minimum dwelling size~~ (c)~~I~~ the effects on infrastructure and servicing including: (i) Existing infrastructure capacity. (d) the effects of the development on the safe access for pedestrians on the adjacent road network.	Oppose in part	Oppose the inclusion of: - deep soil within B; - introduction of interfaces identified special character area or a scheduled historic heritage place; and - references to wider upgrades of the adjacent road network under (d) do not correspond to the quantum of effects from the activities this is triggered by i.e. 4 dwellings. There are already matters for pedestrian access under (iii). The development contributions already include a component for local transport upgrades. The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Delete the proposed new assessment criteria (ia) building form and appearance including: A. use of built elements such as materials, surface and architectural detailing and roof design to create visual interest; B. ~~use of deep soil and~~/or outdoor living areas, modulation, architectural features, windows, doors and breaks in building length to minimise bulk and visual dominance; C. whether design provides for the balance between resident's privacy and opportunities for passive surveillance; D. whether the design provides for privacy, and sunlight and daylight access for adjoining sites; ~~E. the interface with an identified special character area or a scheduled historic heritage place;~~ (ib) the extent to which the functional, day to day needs of residents are provided for in terms of: ~~A. the size and dimensions of living areas relative to the likely occupancy levels of the dwellings;~~ ~~B. internal storage;~~ C. residential waste management, including the kerbside and/or on-site capacity for residential waste management. … ~~(d) the effects of the development on the safe access for pedestrians on the adjacent road network.~~	2083.106
106.	**H6.8. Assessment – restricted discretionary activities** **H6.8.1. Matters of discretion** (3) for integrated residential development: (a) the effects on the neighbourhood character, residential amenity, safety, and the surrounding residential area from all of the following: (i) building ~~intensity,~~ scale, location, form and appearance including the extent to which buildings as viewed from the street or public places are designed to minimise visual dominance effects taking into account: A. the planned urban built character of the zone; B. the location, orientation and design of development; and C. the effect of the proposed height on the surrounding and neighbouring development. (ii) traffic;	Oppose	The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.	Amend the proposed new assessment criteria as follows: "C. the effect of the proposed additional height above the zone standards on the surrounding and neighbouring development." ~~(d) the effects of the development on the safe access for pedestrians on the adjacent road network.~~ ~~(d) the effects of the development on the safe access for pedestrians on the adjacent road network.~~	2083.107

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	(iii) location and design of parking and access (including pedestrian access) and parking (if provided); and (iv) noise, lighting and hours of operation. (b) [deleted] ~~all of the following standards:~~ ~~(i) Standard H6.6.10 Maximum impervious areas;~~ ~~(ii) Standard H6.6.11 Building coverage;~~ ~~(iii) Standard H6.6.12 Landscaped area;~~ ~~(iv) Standard H6.6.13 Outlook space;~~ ~~(v) Standard H6.6.14 Daylight;~~ ~~(vi) Standard H6.6.15 Outdoor living space;~~ ~~(viii) Standard H6.6.16 Front, side and rear fences and walls; and~~ ~~(ix) Standard H5.6.17 Minimum dwelling size.~~ (c) Infrastructure and servicing (d) the effects of the development on the safe access for pedestrians on the adjacent road network.				
107.	**H6.8. Assessment – restricted discretionary activities** **H6.8.1. Matters of discretion** (6) For more than one dwelling per site in areas identified on the planning maps as being subject to the Infrastructure –Combined Wastewater Network Control or the Infrastructure – Water and Wastewater Constraints Control. (a) Infrastructure and servicing. (7) For more than one dwelling per site in areas identified on the planning maps as being subject to the Infrastructure –Stormwater Disposal Constraints Control. (a) Stormwater disposal.	Oppose	These effects are already managed by Chapter E8 for 1 dwellings and additions and alternations to. **H5.8. Assessment – restricted discretionary activities** for four or more dwellings per site deals with infrastructure capacity.	Delete the proposed new assessment criteria	2083.108
108.	**H6.8.2. Assessment criteria** (1) for supported residential care accommodating greater than 10 people per site inclusive of staff and residents; boarding houses accommodating greater than 10 people per site inclusive of staff and residents; visitor accommodation accommodating greater than 10 people per site inclusive of staff and visitors; dairies up to 100m2 gross floor area per site; care centres accommodating greater than 10 people per site excluding staff; community facilities; and healthcare facilities up to 200m2 gross floor area per site: (a) infrastructure and servicing: (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. (b) building ~~intensity~~, scale, location, form and appearance: (i) whether the intensity and scale of the activity, the building location, form and appearance is of a high-quality and compatible with the character and residential amenity provided for within the zone and compatible with the surrounding residential area. (c) traffic: (i) whether the activity avoids or mitigates high levels of additional non-residential traffic on local roads. (d) location and design ~~of parking~~ and access (including pedestrian access) and parking (if provided): (i) whether adequate ~~parking and~~ access is provided or required. (ii) whether car parking and accessways are integrated into the overall design of the development (iii) whether parking is located away from street frontages and screened from the street by buildings or landscaping (iv) Whether safe, well-lit pedestrian access is provided and integrated into the design of the development. (e) noise, lighting and hours of operation: (i) whether noise and lighting and the hours of operation of the activity avoids, remedies or mitigates adverse effects on the residential amenity of surrounding properties, by: • locating noisy activities away from neighbouring residential boundaries; • screening or other design features; and • controlling the hours of operation and operational measures (f) Safe access and walkability of routes to frequent public transport:	Oppose in part	Support removal of 'intensity' though ensure remove from (1)(b)(i) for consistency. Remove requirement for off-site roading or pedestrian upgrades	Amend and retain text as identified in reasons for submission. ~~(f) Safe access and walkability of routes to frequent public transport:~~ ~~(i) the extent to which the immediate urban road environment allows for safe pedestrian movement from the development to the nearest frequent public transport stop (refer to the Regional Public Transport Plan) by a combination of the following:~~ ~~• Footpaths of at least 1.8m in width;~~ ~~• Facilities to safely and conveniently cross the road including pram crossings, and tactile paving;~~ ~~• Narrowed pedestrian crossing distances of vehicle carriageways;~~ ~~• Front berms to separate pedestrians from traffic; and~~ ~~• Other traffic management measures as relevant to improve the safety of pedestrians.~~	2083.109

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:
	(i) the extent to which the immediate urban road environment allows for safe pedestrian movement from the development to the nearest frequent public transport stop (refer to the Regional Public Transport Plan) by a combination of the following: • Footpaths of at least 1.8m in width; • Facilities to safely and conveniently cross the road including pram crossings, and tactile paving; • Narrowed pedestrian crossing distances of vehicle carriageways; • Front berms to separate pedestrians from traffic; and • Other traffic management measures as relevant to improve the safety of pedestrians.			
109.	**H6.8.2. Assessment criteria** The Council will consider the assessment criteria below for restricted discretionary activities to the extent relevant to the proposal: (2) for four or more dwellings on a site: (a) the extent to which ~~or whether~~ the development achieves the purpose outlined in the ~~following~~ relevant standards specifies and identified in Table 6.4.1 or what alternatives are provided that result in the same or a better outcome.~~:~~ (i) [deleted]~~Standard H6.6.10 Maximum impervious areas;~~ (ii) [deleted]~~Standard H6.6.11 Building coverage;~~ (iii) [deleted]~~Standard H6.6.12 Landscaped area;~~ (iv) [deleted]~~Standard H6.6.13 Outlook space;~~ (v) [deleted]~~Standard H6.6.14 Daylight;~~ (vi) [deleted]~~Standard H6.6.15 Outdoor living space;~~ (vii) [deleted]~~Standard H6.6.16 Front, side and rear fences and walls; and~~ (viii) [deleted]~~Standard H6.6.17 Minimum dwelling size.~~ (aa) the extent to which the scale of the activity, the building location, form and appearance is of a high-quality and compatible with the planned urban built character and residential amenity of the surrounding residential area provided for within the zone. (ab) the extent to which buildings are designed to manage building length and bulk and visual dominance by: (i) placing taller buildings on the street front (ii) varying roof form and building height (iii) using modulation and architectural features to break up the mass of buildings into visually distinct elements (iv) using the proportions and arrangement of windows and doors to provide relief to building length and bulk (v) using other building elements including materials, surface detailing, architectural detail and roof design to provide visual interest along building facades including blank side/party walls (vi) providing adequate breaks in long continuous buildings to minimise the appearance of length (vii) locating deep soil areas and/or communal outdoor spaces around and between buildings to provide space and soften the built form (viii) designing balconies as an integral part of the building (ac) the extent to which buildings use quality, durable and easily maintainable materials. (ad) the extent to which buildings adjoining or across the street from an identified special character area or a scheduled historic heritage place are designed to respect the prevailing character of the area or key historic heritage design and location elements of that place. New and contemporary interpretations in form and detail may be used. (ae) the extent to which building frontage contribute positively to the visual amenity and safety of public streets, public open spaces, and private vehicle and pedestrian accessways by: (i) having clearly defined fronts that provide passive surveillance from windows and balconies . (ii) maximising doors, windows and balconies over all levels on the front façades whilst not impacting on privacy. (iii) maximising the number of dwellings on the site that directly front, align and orientate to public streets . ground level dwellings closest to the street each have direct and clearly defined pedestrian access from the street in preference to a single building entrance. (iv) where a site adjoins public open space, buildings include entrances, windows of habitable rooms and balconies facing the open space. (af) the extent to which site layout creates legible, visible attractive, safe and well-lit connections between dwellings and the street. .... (h) infrastructure and servicing: (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. (i) The extent to which the adjacent road network enables safe pedestrian movements. ... (m) Safe access and walkability of routes to frequent public transport:	Oppose in part	Oppose the references to: - Deep soil and communal open space in (ab)(vii) and (fe). - References to the need for wider upgrades of the adjacent road network under (d) and (gd). For the latter it is not considered that the quantum of effects corresponds to the activities it triggers. There are already matters for pedestrian access under (iii). The development contributions already include a component for local transport upgrades. - The additional assessment criteria under (ad) for the interface with an identified special character area or a scheduled historic heritage place is not considered an effective method nor warranted by an effect. The use of "quality, durable and easily maintainable materials" is a matter for the Building Act	Delete the relevant assessment criteria wording as noted: (aa) the extent to which the scale of the activity, the building location, form and appearance ~~is of a high-quality and~~ compatible with the planned urban built character and residential amenity of the surrounding residential area provided for within the zone. ... (ab) ~~(vii) locating deep soil areas and/or communal outdoor spaces around and between buildings to provide space and soften the built form~~ ... ~~(ac) the extent to which buildings use quality, durable and easily maintainable materials.~~ ~~(ad) the extent to which buildings adjoining or across the street from an identified special character area or a scheduled historic heritage place are designed to respect the prevailing character of the area or key historic heritage design and location elements of that place. New and contemporary interpretations in form and detail may be used.~~ ... ~~(i) The extent to which the adjacent road network enables safe pedestrian movements.~~ ~~(m) Safe access and walkability of routes to frequent public transport:~~ ~~(i) the extent to which the immediate urban road environment allows for safe pedestrian movement from the development to the nearest frequent public transport stop (refer to the Regional Public Transport Plan) by a combination of the following:~~ ~~• Footpaths of at least 1.8m in width;~~ ~~• Facilities to safely and conveniently cross the road including pram crossings, and tactile paving;~~ ~~• Narrowed pedestrian crossing distances of vehicle carriageways;~~ ~~• Front berms to separate pedestrians from traffic; and~~ ~~• Other traffic management measures as relevant to improve the safety of pedestrians.~~

2083.110

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	(i) the extent to which the immediate urban road environment allows for safe pedestrian movement from the development to the nearest frequent public transport stop (refer to the Regional Public Transport Plan) by a combination of the following: • Footpaths of at least 1.8m in width; • Facilities to safely and conveniently cross the road including pram crossings, and tactile paving; • Narrowed pedestrian crossing distances of vehicle carriageways; • Front berms to separate pedestrians from traffic; and • Other traffic management measures as relevant to improve the safety of pedestrians.				
110.	**H6.8.2. Assessment criteria** (3) for integrated residential development: … (l) Safe access and walkability of routes to frequent public transport: (i) the extent to which the immediate urban road environment allows for safe pedestrian movement from the development to the nearest frequent public transport stop (refer to the Regional Public Transport Plan) by a combination of the following: • Footpaths of at least 1.8m in width; • Facilities to safely and conveniently cross the road including pram crossings, and tactile paving; • Narrowed pedestrian crossing distances of vehicle carriageways; • Front berms to separate pedestrians from traffic; and • Other traffic management measures as relevant to improve the safety of pedestrians.	Oppose in part	Oppose the references to: - deep soil and communal open space in 3(g). - references to the need for wider upgrades of the adjacent road network under (l). It is not considered that the quantum of effects corresponds to the activities it triggers. The level of service within the existing road reserve is the responsibility of Auckland Transport. The development contributions already include a component for local transport upgrades. - Infrastructure provision is already included within existing assessment criteria (k) the cross reference under 3(jb) is unnecessary.	Delete the relevant assessment criteria. ~~(l) Safe access and walkability of routes to frequent public transport:~~ ~~(i) the extent to which the immediate urban road environment allows for safe pedestrian movement from the development to the nearest frequent public transport stop (refer to the Regional Public Transport Plan) by a combination of the following:~~ ~~• Footpaths of at least 1.8m in width;~~ ~~• Facilities to safely and conveniently cross the road including pram crossings, and tactile paving;~~ ~~• Narrowed pedestrian crossing distances of vehicle carriageways;~~ ~~• Front berms to separate pedestrians from traffic; and~~ ~~• Other traffic management measures as relevant to improve the safety of pedestrians.~~	2083.111
111.	**H6.8.2. Assessment criteria** (5) for building height: (aa) refer to Policy H6.3(1); (ba) refer to Policy H6.3(B1); (ca) refer to Policy H6.3(E1); (da) refer to Policy H6.3(6A); (a) ~~refer to Policy H6.3(2~~); (b) ~~refer to Policy H6.3(4).;~~ and **Visual dominance** (f) 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: (i) the planned urban built character of the zone; and (ii) the location, orientation and design of development. (iii) the effect of the proposed height on the surrounding and neighbouring development.	Oppose in part	Consideration of the effect of the proposed height on the surrounding and neighbouring development should only be required in terms of additional height over and above the zone standard.	Amend the proposed new assessment criteria to refer to: "iii. the effect of the proposed additional height above the zone standards on the surrounding and neighbouring development."	2083.112
112.	**H6.8.2. Assessment criteria** (6) for height in relation to boundary:	Oppose in part	Consideration of the effect of the proposed height in relation to boundary infringement on the surrounding and neighbouring development should only be required in terms of additional bulk over and above the zone standard.	Amend the proposed new assessment criteria to refer to additional HIRB infringements over the standard.	2083.113
113.	**H6.8.2. Assessment criteria** (12) for landscaped area: (e) the extent to which existing trees are retained; and	Oppose	The are no general tree protection controls.	Delete the additional assessment criteria.	2083.114
114.	**H6.8.2. Assessment criteria** (15) for outdoor living space: … (f) The extent to which dwellings provide private open space and communal open space that is useable, accessible from each dwelling and attractive for occupants.	Oppose in part	The inclusion of 'communal' open space is unnecessary with the private open space requirements sufficient. The provision for wider public open space is the responsibility of Council not developers. A specific open space development contribution is already payable for each dwelling.	Deletion of this text. (f) The extent to which dwellings provide private open space ~~and communal open space~~ that is useable, and accessible from each dwelling ~~and attractive~~ for occupants.	2083.115

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
			The use of the term attractive can be ambiguous and open to interpretation.		
115.	**H6.8.2. Assessment criteria** (15A) For windows to street and private vehicle and pedestrian accessways (a) refer to Policy H6.3(C1) (a) refer to Policy H6.3(6A); and (b) The extent to which the glazing: (i) allows views to the street and/or accessways to ensure passive surveillance; and (ii) provides a good standard of privacy for occupants.	Oppose in part	The text highlighted goes beyond MDRS in terms of referencing private vehicle and pedestrian accessways.	Deletion of the following text. H6.8.2. Assessment criteria (15A) For windows to street ~~and private vehicle and pedestrian accessways~~ (a) refer to Policy H5.3(C1) (b) refer to Policy H5.3(6A); and (c) The extent to which the glazing: (i) allows views to the street ~~and/or accessways~~ to ensure passive surveillance; and (ii) provides a good standard of privacy for occupants.	2083.116
116.	**H6.8.2. Assessment criteria** (18) for deep soil area and canopy tree (a) refer to Policy H5.3(6A); (b) The extent to which the proposed deep soil area uses or adds to existing deep soil areas to support canopy trees; and	Oppose	It is not a method retained in the MDRS. It is not efficient use of land and is neither effective or efficient.	Delete assessment entire criteria.	2083.117
117.	**H6.8.2. Assessment criteria** (19) for safety and privacy buffer from private pedestrian and vehicle accessways: (a) refer to Policy H5.3(6A); and (b) the extent to which the buffer is: (i) free of buildings, parking spaces, structures, servicing facilities and manoeuvring areas; (ii) planted with suitable and low level plants.	Oppose	It is not a method retained in the MDRS. This matter would be better placed as assessment criteria rather than as standards.	Delete entire assessment criteria.	2083.118
118.	**H6.8.2. Assessment criteria** (20) For residential waste management: (a) refer to Policy H6.3(A4) (b) refer to Policy H6.3(6A); (c) refer to Policy H6.3(10); (d) The extent to which sufficient space is provided for residential waste management that is suitably located for ease of movement to collection points; (e) The extent to which the waste management area is designed to minimise visibility; (f) How the development intends to ensure the on-going management and maintenance of any communal residential waste management area; (g) Whether waste storage areas are located outside windows or doors to bedrooms, living areas and outdoor living areas to avoid effects of odour and noise; and (h) Whether waste management vehicle can safely undertake collection.	Oppose in part	Consideration of matters related to waste should be included in the assessment criteria for 4+ dwellings and integrated residential development.	Delete section (20) and move necessary criteria to H6.8.2. (1), (2) and (3).	2083.119
119.	**H6.8.2. Assessment criteria** (21) For more than one dwelling per site in areas identified on the planning maps as being subject to the Infrastructure – Combined Wastewater Network Control or the Infrastructure – Water and Wastewater Constraints Control: (a) Whether there is adequate capacity in the existing public reticulated water supply and / or wastewater network to service the proposed dwelling(s). (b) Whether sufficient water supply and access to water supplies for firefighting purposes in accordance with the NZ Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 is available. (c) Whether there is the ability to connect the dwelling(s) to a reticulated water supply and / or wastewater network in the future.	Oppose	These effects are already managed by Chapter E8 and the assessment criteria under H5.8.2.(1), (2) and (3).	Delete proposed text.	2083.120
H5.9. Special information requirements					
120.	**Landscaped Plan as required by H6.6.12 Landscape area** (1) A scaled landscape plan must be provided that contains landscaped areas and includes: (a) Plant and tree species, number of each species to be planted and planting grades; (b) Canopy of existing trees to be retained; (c) Any area of grass; and (d) Any paths included in landscaped area.	Oppose	Chapter C1.2.(1) addresses this matter already - no need for a specific information requirement.	Delete proposed text.	2083.121

<table>
<tr><th></th><th>Issue / Provision</th><th>Position (Support / Oppose)</th><th>Reasons for submission</th><th>Relief sought:</th></tr>
<tr><td></td><td></td><td></td><td></td><td></td></tr>
<tr><td>121.</td><td><u>Deep Soil Area and Canopy Tree</u>

<u>(2) The deep soil area provided must be demonstrated on a scaled landscape plan that at a minimum identifies the following:</u>

<u>(a) plant and tree species, number of each species to be planted and planting grades;</u>
<u>(b) location of existing trees to be retained;</u>
<u>(c) dimensions of individual mature tree canopy;</u>
<u>(d) any areas of grass; and</u>
<u>(e) Minimum tree canopy dimensions are specified in Table H5.9(3) below.</u>

<u>Table H5.9(3) Minimum tree canopy dimension</u>

<table><tr><th></th><th>Minimum mature tree height</th><th>Minimum mature canopy diameter</th><th>Minimum tree height above ground when planted</th><th>Indicative tree planting grade</th></tr><tr><td>Small</td><td>8m</td><td>6m</td><td>2m</td><td>120L</td></tr><tr><td>Medium</td><td>10m</td><td>8m</td><td>2.5m</td><td>160L</td></tr><tr><td>Large</td><td>15m</td><td>12m</td><td>3m</td><td>200L</td></tr></table></td><td>Oppose</td><td>It is not a method retained in the MDRS.

It is not efficient use of land, and is neither effective or efficient.</td><td>Delete proposed text.</td></tr>
<tr><td>122.</td><td>Residential waste management

<u>(3) Applications for where communal bins are proposed, must include calculations for required storage space as determined using the Auckland Council’s Solid Waste Calculator (Standard H5.6.21(1)(b)).</u>

<u>(4) When preparing the waste management and minimisation plan, applicants should refer to the Waste Management and Minimisation Bylaw 2019. The following information must be provided at a minimum:</u>

<u>a) the estimate of the volume of waste by the type of waste created, collected, received, stored or disposed of;</u>

<u>b) the frequency, location, access and on-site route of waste collection or transportation; and</u>

<u>c) the method of waste collection, transportation or disposal.</u></td><td>Neutral</td><td>Needs to be clear that provisions are only related to communal collection.</td><td>Clarify that this is only related to communal collection.</td></tr>
<tr><td></td><td>H8. Business – City Centre Zone</td><td></td><td></td><td></td></tr>
<tr><td>123.</td><td><u>H8.6.10. [Deleted]</u> ~~Basic floor area ratio~~</td><td>Support</td><td>Will give effect to NPS-UD</td><td>Confirm deletion of standard</td></tr>
<tr><td>124.</td><td><u>H8.6.12. [Deleted]</u> ~~Bonus floor area ratio – light and outlook~~</td><td>Support</td><td>Will give effect to NPS-UD</td><td>Confirm deletion of standard</td></tr>
<tr><td>125.</td><td><u>H8.6.13. [Deleted]</u> ~~Bonus floor area - use or transfer of historic heritage and special character floor space bonus~~</td><td>Support</td><td>Will give effect to NPS-UD</td><td>Confirm deletion of standard</td></tr>
<tr><td>126.</td><td><u>H8.6.14. [Deleted]</u> ~~Bonus floor area - securing historic heritage and special character floor space bonus~~</td><td>Support</td><td>Will give effect to NPS-UD</td><td>Confirm deletion of standard</td></tr>
<tr><td>127.</td><td><u>H8.6.15. [Deleted]</u> ~~Bonus floor area - bonus floor space calculation for scheduled heritage buildings~~</td><td>Support</td><td>Will give effect to NPS-UD</td><td>Confirm deletion of standard</td></tr>
<tr><td>128.</td><td><u>H8.6.16. [Deleted]</u> ~~Bonus floor area - bonus floor space calculation for identified special character buildings~~</td><td>Support</td><td>Will give effect to NPS-UD</td><td>Confirm deletion of standard</td></tr>
<tr><td>129.</td><td><u>H8.6.17. [Deleted]</u> ~~Bonus floor area - public open space~~</td><td>Support</td><td>Will give effect to NPS-UD</td><td>Confirm deletion of standard</td></tr>
<tr><td>130.</td><td><u>H8.6.18. [Deleted]</u> ~~Bonus floor area - through site link~~</td><td>Support</td><td>Will give effect to NPS-UD</td><td>Confirm deletion of standard</td></tr>
<tr><td>131.</td><td><u>H8.6.19. [Deleted]</u> ~~Bonus floor area - through site links through identified blocks~~</td><td>Support</td><td>Will give effect to NPS-UD</td><td>Confirm deletion of standard</td></tr>
<tr><td>132.</td><td><u>H8.6.20. [Deleted]</u> ~~Bonus floor area - works of art~~</td><td>Support</td><td>Will give effect to NPS-UD</td><td>Confirm deletion of standard</td></tr>
<tr><td>133.</td><td><u>H8.6.21. [Deleted]</u> ~~Maximum total floor area ratio~~</td><td>Support</td><td>Will give effect to NPS-UD</td><td>Confirm deletion of standard</td></tr>
<tr><td>134.</td><td><u>Chapter H8. City Centre H8.6.24. Maximum tower dimension, setback from the street and tower separation in special height area (shown on Map H8.11.3) Chapter H8.6.24A Maximum east-west tower dimension and Chapter H8.6.25. Building frontage alignment and height and Chapter H8.6.25A Building setback from boundaries.</u></td><td>Oppose</td><td>The submitter is concerned that the proposed suite of tower standards have not be tested to ensure that they do not act as a defacto FAR or height restriction for the City Centre Zone.

The submitter is concerned that the proposed new standards fail to recognise gradient and solar orientation of the street frontages. The submitter considers that if the term ‘human scale’ is to be used, it should have a measurable and consistent benchmark. Changing this term based on the height of a street is considered arbitrary and it will compromise use of a site.

The submitter is concerned that the proposed requirement to manage development to “Ensure</td><td>That Chapter H8. City Centre H8.6.24. Maximum tower dimension, setback from the street and tower separation in special height area (shown on Map H8.11.3), Chapter H8.6.24A Maximum east-west tower dimension, Chapter H8.6.25. Building frontage alignment and height and Chapter H8.6.25A Building setback from boundaries are all deleted and the tower standards revert to the operative AUP standards.</td></tr>
</table>

2083.122

2083.123

2083.124

2083.125

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
			adequate sun*light,* ***daylight****, and outlook around buildings"* will be very difficult to meet given the high intensity nature of the Centre zone. At the very least the provisions should allow for ***adequate sun****light,* ***or daylight***. This is to recognise the fact that not all buildings in the City Centre zone will get direct sun. The proposed 6% height setback is arbitrary and is considered irrelevant and also creates a de facto FAR control. As height increases, so do the side setbacks around the building and its max tower dimension, which requires a larger site. In this respect, the rule actually also creates a de fact maximum height restriction. It is considered that the degree of setbacks proposed has not been appropriately justified and should be reduced. The submitter opposes the East West Tower dimension for similar reasons. Overall, the submitter considers that the proposed Plan Change provisions should revert back to the operative tower controls until such time as further modelling and analysis has been completed to determine suitability of these tower controls. This is to ensure that do not unduly restrict sites in the City Centre Zone from being developed to the maximum extent possible as directed by the NPS-UD.		
135.	H8.6.34. Through-site links.	Oppose	The submitter is concerned that application of this standard is not clear. This standards applies to through site link shown on Map H8.11.9 but applies to any though site link, even if not identified on the map. It is unclear how and when this standard will be applied to sites. Given the uncertainty of this rule, it is considered that the rule should either be deleted or clarified. It is considered that it would be more appropriate to include consideration of the need for a through-site link as an assessment criteria when considering new buildings.	Chapter H8. City Centre H8.6.34. Through Site Links is deleted and replaced with assessment criteria for new buildings	2083.126
	H9. Business – Metropolitan Centre Zone				
136.	**H9.6.1. Building height** Purpose: • manage the effects of building height; • manage shadowing effects of building height on public open space, excluding streets; • manage visual dominance effects; • enable greater height in areas identified for intensification including within walkable catchments; and • provide for variations to the standard zone height through the Height Variation Control, to recognise the character and amenity of particular areas and provide a transition in building scale to lower density zones. (1) Buildings must not exceed 72.5m, unless otherwise specified in the Height Variation Control on the planning maps. (2) If the site is subject to the Height Variation Control, buildings must not exceed the height in metres, as shown in Table H9.6.1.1 below and for the site on the planning maps. (3) Any part of a building greater than the occupiable building height is to be used only for roof form, roof terraces, plant and other mechanical and electrical equipment.	Support in Part	It is considered appropriate to provide for unlimited height within the Metropolitan Centre The proposed HIRB controls will manage the effects at the edge of the Metropolitan Centre. Increasing the maximum building height is in line with the Policy directives of the NPS UD, Policy 3(c), which states that areas located within the walkable catchment must enable building heights of at least 6 storeys within the Metropolitan Centre. While the zone provides for 72.5 metres, there is no reason why the zone cannot facilitate even taller buildings. It is noted that some parts of the Metropolitan Centres are subject to the Volcanic Cone overlays or other height overlays. These are qualifying matters that would remain in place and would provide an additional height overlay that would continue to apply to the Metropolitan Centre. Outside of these areas, it is considered appropriate to maximise the height opportunities within the Metropolitan Centre Zone. It is noted that all new buildings are subject to a resource consent requirement to ensure that buildings are designed to a high standard, which enhances the quality of streets within the area and public open spaces.	Amend H9.6.1. Building height to provide for unlimited height within the Metropolitan Centre Zone.	2083.127

<table>
<tr><th></th><th>Issue / Provision</th><th>Position (Support / Oppose)</th><th>Reasons for submission</th><th>Relief sought:</th></tr>
<tr><td>137.</td><td>H11.6.1. Building height in relation to boundary</td><td>Support in part</td><td>The submitter supports the 19metre, plus 60 degree HIRB control</td><td>Retain the 19metre, plus 60 degree HIRB control.</td></tr>
<tr><td></td><td>H10. Business – Town Centre Zone</td><td></td><td></td><td></td></tr>
<tr><td>138.</td><td>H10.6.1. Building height
Purpose:
• manage the effects of building height;
• manage shadowing effects of building height on public open space, excluding streets;
• manage visual dominance effects;
• allow an occupiable height component to the height limit, and an additional height for roof forms that enables design flexibility, to provide variation and interest in building form when viewed from the street;
• enable greater height in areas identified for intensification including within walkable catchments; and
• provide for variations to the standard zone height through the Height Variation Control, to recognise the character and amenity of particular areas, including Special Character Areas – Business, and provide a transition in building scale to lower density zones

(1) Buildings must not exceed the height in metres as shown in Table H10.6.1.1 below for sites subject to the Height Variation Control on the planning maps.

(1A) In walkable catchments, buildings must not exceed 21m (6 storeys) in height, unless otherwise specified in the Height Variation Control on the planning maps.

(2) Any part of a building greater than the occupiable building height is to be used only for roof form, roof terraces, plant and other mechanical and electrical equipment.</td><td>Support in Part</td><td>It is considered appropriate to provide for greater height within the Town Centre Zones

The proposed HIRB controls will manage the effect at the edge of the Town Centre Zones.

Increasing the maximum building height is in line with the Policy directives of the NPS UD, Policy 3(c), which states that areas located within the walkable catchment must enable building heights of at least 6 storeys within the Town Centre Zones

While the zone provides for a range of heights, it is considered that the Town Centre Zones can facilitate even taller buildings.

It is noted that some parts of these Town Centre Zones are subject to the Volcanic Cone overlays or other height overlays. These are qualifying matters that would remain in place and would provide an additional height overlay that would continue to apply to the Town Centre Zones. Outside of these areas, it is considered appropriate to maximise the height opportunities within the Town Centre Zones

It is noted that all new buildings are subject to a resource consent requirement to ensure that buildings are designed to a high standard, which enhances the quality of streets within the area and public open spaces</td><td>Amend H10.6.1. Building height to provide for a height of 32.5 metres within all Town Centre Zones.</td></tr>
<tr><td>139.</td><td>H10.6.2. Building height in relation to boundary</td><td>Support</td><td>The submitter supports the 19 metre, plus 60 degree HIRB control as this will give effect to the NPS-UD</td><td>Retain the 19 metres, plus 60 degree HIRB control.</td></tr>
<tr><td></td><td>H11. Business – Local Centre Zone</td><td></td><td></td><td></td></tr>
<tr><td>140.</td><td>H11.6.1. Building height
Purpose:
• manage the effects of building height;
• manage shadowing effects of building height on public open space, excluding streets;
• manage visual dominance effects;
• allow an occupiable height component to the height limit, and an additional height for roof forms that enables design flexibility, to provide variation and interest in building form when viewed from the street;
• enable greater height in areas identified for intensification including within walkable catchments; and
• provide for variations to the standard zone height through the Height Variation Control, to recognise the character and amenity of particular areas, including Special Character Areas – Business, and provide a transition in building scale to lower density zones.

(1) Buildings must not exceed the height in metres specified in Table H11.6.1.1, unless otherwise specified in the Height Variation Control on the planning maps.

Table H11.6.1.1 Building height
<table><tr><th>Location</th><th>Occupiable building height</th><th>Height for roof form</th><th>Total building height</th></tr><tr><td>Buildings outside a walkable catchment</td><td>16m</td><td>2m</td><td>18m</td></tr><tr><td>Buildings in a walkable catchment</td><td>NA</td><td>NA</td><td>21m (6 storeys)</td></tr></table></td><td>Support in Part</td><td>It is considered appropriate to provide for greater height within the Local Centre Zones

The proposed HIRB controls will manage the effect at the edge of the Local Centre Zones.

Increasing the maximum building height is in line with the Policy directives of the NPS UD, Policy 3(c), which states that areas located within the walkable catchment must enable building heights of at least 6 storeys within the Local Centre Zones

While the zone provides for a range of heights, it is considered that that Local Centre Zones can facilitate even taller buildings.

It is noted that some parts of these Local Centre Zones are subject to the Volcanic Cone overlays or other height overlays. These are qualifying matters that would remain in place and would provide an additional height overlay that would continue to apply to the Local Centre Zones. Outside of these areas, it is considered appropriate to maximise the height opportunities within the Local Centre Zones

It is noted that all new buildings are subject to a resource consent requirement to ensure that buildings are designed to a high standard, which enhances the quality of streets within the area and public open spaces</td><td>Amend H10.6.1. Building height to provide for a height of 24 metres within all Local Centre Zones.</td></tr>
<tr><td>141.</td><td>H11.6.2. Building height in relation to boundary</td><td>Support</td><td>The submitter supports the 19 metre, plus 60 degree HIRB control as this will give effect to the NPS-UD</td><td>Retain the 19 metres, plus 60 degree HIRB control.</td></tr>
<tr><td>142.</td><td>Local Centre Zone Walkable Catchment
The walkable catchment for Local Centres is set at 200 metres.</td><td>Oppose</td><td>The walkable catchment for Local Centres is set at 200 metres. This is considered to be very restricted and limits</td><td>Increase the walkable catchment of the Local Centres Zone to 400 metres and up zone those sites</td></tr>
</table>

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2083.129

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2083.131

2083.132

2083.133

<table>
<tr><th></th><th>Issue / Provision</th><th>Position (Support / Oppose)</th><th>Reasons for submission</th><th>Relief sought:</th></tr>
<tr><td></td><td></td><td></td><td>the opportunities for further intensification around areas that generally have good access to a range of amenities.</td><td>within the walkable catchment to provide for at least six storeys.</td></tr>
<tr><td></td><td>H12 Business – Neighbourhood Centre Zone</td><td></td><td></td><td></td></tr>
<tr><td>143.</td><td>H12.6.2. Building height in relation to boundary</td><td>Support</td><td>The submitter supports the 19 metre, plus 60 degree HIRB control as this will give effect to the NPS-UD</td><td>Retain the 19 metre, plus 60 degree HIRB control.</td></tr>
<tr><td></td><td>H13. Business – Mixed Use Zone</td><td></td><td></td><td></td></tr>
<tr><td>144.</td><td>H13.6.1. Building height
Purpose:
• manage the effects of building height;
• manage shadowing effects of building height on public open space, excluding streets;
• manage visual dominance effects;
• allow an occupiable height component to the height limit, and an additional height for roof forms that enables design flexibility, to provide variation and interest in building form when viewed from the street;
• enable greater height in areas identified for intensification <u>including within walkable catchments, unless a qualifying matter applies</u>; and
• provide for variations to the standard zone height through the Height Variation Control, to recognise the character and amenity of particular areas and provide a transition in building scale to lower density zones.
(1) Buildings must not exceed the height in metres specified in Table H13.6.1.1 below, unless otherwise specified in the Height Variation Control on the planning maps.
Table H13.6.1.1 Building height
<table><tr><th><u>Location</u></th><th>Occupiable building height</th><th>Height for roof form</th><th>Total building height</th></tr><tr><td><u>Buildings outside a walkable catchment</u></td><td>16m</td><td>2m</td><td>18m</td></tr><tr><td><u>Buildings in a walkable catchment</u></td><td><u>NA</u></td><td><u>NA</u></td><td><u>21m (6 storeys)</u></td></tr></table></td><td>Support in Part</td><td>It is considered appropriate to provide for greater height within the Mixed Use

The proposed HIRB controls will manage the effect at the edge of the Mixed Use Zones

Increasing the maximum building height is in line with the Policy directives of the NPS UD, Policy 3(c), which states that areas located within the walkable catchment must enable building heights of at least 6 storeys within the Mixed Use Zones

While the zone provides for a range of heights, it is considered that that Mixed Use Zones can facilitate even taller buildings.

It is noted that some parts of these Mixed Use Zones are subject to the Volcanic Cone overlays or other height overlays. These are qualifying matters that would remain in place and would provide an additional height overlay that would continue to apply to the Mixed Use Zones. Outside of these areas, it is considered appropriate to maximise the height opportunities within the Mixed Use Zones

It is noted that all new buildings are subject to a resource consent requirement to ensure that buildings are designed to a high standard, which enhances the quality of streets within the area and public open spaces</td><td>Amend H10.6.1. Building height to provide for a height of 24 metres within <u>all</u> Mixed Use Zones.</td></tr>
<tr><td>145.</td><td>H13.6.2. Building height in relation to boundary</td><td>Support</td><td>The submitter supports the 19 metre, plus 60 degree HIRB control as this will give effect to the NPS-UD</td><td>Retain the 19 metre, plus 60 degree HIRB control.</td></tr>
<tr><td></td><td>J1 Definitions</td><td></td><td></td><td></td></tr>
<tr><td>146.</td><td><u>Canopy tree</u>
<u>A tree that that has a minimum mature height of 8 metres and canopy diameter of 6 metres.</u></td><td>Oppose</td><td>The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.</td><td>Delete the definition</td></tr>
<tr><td>147.</td><td><u>Deep soil area</u>
<u>A vegetated or mulched area which supports tree growth and promotes infiltration of stormwater with no obstructing structure above or below ground level.</u>
<u>Deep soil areas must be free of buildings, parking spaces, servicing and manoeuvring areas below or above them.</u>
<u>The surface of deep soil areas must be either vegetated in natural grass, trees or plants or in a natural mulch. Artificial grass and pavers are excluded from the deep soil area.</u></td><td>Oppose</td><td>The proposed wording will not be efficient or effective in achieving the outcomes sought by the MDRS standards.</td><td>Delete the definition</td></tr>
<tr><td>148.</td><td><u>Landscaped area</u>
In relation to any site, means <u>an area that is in natural grass, plants or trees. The canopy of trees that are existing at the time of consent lodgement can be included in the landscaped area provided the trunks are surrounded by an area of grass, plants or mulch that extends to the diameter of the critical root zone. The critical root zone being a circular area extending from the base of the canopy tree with a diameter equal to twelve times the trunk diameter measured at 1.4m above ground level.</u>
<u>Landscaped area can include pervious paths with a maximum width of 1.5m provided they do not make up more than 10 per cent of the landscaped area.</u>
<u>Buildings, artificial grass, and structures including pools, paving (except for pervious paths), pergolas, decks and servicing area is excluded from the landscaped area.</u>
<u>This definition does not apply to any development of up to 3 dwellings in accordance with the MDRS.</u>

<s>any part of that site not less than 5m² in area which is grassed and planted in trees, shrubs, or ground cover plants and may include:</s>
<s>(1) One or more of the features in (a) (b) or (c) where the total land area occupied does not collectively cover more than 25 per cent of the landscaped area:</s>
<s>(a) ornamental pools;</s>
<s>(b) areas paved with open jointed slabs, bricks or gobi or similar blocks where the maximum dimension of any one paver does not exceed 650mm;</s>
<s>(c) terraces or uncovered timber decks where no part of such terrace or deck exceeds more than 1m in height above the ground immediately below;</s>
<s>(2) non permeable pathways not exceeding 1.5m in width;</s>
<s>(3) permeable artificial lawn in the residential zones, except:</s>
<s>(a) that permeable artificial lawn must not cover more than 50 per cent of the landscaped area of the front yard;</s>
<s>(b) Permeable artificial lawn must:</s>
<s>• be permeable;</s>
<s>• resembles grass in colour including a mix of natural looking green tones;</s></td><td>Oppose in part</td><td>It is unclear what the intention of this definitions is, and what landscape definition will apply to any development of up to 3 dwellings in accordance with the MDRS</td><td>Clarify the definition and amended accordingly. In the alternative the existing definition is retained.</td></tr>
</table>

2083.134

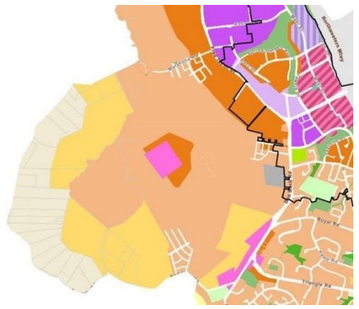
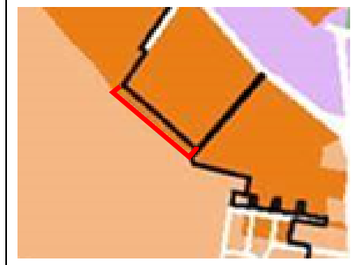
2083.135

2083.136

2083.137

2083.138

2083.139

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:	
	~~• have piles that are a minimum 30mm pile height, straight cut (not looped pile), and of a density and form that resembles grass;~~ ~~• is resistant to ultra-violet degradation, weathering and ageing during its normal service life; and~~ ~~• is recyclable.~~ ~~(4) Any part of a landscaped area may be situated over an underground structure with adequate soil depth and drainage.~~ ~~Excludes any area which:~~ ~~• falls within the definition of building coverage;~~ ~~• is part of a non-permeable pathway that is greater than 1.5m in width;~~ ~~• is used for the parking, manoeuvring or loading of motor vehicles.~~				
Site Specific Zoning					
149.	**The walkable catchment at Westgate** 	Oppose	The walkable catchment does not following the boundary between the THAB zone and the MHU zone, leaving a narrow strip of THAB zoned land outside the walkable catchment.	Amend the walkable catchment line to follow the boundary between the two zones: 	2083.140
General Submission Points					
150.	**The provision of six storeys at 21 metres**	Oppose	Proposed Plan Change 78 ascribes 21 metres to apply to six storeys. It is considered that 21 metres is unduly restrictive in delivering a 6 storey building. It is noted that in the Mixed Use zone, commercial developments are often encouraged on the ground floor. Such activities would typically be encouraged to have a floor to ceiling height in the order of 4.5 metres. A typical floor to floor height is in the order of 3.5 metres. Those would typically mean a total height of around 24 metres for 6 storey buildings (including two metres for roof form).	That six storeys is ascribed a 24 metre height allowance (as a minimum) as part of any walkable catchment provisions. In the alternative, this could be applied to the Mixed Use zone within a walkable catchment, or the plan could also note six storey in height in addition to 24 metres to limit applications that try to squeeze in a 7th floor.	2083.141
151.	**Light Rail Exclusion**	Oppose	The submitter opposes the exclusion of the Light Rail Study Area from Plan Change 78. The submitter is unsure of the legal basis to exclude these areas.	Include the Light Rail Study Area into Plan Change 78.	2083.142
152.	**Special Housing Exclusion**	Oppose	The submitter opposes the exclusion of the Special Housing Areas from the Plan Change. The submitter is unsure of the legal basis to exclude these areas.	Include the Special Housing Areas into Plan Change 78.	2083.143
153.	**The definition of 'rapid transit service'**	Oppose	The NPS-UD Policy 3 defines a rapid transit service as "any existing or planned frequent, quick, reliable and high-capacity public transport service that operates on a permanent route (road or rail) that is largely separated from other traffic".	Review definition of 'rapid transit service' to include frequent bus services on the identified key arterial corridors, and up zone those sites within the walkable catchment of the RTS to provide for at least six storeys.	2083.144

	Issue / Provision	Position (Support / Oppose)	Reasons for submission	Relief sought:
			In this Plan Change, Auckland Council has identified the following Rapid Transit Services: ● the three lines (Western, Southern, Eastern) of the heavy rail network between Swanson and Pukekohe, including the Central Rail Link ('CRL'). ● the Northern Busway (including the recent extension to Albany). ● the Eastern Busway. It is submitted that priority bus corridors should be considered Rapid Transit to enable more Walking Catchments and therefore more homes in accessible locations. The interpretation of what is a rapid transit service, as per NPS-UD Policy 3(d)), should include frequent bus services on the following key arterial corridors: - **Great North Road** (from Pt Chevalier to Ponsonby Road, served by the 18 Frequent Route and in future the 11 Frequent Route) - **Sandringham Road** (from Mt Albert Road to New North Road served by the 24 Frequent Route) - **Dominion Road** (from Denbigh Avenue to View Road, served by the 25 Frequent Route) - **Mt Eden Road** (from Mount Albert Road to Symonds Street, served by the 27 Frequent Route) - **Manukau Road** (from Onehunga to Broadway, served by the 30 Frequent Route) - **Great South Road** (from Ellerslie Main Highway to Broadway, served by the 70 Frequent Route)	

Ginny Taare

From: mcgoldie@xtra.co.nz
Sent: Thursday, 29 September 2022 10:12 am
To: Unitary Plan
Subject: This is a submission on the following proposed plan change-

Attn. Planning Technician
Auckland Council.
My full name is – Maree Christine Goldie
My address is- 91 David Ave, Hillpark, Auckland, 2102.
My phone is- 027 290 2681
My Email address is- mcgoldie@xtra.co.nz

This is a submission on the following proposed plan change-
PC78. Intensification.

The specific provisions that my submission relate to are – Special character areas overlay-General: Hillpark which is codified in PC78 Chapter D Special character areas overlay – residential and business, and which is identified in the corresponding maps.
Hillpark is identified as a site-specific location as a special character area and it is therefore proposed that Hillpark be subject to the D18.2 objectives and D18.3 policies of PC78 as well as table D18.4.1 activity table- special character areas overlay- residential.
I agree with the identification of Hillpark as a special character area and its consequential including in chapter D of PC78 to be subject to planning controls. I request that that the independent hearings panel uphold the Hillpark special character area. 2138.1
My views as follows:-
It is a well-known, documented, and proven fact that increased urban development, especially of multi-story structures have a severe effect on the area's green spaces. Tree cover and green spaces are essential for regulating temperature as the earth's climate becomes more extreme. Multi-story building will have the potential to block sunlight and some natural light to this urban forest and will cause a reduction in growth and birdlife.
Hillpark special character area was successfully obtained by the Hillpark residents association submissions in 2016 and is the only one that is a purpose designed garden suburb with a high number of mid 1900s homes [many by prominent architects of the time] in Auckland.
I propose that the Hillpark special character area overlay be retained as a qualifying matter. Hillpark is a relatively small area and will make a welcome contrast to the surrounding intensified housing areas if it's special character area status can be preserved.
I would also like to take this opportunity to suggest that the Counsel look at the question of extending the boundaries of the several S.E.As within the Hillpark special character area to amalgamate into one S.E.A. with the same boundary as the Hillpark special character area. This will provide better protections for the natural environment. 2138.2
I wish to be heard in support of this submission and will consider making a joint case with others who have made a similar submission.
Thank you for considering this submission.
Yours sincerely.
Maree Goldie
September 29, 2022

Maree C Goldie
Ph 027 290 2681
Email: mcgoldie@xtra.co.nz



Ginny Taare

From: Unitary Plan
Sent: Thursday, 29 September 2022 9:46 am
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Brett and Kate Russell
Attachments: 170and172MeadowbankRdPlSummaryInclPC78SubAtt.pdf

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Brett and Kate Russell

Organisation name: Not Applicable

Agent's full name: Russell Bartlett KC

Email address: Bartlett@ShortlandChambers.co.nz

Contact phone number: 093079827

Postal address:

Submission details

This is a submission to:

Plan change number: Plan Change 78

Plan change name: PC 78: Intensification

My submission relates to

Rule or rules:
Planning Maps - Zoning, Qualifying Matters and Overlays for 170 and 172 Meadowbank Road

Property address: 170 and 172 Meadowbank Road, Meadowbank

Map or maps: Planning Maps: Residential Mixed Housing Urban Zoning, Significant Ecological Area (SEA) and Coastal Erosion Overlays affecting 170 and 172 Meadowbank Road.

Other provisions:
The proposed revised Activity Listings in the Residential zone activity Tables for the proposed Mixed House Urban (MHU) zoning and for the Terraced House and Apartment Buildings (THAB) zoning being sought for the properties, which by virtue of the SEA and Coastal Erosion Overlays make housing intensification on these sites unlikely, despite their suitability. Similarly, the provision in Activity Table E36.4.1 which makes land subject to the Coastal Erosion Hazard Area subject to Restricted Discretionary Activity consent. Consequentially, the accompanying Standards (including particularly, but not exclusively) the 50% Building Coverage restriction due to SEA overlay) and Assessment Criteria which will apply because of the proposed zoning and the SEA and Coastal Erosion Overlays are inappropriate for sites such as those at 170 and 172 Meadowbank Road. This particularly includes the 50% Building Coverage Standard which would be applied due to the SEA overlay

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 opportunity to provide intensified housing on these two sites which are within a walkable catchment, well serviced and well suited for intensified housing development is made unlikely by the proposed zoning and the SEA and Coastal Erosion overlays indicated for the sites and their consequences in terms of activity status,Standards (including Building Coverage) and assessment criteria.
The consideration in terms of section 32 of the RMA for these provisions is inadequate to to support the inhibiting effects of the provisions on development of these sites.
The primary position of the submitters is that the zoning should be THAB not MHU. In addition, the SEA and Coastal Erosion overlays and their accompanying provisions unduly inhibit the housing development opportunity over more than half of these sites, which is unjustified in terms of the particular circumstances of the land. If the SEA and Coastal Erosion overlays were to be at some later time removed, it is important that the zoning be the appropriate one in terms of the Housing Intensification intentions of the PC 78 and its authorising legislation. This is a situation which should be treated in the same way as where a designation applies to a property, whereby the (underlying) zoning is in place and appropriate to determine the use and development of the land should the designation be removed. In the same way, the zoning of 170 and 172 Meadowbank Road should reflect the correct zoning, should the SEA and Coastal Erosion overlays be removed. MHU is not the appropriate (underlying) zoning, THAB is. Neighbouring sites which are also within the walkable catchment have been zoned THAB and so should these.

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

Details of amendments: Amend the zoning of 170 and 172 Meadowbank Road from MHU to THAB. Remove or at least reduce the restrictive provisions inappropriately applying to large parts of these sites which are affected by the SEA and Coastal Erosion Overlays.applying to

2140.1
2140.2
2140.3

Submission date: 29 September 2022

2140.4
2140.5

Supporting documents
170and172MeadowbankRdPlSummaryInclPC78SubAtt.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? 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:

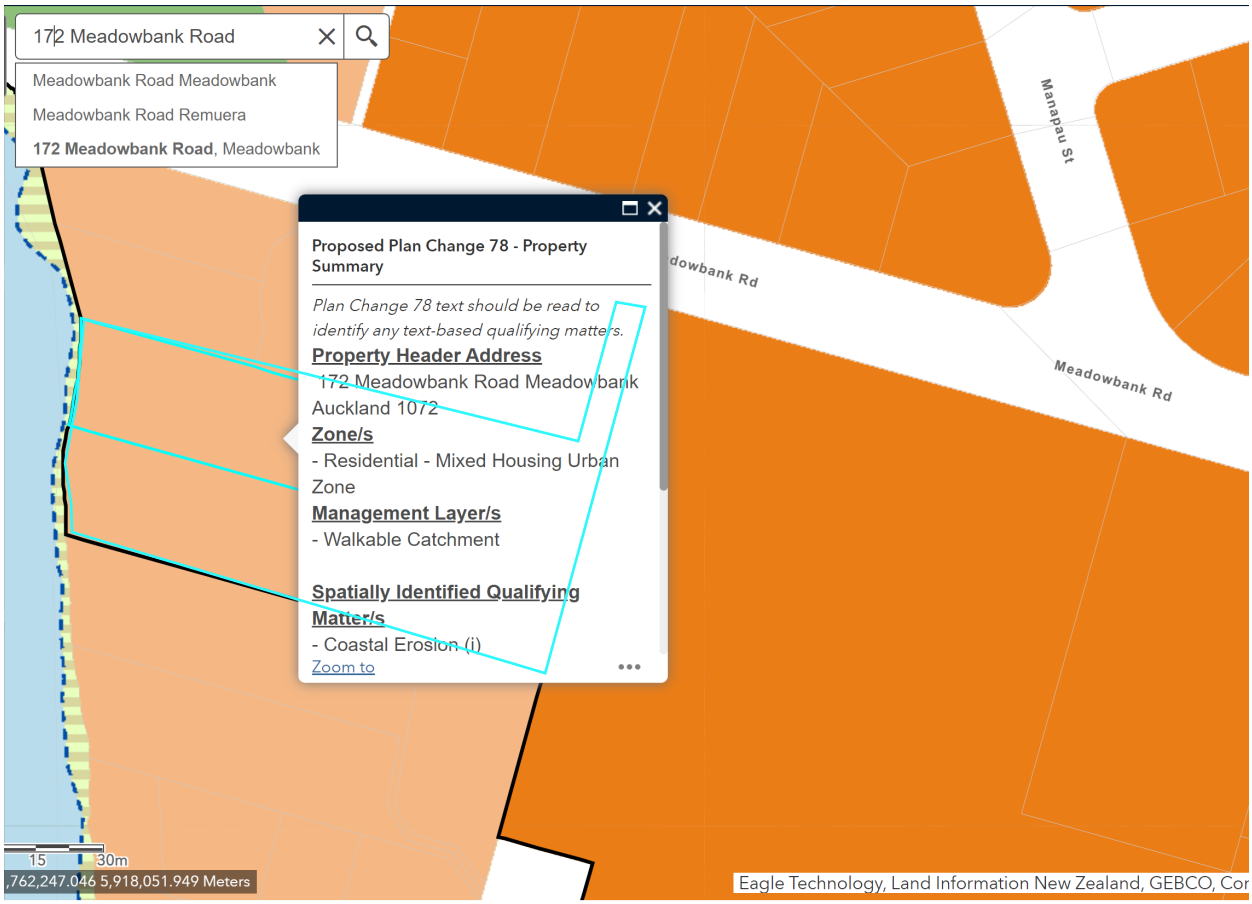
- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

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

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170 and 172 Meadowbank Road - PC 78 Proposed Zoning MHU



Spatially Identified Qualifying Matter/s

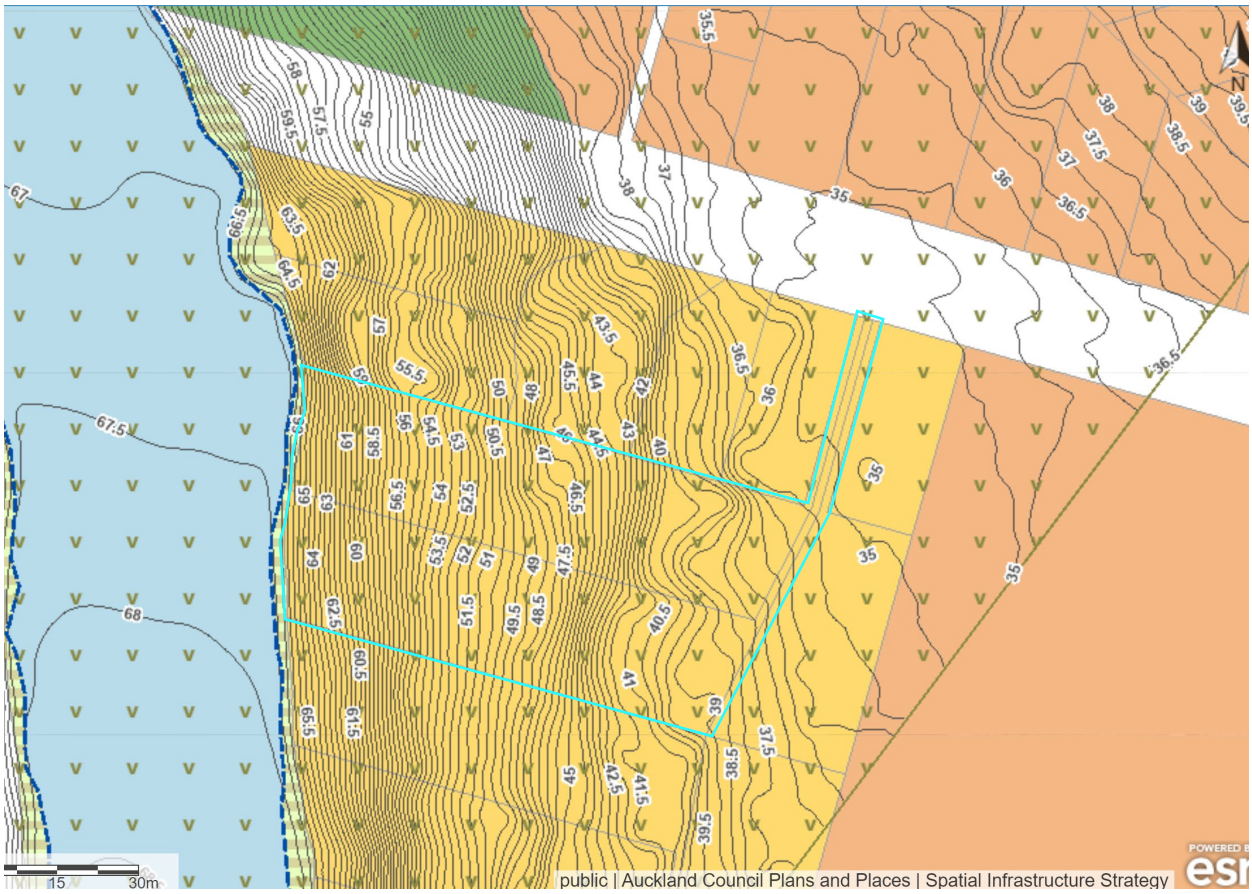
- Coastal Erosion (i)
- Significant Ecological Areas - Terrestrial
- Coastal Inundation (i)
- Regional Maunga Viewshafts and Height and Building Sensitive Areas Overlay

Further Information (i)

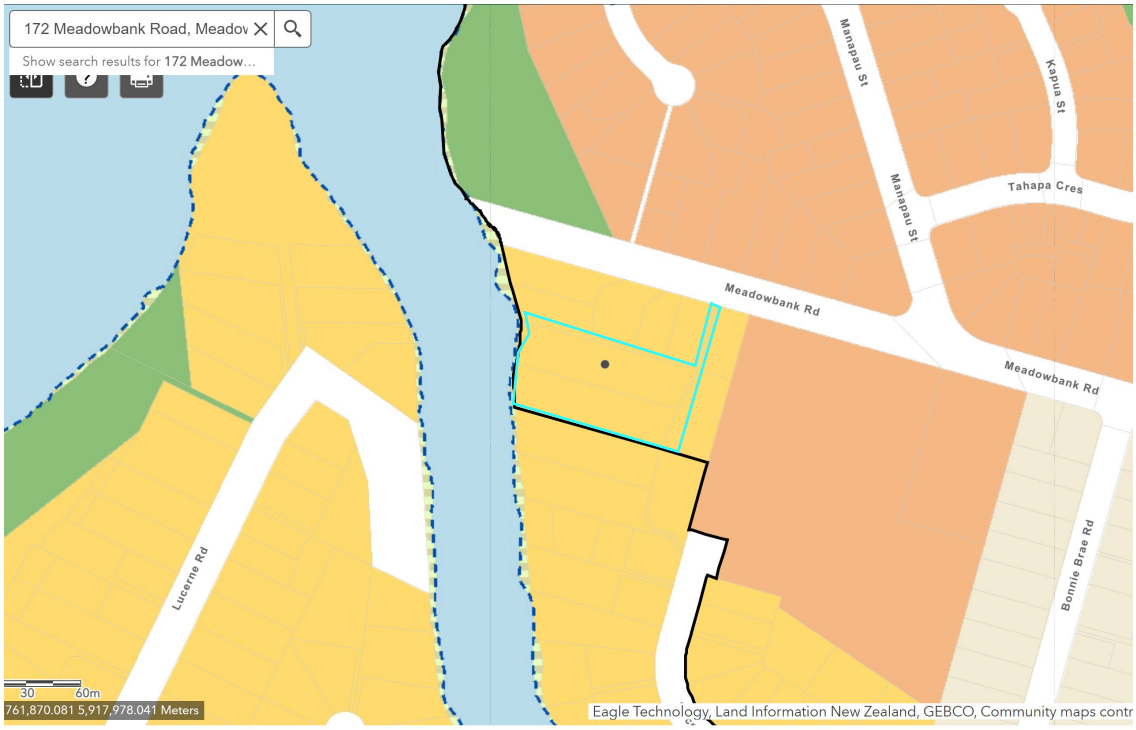
This site is subject to a future coastal hazards plan change, please see council's factsheets

Zoom to

Volcanic Sightlines Special Height Control (view to One Tree Hill) with AUP OIP pre PC 78 MHS zoning :



August 22nd Notified Version of Plan Change 78: Zoning is Mixed Housing Urban (this was an upzoning from the Pre PC 78 AUP OIP zoning of Mixed Housing Suburban, see the zoning map below from the Pre PC 78 AUP OIP:)



Previous Zoning (Pre MDRS/ Pre PC 78)

The April Consultation Version mapping had the site zoned " Two Storeyed Medium Density Residential Zone"



Note That the site is notated as being within the walkable catchment in PC78 Property Summary:

Proposed Plan Change 78 - Property Summary

Plan Change 78 text should be read to identify any text-based qualifying matters.

Property Header Address

172 Meadowbank Road Meadowbank Auckland 1072

Zone/s

- Residential - Mixed Housing Urban Zone

Management Layer/s

- Walkable Catchment

Spatially Identified Qualifying Matter/s

- Coastal Erosion (i)
- Significant Ecological Areas - Terrestrial
- Coastal Inundation (i)
- Regional Maunga Viewshafts and Height and Building Sensitive Areas Overlay

Further Information (i)

This site is subject to a future coastal hazards plan change, please see council's factsheets



☑ Coastal Erosion (i)



Coastal Inundation (i)



Significant Ecological Areas Overlay



Table E36.4.1 Activity table

	Activity		Activity status
	Activities on land in the coastal erosion hazard area		
	(A1)	External alterations to buildings which do not increase the gross floor area of the building, on land in the coastal erosion hazard area	P
Qualifying matter as per s77I(a) and s77O(a) of the RMA	(A2)	External alterations to buildings which increase the gross floor area of the building on land in the coastal erosion hazard area	RD
	(A3)	New structures and buildings (excluding dwellings) ancillary to farming activities with a gross floor area of up to 100m^2 on land in the coastal erosion hazard area Note 1 Structures ancillary to farming activities includes artificial crop protection structures and crop support structures.	P
Qualifying matter as per s77I(a) and s77O(a) of the RMA	(A4)	All other buildings and structures on land in the coastal erosion hazard area	RD
	(A5)	On-site septic tanks, wastewater treatment and disposal systems, effluent disposal fields, underground storage tanks, water tanks (including rainwater tanks) or stormwater pipes or soakage fields on land in the coastal erosion hazard area	RD

	Activity		Activity status	Standards to be complied with
Qualifying matter as per s77I(a) and s77I(j) of the RMA	(A2A)	One dwelling per site subject to a Significant Ecological Area Overlay which complies with Standards E15.4.2(A29) and E15.6.5	C	H5.6.3B Dwellings within the Infrastructure – Combined Wastewater Network Control as identified on the planning maps; H5.6.3C Dwellings within the Infrastructure – Stormwater Disposal Constraints Control as identified on the planning maps; Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.8 Yards; Standard H5.6.9 Maximum impervious areas; Standard H5.6.10(2) Building coverage; Standard H5.6.11(3) and (4) Landscaped area; Standard H5.6.12(A1) Outlook space; Standard H5.6.14 Outdoor living space(A1) and (B1); Standard H5.6.15 Front, side and rear fences and walls; Standard H5.6.18(1) Windows to street and private vehicle and pedestrian accessways; Standard H5.6.19 Deep soil area and canopy tree; Standard H5.6.20 Safety and privacy buffer from private pedestrian vehicle accessways.
Qualifying matter as per s77I(a) and s77I(j) of the RMA	(A2B)	Two or more dwellings per site subject to a Significant Ecological Area Overlay (refer to Vegetation management and biodiversity E15.4.2(A43) and E15.6.5)	D	H5.6.3B Dwellings within the Infrastructure – Combined Wastewater Network Control as identified on the planning maps; H5.6.3C Dwellings within the Infrastructure – Stormwater Disposal Constraints Control as identified on the planning maps; Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.8 Yards; Standard H5.6.9 Maximum impervious areas; Standard H5.6.10(2) Building coverage; Standard H5.6.11(3) and (4) Landscaped area; Standard H5.6.12(A1) Outlook space; Standard H5.6.14 Outdoor living space(A1) and (B1); Standard H5.6.15 Front, side and rear fences and walls; Standard H5.6.18(1) Windows to street and private vehicle and pedestrian accessways; Standard H5.6.19 Deep soil area and canopy tree; Standard H5.6.20 Safety and privacy buffer from private pedestrian vehicle accessways; Standard H5.6.21 Residential waste management.

Qualifying matter as per s77I(a) of the RMA

(A32 B)	New buildings and additions and alterations to	D	

Qualifying matter as per s77I(a) of the RMA

	buildings in a Significant Ecological Area Overlay which do not comply with H5.6.10(2) Building coverage.		

The Coverage provision cross-referenced above is 50% and is set out as follows:

Qualifying matter as per s77I(a) of the RMA

(2) On a site subject to a Significant Ecological Areas Overlay:

(a) the maximum building coverage must not exceed 50 per cent of the net site area; and

(b) building coverage must not be located in any area within 3m of vegetation within a significant ecological area, including following the alteration or removal of up to 300m^2 of vegetation for a dwelling per site provided for under E15.3.2(A29) and E15.6.5; and

(c) other than provided for in H5.6.10(2)(b), building coverage must not be located within a significant ecological area.

H5.6.5. Height in relation to boundary

H5.6.5. 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 ~~45~~ 60 degree recession plane measured from a point ~~3~~ 4m vertically above ground level along side and rear boundaries, as shown in Figure H5.6.5.1 Height in relation to boundary below.

H5.6.4. Building height

(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.

Table H5.6.8.1 Yards

Yard	Minimum depth
Front	~~2.5m~~ 1.5m
Side	1m
Rear	1m

(1A) A building or parts of a building must be set back from the relevant edge or boundary by the minimum depth listed in Table H5.6.8.2 Yards below.

Table H5.6.8.2 Yards

Qualifying matter as per s77I(a) of the RMA

Qualifying matter as per s77I(b) of the RMA

Yard	Minimum depth
Riparian	10m from the edge of all other permanent and intermittent streams
Lakeside	30m
Coastal protection yard	10m, or as otherwise specified in Appendix 6 Coastal protection yard

H5.6.10. Building coverage

Qualifying matter as per s77I(a) of the RMA

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 ~~45~~ 50 per cent of the net site area.

Qualifying matter as per s77I(a) of the RMA

(2) On a site subject to a Significant Ecological Areas Overlay:

(a) the maximum building coverage must not exceed 50 per cent of the net site area; and

(b) building coverage must not be located in any area within 3m of vegetation within a significant ecological area, including following the alteration or removal of up to 300m^2 of vegetation for a dwelling per site provided for under E15.3.2(A29) and E15.6.5; and

(c) other than provided for in H5.6.10(2)(b), building coverage must not be located within a significant ecological area.

Urban Subdivision Standards: The SEA overlay now makes subdivision harder. For the parts of the site free of the SEA overlay, the existing general MHU subdivisional standard of one site per 300 sq.m remains.

Notably, the area of the two sites at 170 and 172 Meadowbank Road are large enough to meet the THAB zone Vacant Lot subdivision standard of 1,200 sq.m:

Qualifying matter as per s77I(a) and s77O(a) of the RMA

(A8)	Subdivision establishing an esplanade reserve	RD
(A9)	Subdivision establishing an esplanade strip	D
(A10)	Any reduction or waiver of esplanade reserves or strips	D
(A11)	Subdivision of land within any of the following natural hazard areas: • 1 per cent annual exceedance probability floodplain; • coastal storm inundation 1 per cent annual exceedance probability (AEP) area; • coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1m sea level rise area; • coastal erosion hazard area; or • land which may be subject to land instability.	RD

All applications for subdivision consent, including controlled activities A13A and A13B below, 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
(A13C)	Subdivision around buildings and development with existing use rights where sites created results in non-compliance with the relevant overlay, Auckland-wide and zone rules and is not accompanied by a land use consent.	RD
(A13D)	Subdivision in accordance with an approved land use resource consent not meeting Standard E38.8.1A.1	RD

Qualifying matter as per s77I(a) and s77O(a) of the RMA

(A22)	Subdivision involving indigenous vegetation scheduled in the Significant Ecological Areas Overlay complying with Standard E38.8.2.5	RD
(A23)	Subdivision involving indigenous vegetation scheduled in the Significant Ecological Areas Overlay not complying with Standard E38.8.2.5	NC
(A24)	Subdivision of sites identified in the Special Character Areas Overlay – Residential and Business complying with Standard E38.8.2.6.	RD
(A25)	Subdivision of sites identified in the Special Character Areas Overlay – Residential and Business not complying with Standard E38.8.2.6.	NC

(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.

(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.

E38.7.3.4. Subdivision of land in the coastal erosion hazard area; or the coastal storm inundation 1 per cent annual exceedance probability (AEP) area

(1) Each proposed site on land in the coastal erosion hazard area or the coastal storm inundation 1 per cent annual exceedance probability (AEP) area must demonstrate that all of the relevant areas/features in E38.7.3.4(a) to (c) below are located outside of any land that may be subject to coastal erosion or coastal storm inundation:

Qualifying matter as per s77I(a) and s77O(a) of the RMA

(a) in residential zones and business zones - a shape factor that meets the requirements of Standard E38.8.1.1 Site shape factor in residential zones or Standard E38.9.1.1 Site shape factor in business zones;

(b) access to all proposed building platforms or areas; and

(c) on-site private infrastructure required to service the intended use of the site.

Table E38.8.2.3.1 Minimum net site area for subdivisions involving parent sites of less than 1 hectare

Zone	Minimum net site area for vacant proposed sites
Residential - Terrace Housing and Apartment Buildings Zone	1,200m^2
Residential - Mixed Housing Urban Zone	300m^2

John Lovett

Ginny Taare

From: Unitary Plan
Sent: Thursday, 29 September 2022 10:01 am
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - James Penwarden

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: James Penwarden

Organisation name:

Agent's full name: James Penwarden

Email address: hjpenwarden@gmail.com

Contact phone number: 0273323826

Postal address:
705B New North Road
Mount Albert
Auckland 1022

Submission details

This is a submission to:

Plan change number: Plan Change 78

Plan change name: PC 78: Intensification

My submission relates to

Rule or rules:
Special Character Areas

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:
There should be NO provisions for Special Character Areas. Please remove SCA from the qualifying matters. Special Character Areas are NOT a qualifying matter and it is clearly against the intention of the NPSUD to include them as such. I have lived in a flat in Grey Lynn that charged exorbitant rent for damp, mould infested conditions that likely affected my healthy (possibly to this day). It upsets me to think this house would be protected from densification (and all the opportunities this provides for people with lower incomes to access housing) if council has their way. Densification in areas close to amenities, by council's own standards according to the Auckland Climate Plan, is necessary and urgent. Why would we restrict density in the areas that have the best access to the city centre? It will

always be cheaper to update existing infrastructure than to build new infrastructure further out from the city centre. Council needs to stop acting against its own Chief Economist's and Sustainability Office's advice that density in areas close to the city centre is essential and preventing further urban sprawl is essential.

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

Details of amendments: Remove SCA from Qualifying Matters

2143.1

Submission date: 29 September 2022

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.



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Ginny Taare

From: Unitary Plan
Sent: Thursday, 29 September 2022 9:46 am
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - mariette van Ryn

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: mariette van Ryn

Organisation name:

Agent's full name:

Email address: sgmvr@outlook.com

Contact phone number:

Postal address:
18 Norfolk street
Ponsonby
Auckland 1021

Submission details

This is a submission to:

Plan change number: Plan Change 78

Plan change name: PC 78: Intensification

My submission relates to

Rule or rules:
special character overlay and infrastructural constraints proposed by the council should remain qualifying matters for grey lynn. There is also no need for intensification in this area. 2147.1 2147.2

Property address: Norfolk street and Douglas street and Grey Lynn more broadly

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:
The proposed special character overlay and infrastructural constraints should be qualifying matters. This is because:

1)Grey Lynn has one of the most intact collections of villa and bungalow streetscapes in New Zealand and they form part of the largest surviving collection of timber dwellings of their era internationally. They are an extremely valuable part of our city's heritage;

2)Norfolk street and Douglas street (and Grey Lynn more broadly) have serious storm water and sewerage issues. Separation has not occurred and the current system does not have capacity. By way of example, in Norfolk street (including my own home) there were a number of us who had flooded basements after the downpour on 21 March 2022. Another family had sewerageback washing up their bathroom pipes. This is a constant worry.

The stormwater drains in the streets smell of sewerage most of the time. Further development in this area would exacerbate what is already a chronic problem;

There are also a number of flood plains so increasing density is not prudent;

Furthermore, the streets are so narrow, utility trucks, fire engines etc can hardly get down them. Construction to accommodate apartments would create an impossible and untenable positio for the local residents.

3)There is no need for intensification in this area. Apart from the fact that intensification in the inner city is not going create affordable housing for families, or provide them with facilities they deserve, most of those that work in the city are white collar workers who do not walk to the city and increasingly work from home.

The population is not growing at a rate to justify all of this development. Auckland City had already factored growth into the unitary plan changes in 2016. Following Covid, it is clear the Council's existing plans will suffice for the city's growth. Intensification on the scale anticipated by government is short sighted and unwarranted. Auckland is already facing an over supply of apartments and yet the number of homeless remains because the intensification imposed on the Auckland Council by government does not address this issue. Apart from the huge disruption to the city and the destruction of family neighbourhoods, the downstream costs to rate payers is inequitable and not justified

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

Details of amendments:

Submission date: 29 September 2022

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.

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Ginny Taare

From: Unitary Plan
Sent: Thursday, 29 September 2022 9:46 am
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Raquel Francois
Attachments: Intensification Submission revised 20200926_20220929093346.892.pdf

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Raquel Francois

Organisation name:

Agent's full name: Raquel Francois

Email address: raquel.francois@gmail.com

Contact phone number: 0211019528

Postal address:
raquel.francois@gmail.com
Cockle Bay
Auckland 2014

Submission details

This is a submission to:

Plan change number: Plan Change 78

Plan change name: PC 78: Intensification

My submission relates to

Rule or rules:
Resource Management Act Enabling Housing Supply Act

Property address:

Map or maps:

Other provisions:
Plan chance 78 for housing intensification

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? Yes

The reason for my or our views are:
They are not sufficiently defined and, if left as they are now, they pose a threat to the environment, to the existing infrastructure capacity which is inadequate in many areas marked for intensification, they don't make enough provisions for the climate change and 100-year event, they can ruin character and heritage areas of significant history among many other issues

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

Details of amendments: See supported document

Submission date: 29 September 2022

Supporting documents
Intensification Submission revised 20200926_20220929093346.892.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.



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THE INTENSIFICATION DEBATE CONTINUES – AND YOUR HELP IS NEEDED:

Summary

Cockle Bay Residents and Ratepayers:

1. Support the proposed changes to date in Plan Change 78.
2. Request the Independent Hearings Panel to introduce long term economic costs as a qualifying matter. A further Plan Change can introduce a time bound, location based, intensification plan that meets the objectives of the legislation, whilst also focussing infrastructure investments within predetermined priority areas. This will have the benefit of (i) enabling Auckland Council to channel developments to areas where there is sufficient infrastructure capacity; (ii) getting maximum value for money from infrastructure investments; (iii) achieving better planned maintenance to be targeted to areas of higher population density, rather than being dispersed across the city; (iv) enabling other providers, such as Ministries of Education and Health, and power and telecommunications companies, to plan their investments to reflect planned population growth.
3. Because of the growing incidences of heavy rainfall and flooding, request stormwater to be included as a qualifying matter, with a wider area-based risk assessment, based on the 100 year flood scenario. Without this, we believe that an increasing risk of flooding, stream erosion and even difficulties obtaining affordable insurance cover will occur. (Cockle Bay is at particular risk because of dependence on streams, soak pits and aged infrastructure).
4. Include immediately all relevant safeguards set out in the New Zealand Coastal Policy statement 2010. At the moment there are references only to areas of coastal erosion and inundation. The Enabling Act requires the Coastal Policy to be considered.
5. Improve transparency and consistency by including detailed specifications on all consent requirements. (In cases where we have raised queries, we have been referred to individual planners for explanations.
6. Broaden the criteria that defines character areas, in order to preserve our heritage.

SUPPORTING INFORMATION

Medium to Long Run Economic Costs

We find it incredible that the two major political parties, both of whom claim to have the credentials to make wise decisions on economic management for the country, could have failed to have considered the medium to long term economic costs of a "one size fits all" approach to planning[1]. Putting aside the focus on development near city and other centres, which makes good sense, it assumes that all areas of a city are homogeneous, with similar characteristics across all areas. This includes assuming that there is uniform city-wide infrastructure capacity with the same "whole of life" expectation; uniform access to water supply; stormwater drainage; and wastewater treatment and networks; that all areas have equal access to schools, hospitals and medical facilities; that all areas are serviced by financially sustainable transport services, with no undue traffic congestion that requires special measures to alleviate delays, and that there are adequate communications networks, energy supply and social facilities. The legislation assumes that infrastructure has the capacity to cope with ad hoc growth and that there will be no difficulty providing increased capacity for growth across all areas of the city. The legislation fails to reflect that future random increases in infrastructure use will create random increases in demand for infrastructure capacity, and increased area-specific, volume-driven, planned maintenance, rehabilitation and replacement, with associated costs.

In contrast, sound investment management requires city-wide prioritization. Requirements for additional capacity must be managed on a structured area-by-area basis, built around a location-based development plan. This effects not just Council planning. Ministries responsible for provision of services such as schools and hospitals deserve some certainty about where and when growth will occur, rather than it being randomized across cities.

The legislation and plan change fails to consider priorities and local factors that should influence development within a city that in Auckland's case stretches from Wellsford to Pukekohe. The legislation goes on to assume that all fourteen major territorial centres in New Zealand are identical, and can be subjected to the same rules.

The qualifying matters specified in the legislation[2] provide only limited opportunities to introduce a development framework that reflects a need to channel development into areas where there is adequate infrastructure capacity to service future growth. The result will be very high medium to long term costs that could be avoided by more structured planning.

Our submission point 2 below endeavours to address this as far as possible within the legislative constraints.

Submission Point 1 – Support for changes to date

Plan Change 78 contains a number of plan changes giving effect to the legislative requirements. Because these may be challenged by other submitters there is a small risk that they could be removed or reduced in their scope. We believe the new provisions, including protection of views from Stockade Hill, need to be supported. The main point of our subsequent submission points is to secure further improvements, as indicated in subsequent submission points. 2150.1

Submission Point 2 – Channelling growth to locations with capacity to absorb it. 2150.2

In order to avoid the risk of avoidable costs in the medium to long term, we ask the Independent Hearings Panel to advocate a medium to long term approach that focusses development in areas where there is adequate spare infrastructure capacity to cater for population growth. This is to include non-Council infrastructure such as, schools and medical facilities and green space

Effectively this means including medium to long term economic and opportunity costs (or risks) as a qualifying matter. Consideration must be given to water supply and sewerage systems, including

[1] The legislation does specify that nationally significant infrastructure is a qualifying matter that can be used to declare an area unsuitable for intensification
[2] See Reference at conclusion of this Discussion Paper

combined wastewater and stormwater; stormwater infrastructure capacity; the long term economic life of infrastructure and planned replacement programmes; road and transport network capacity; and social infrastructure available such as schools, medical facilities, energy supplies, telecommunications networks and green space.

A revised plan change can provide for area-specific time-bound zoning changes that reflect planned capacity increase in infrastructure, thus achieving the objectives of the Enabling Act in a long term, cost effective manner.

In our submission to Council prior to the publication of Plan Change 78 we suggested that developers wishing to construct homes in areas where there was insufficient infrastructure capacity be required to pay a premium to offset the need to provide additional infrastructure on a timeline falling outside planned infrastructure development. 2150.3

Submission Point 3 - Include stormwater infrastructure as a qualifying matter 2150.4

The plan change rightly includes reference to combined wastewater and stormwater infrastructure as a qualifying matter. It makes no provision for areas such as Cockle Bay (and other parts of Auckland) where stormwater is not fully accommodated within fixed infrastructure. In these locations streams, flow paths and soak pits are important elements of the stormwater systems. Allowing intensification on sections currently serviced by soak pits reduces permeable areas and opportunities for natural absorption of stormwater. It increases the risk of increased flows in streams and overland flow paths, and flooding. As with the previous submission point, unplanned intensification introduces a high risk of avoidable medium to long term economic costs in terms of stream erosion and increased flooding. Indirect costs are likely to be incurred by property owners because of increased stream maintenance and insurance premiums – if in fact they are able to obtain insurance in locations with a record of flooding and erosion. This risk is already demonstrated in other parts of the country and globally. It can be avoided by excluding areas from intensification where stormwater infrastructure is inadequate and there is a track record of flooding. 2150.5

Although the Cockle Bay catchment is identified as being subject to the Water and Wastewater constraints control, it appears that this is intended to be applied in an ad hoc manner, giving residents no assurance of consistent application of principles within the area. This raises an issue of equity. For instance, it is stated that applications for individual properties will be assessed against whether there is adequate capacity, including reticulated water and wastewater, and water for firefighting, and whether there is the ability to connect dwelling(s) to reticulated and wastewater networks. As an isolated case this makes sense. In a wider context it has the potential for introducing huge inconsistencies, and a risk of “first come, first served” developments. As an example, there was a question of wastewater and sewerage capacity for the original application for 71 apartments proposed for 30 – 40 Sandspit Road, Cockle Bay. If such an application was approved, even though the sewerage network was nearing capacity, then it moves the area closer to the point where subsequent development applications must be declined because maximum capacity had been reached, or there is a significant risk of future sewerage overflows effecting residents over a wider area. A wider spatially based prioritization-based methodology for determining growth areas based on infrastructure capacity overcomes development based on micro-level assessments. 2150.6

The current revised development application for apartments at the same location, currently before the Environment Court, revealed flawed calculations by the developer for the stormwater retention / detention tanks. Adequate capacity tanks will mitigate some of the above risks, but not eliminate them completely. A definitive ruling is required on how the calculations are to be undertaken, and sampling of specific installations will be necessary to ensure compliance, with penalties for failures. There is also a question, not answered in our queries to Auckland Council, about following the required code of practice.

We request the Hearings Panel to recommend to Council: (i) that stormwater be included as a qualifying matter for all development sites; (ii) that no intensification be permitted adjacent to streams, flow paths, flood plains and other locations with a risk of flooding in the future; (iii) the correct basis for

calculating capacity of retention / detention tanks; (iv) a requirement to follow all required codes of practice, in particular in all areas defined as being subject to a stormwater constraint.

Submission Point 4 - Include areas subject to compliance with Coastal Policy Statement as a qualifying matter. 2150.7

The Enabling legislation specifies that a qualifying matter is compliance with National Policy Statements and the New Zealand Coastal Policy Statement. The Coastal Policy does not appear in the legend or on the Plan Change 78 Information Sheets as a qualifying matter. The map show areas at risk of coastal erosion and coastal inundation, but gives no indication of which properties are subject to constraints to enable them to comply with the Coastal Policy. In the case of Cockle Bay, with a number of streams providing stormwater drainage, we would argue that policy compliance extends beyond properties adjacent to the beach, as the whole catchment drains down to the beach, and there is already quantified evidence of increased sedimentation – in contradiction to the Coastal Policy provisions.

Our submission to Council at the time that the Plan Change was being prepared indicated 3 objectives and 9 policies that have a particular relevance to Auckland coastal areas. In response to our query to Council about the scope of protections under Plan change 78 and legislated coastal policy, the response was that Council wishes "to avoid development in areas subject to coastal inundation and erosion, with a preferred approach of rezoning all affected properties and a new low residential zone". However, Council goes on to state that this cannot be addressed through Plan Change 78. It will be covered in a future Coastal hazard Plan Change (at an unspecified time). No other changes to incorporate Coastal policy objectives and policies are mentioned in response to our queries.

We submit that the statement of qualifying matters (Information Sheets 7 and 8, Parts 1 and 2) be expanded to include the Coastal Policy objectives and policies which must be complied with, and that properties effected be identified on the maps. We submit that properties must be identified based on the risk and effects related to the Coastal policy – for instance whether they effect, or are likely to effect, water quality and marine ecosystems through increased sedimentation or cumulative effects[3].

Submission Point 5 – In order to secure full transparency and consistency, the plan change be more prescriptive within the new planning rules on what requirements must be met. 2150.8

In theory this submission should not be required. However, experience suggests otherwise. We give 4 examples:

Firstly, in a current case before the Environment court there are different interpretations on the application of climate change projections relating to rainfall projections and calculations, and applicability to new consent applications for multiple dwellings, compared to applications that are compliant with existing rules. After expert consultation, Council has already had to require revised calculation for stormwater retention and detention tanks once, but the revised calculations remain in dispute. The mere fact that experts can disagree on the interpretation means that the rules lack clarity. This needs to be formally resolved with a consistent interpretation.

Secondly, as indicated in the previous paragraph, there is scope for different interpretations of GDO1 (Stormwater Management Devices in the Auckland Region, Amendment 2, December 2017), a part of the AUP, and the Code of Practice. An updated Plan Change document can eliminate this debate by clarifying the rules for all parties. The mere fact that this is disputed before the Environment Court indicates significant scope for different interpretation. This ambiguity must be eliminated for the benefit of all stakeholders.

Thirdly we have raised queries with Council on interpretation of the new guidelines. The mere fact that we had to ask the questions indicates that the situation is not clear. Council staff responsible for resolving the queries were not able to provide an answer, and referred us to the planner and

[3] These effects are one example. (Policy 4, Integration). This is only 1 of the relevant objectives and policies. Other objectives and policies must also be incorporated.

engineers for our area[4]. This raises the scenario of not only a lack of transparency, but also inconsistency of interpretation, between different geographical areas of the city. This is further illustrated by the dispute related to the recent felling of trees, including trees stated to be protected or "significant", at the former UNITEC Arboretum, in order to make way for a new housing development[5].

Fourthly we note that although the Regional Policy Statement is referred to in Sections E1 of the revised AUP, the forgoing scope for omissions means that it is desirable that the policy statement requirements are fully integrated into the more specific policies, objectives and criteria for reviewing consent applications, and the relevant sections of the Building Code.

We request that the Independent Hearings Panel recommend that these safeguards of specifying all relevant criteria to be considered be incorporated into relevant sections of an updated a Plan Change.

Submission Point 6 – Special Character areas

2150.9

This is more subjective. It is our belief that parts of the city do have distinct characteristics that give the area a unique character. These risk being destroyed under the revised plan change, which has been driven by the legislation. We ask the Independent Hearings Panel to urgently recommend to Council that the criteria used to assess which areas of the city deserve protection be interpreted more liberally in order to retain the overall appearance of larger areas of the city, and the associated heritage.

Reference: Resource Management Act (Enabling Housing and Other Matters) Enabling Act 2021

Section 77I Qualifying matters in applying medium density residential standards and policy 3 to relevant residential zones

A specified territorial authority may make the MDRS and the relevant building height or density requirements under policy 3 less enabling of development in relation to an area within a relevant residential zone only to the extent necessary to accommodate 1 or more of the following qualifying matters that are present:

(a) a matter of national importance that decision makers are required to recognise and provide for under section 6: 2021 No 59 Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 Part 1 s 9 9

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4 *Our question to Council*: Please confirm or otherwise that irrespective of the presence or absence of other qualifying matters, stormwater quality and quantify management is required for all sites in accordance with the provisions of the relevant sections of the existing AUP, Council's Code of Practice and Council's design guidelines. Specifically, sections E1, E8, E10, E36, and E38 of the AUP, the use of GDO1(SWMD- Amendment 2) and the Stormwater Code of Practice are applicable.

Council responses to this and similar questions: "All development must be checked through the Councils building consent process and / or infrastructure-Development engineering section of the Council."

"The relevant codes for checking should be verified with the Council's Resource Consent team (for the relevant area) and Development Engineers."

"In terms of legal effect and how MDRS affects properties, you would need to discuss this matter with the Principal Specialist Planner in the Resource Consents Department for the Cockle Bay area. They have detailed advice about the application of QM's and its relationship with MDRS."

"However, as stated earlier, for specific sites and application of the MDRS standard and how the QM affects development, please check with the resource consents team responsible for the area."

5 Reported by the Tree Council 22 September 2022

(b) a matter required in order to give effect to a national policy statement (other than the NPS-UD) or the New Zealand Coastal Policy Statement 2010:

(c) a matter required to give effect to Te Ture Whaimana o Te Awa o Waikato—the Vision and Strategy for the Waikato River:

(d) a matter required to give effect to the Hauraki Gulf Marine Park Act 2000 or the Waitakere Ranges Heritage Area Act 2008:

(e) a matter required for the purpose of ensuring the safe or efficient operation of nationally significant infrastructure:

(f) open space provided for public use, but only in relation to land that is open space:

(g) the need to give effect to a designation or heritage order, but only in relation to land that is subject to the designation or heritage order:

(h) a matter necessary to implement, or to ensure consistency with, iwi participation legislation:

(i) the requirement in the NPS-UD to provide sufficient business land suit- able for low density uses to meet expected demand:

(j) any other matter that makes higher density, as provided for by the MDRS or policy 3, inappropriate in an area, but only if section 77L is satisfied.

Submission on Notified Proposal for Policy Statement of Plan, Change or Variation

Clause 6 of Schedule 1, Resource Management Act 1991

To Auckland Council
Private Bag 92300
Auckland 1142

For: Planning Technician

By email: unitaryplan@aucklandcouncil.govt.nz

1 The submitter is Piscita Investment Trust of 55 Princes Street, Northcote Point, Auckland.

2 This submission is a submission on Plan Change 78 Intensification to the Auckland Unitary Plan Operative in Part (**PC 78**).

3 The submitter could not gain an advantage in trade competition through this submission.

4 The specific provisions of PC 78 that this submission relates to are the provisions that relate to and affect 41-61 and 44-54 Princes Street, Northcote Point, Auckland (inclusive) including:

(a) zoning; and

(b) qualifying matters.

5 The submitter's submission is that:

(a) it is appropriate and consistent with the purpose and principles of the Resource Management Act 1991 for urban intensification within and around Northcote Point, including the area defined by 41-61 and 44-54 Princes Street, Northcote Point in particular to be constrained by qualifying matters because:

(i) the area is an older, established part of Auckland with a distinctive and recognisable style of architecture and other built character;

(ii) significant vegetation provides an important buffer between dwellings and State Highway 1;

(iii) urban intensification at a scale and density that would otherwise be permitted in the Residential – Mixed Housing Urban Zone under the Medium Density Residential Standards would have irreversible significant adverse effects on the and residential character and amenity of a unique part of Auckland

(b) as more particularly set out in Table 1 below:

Table 1

Provision	Position	Reasons
Zoning 59 and 61 Princes Street, Northcote Point	Support	The zoning of 59 and 61 Northcote Point as Residential – Low Density Residential Zone appropriately recognises and provides for the protection of the historic heritage at 61 Princes

		Street as well as the constraints imposed by natural heritage, special character, and infrastructure.
D18.1 – Special Character Areas Overlay – General (both Residential and Business) Special Character Areas Overlay – General: North Shore – Northcote Point	Support Extend	The Overlay appropriately recognises and provides for the identification and protection of parts of Auckland with concentrations of special architectural and other built character values, including Northcote Point. The submitter supports the application of the Overlay to parts of Northcote Point and seeks the extension of the Overlay to include properties at 51-61 Princes Street, Northcote Point because the built form on these properties reflects the special architectural and other built character values that are present within the Overlay as notified (see Attachment 1).
Infrastructure – Water and/or Wastewater Constraints Control Table H5.4.1 (A14C)	Support	The application of Infrastructure – Water and/or Wastewater Constrains Control to parts of Northcote Point including the properties at 41-61 and 44-54 Princes Street, Northcote Point is supported because the existing infrastructure capacity in limited. Requiring resource consent for two or more dwellings per site within the Overlay is an appropriate response to ensure that each new dwelling and all existing dwellings are capable of being fully serviced by the reticulated water supply and wastewater disposal networks.
D13 Notable Trees Overlay Table D13.4.1(A7), (A8), (A9)	Support	The application of the Overlay to the group of trees on 45-79 Princes Street adjacent to Sulphur Beach Road is supported because these trees make a valuable and essential contribution to the residential amenity of dwellings on 45-79 Princes Street by providing a physical and visual barrier between Stage Highway 1 and the dwellings on those properties.

6 The submitter seeks that the Auckland Council:

(a) accept PC 78 as it relates to and affects 41-61 and 44-54 Princes Street, Northcote Point, Auckland (inclusive) as notified, subject to the extension of the Special Character Areas Overlay - General (both Residential and Business) to include 51-61 Princes Street, Northcote Point;

And, more specifically that the Auckland Council

(b) retain the Residential – Low Density Residential Zone for 59 and 61 Princes Street, Northcote; 2158.1

(c) retain the Special Character Areas Overlay – General: North Shore – Northcote Point; 2158.2

(d) retain the Infrastructure – Water and/or Wastewater Constraints Control as it applies to Northcote Point; 2158.3

(e) retain the Notable Trees Overlay as it applies to Princes Street, Northcote Point; and 2158.4

(f) apply the Special Character Areas Overlay – General: North Shore – Northcote Point to 51-61 Princes Street, Northcote Point. 2158.5

7 The submitter wishes to be heard in support of this submission.

8 If others make a similar submission, the submitter will consider presenting a joint case with them at a hearing.

Dated 29 September 2022

V J Toan
Counsel for Piscita Investment Trust

Address for Service of Submitter

C/- Glaister Ennor, PO Box 63, Shortland Street, Auckland 1140
For: Vicki Toan

Email: vicki.toan@glaister.co.nz

Telephone: (09) 356 8243

Attachment 1

46 Princes Street



48 Princes Street



51 Princes Street



53 Princes Street



55 Princes Street



Before you fill out the attached submission form, you should know:

You need to include your full name, an email address, or an alternative postal address for your submission to be valid. Also provide a contact phone number so we can contact you for hearing schedules (where requested).

By taking part in this public submission process your submission will be made public. The information requested on this form is required by the Resource Management Act 1991 as any further submission supporting or opposing this submission is required to be forwarded to you as well as Auckland Council. Your name, address, telephone number, email address, signature (if applicable) and the content of your submission will be made publicly available in Auckland Council documents and on our website. These details are collected to better inform the public about all consents which have been issued through the Council.

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least one of the following applies to the submission (or part of the submission):

- It is frivolous or vexatious.
- It discloses no reasonable or relevant case.
- It would be an abuse of the hearing process to allow the submission (or the part) to be taken further.
- It contains offensive language.
- It is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

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

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

Auckland Council
Te Kaunihera o Tāmaki Makaurau

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

Attn: Planning Technician
Auckland Council
Level 24, 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) Ms Paula Vidovich

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

Address for service of Submitter

29 Cotter Ave Remuera Auckland

Telephone: Fax/Email: pipvid@yahoo.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 78

Plan Change/Variation Name: Intensification

The specific provisions that my submission relates to are:
(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

Or

Property Address

Or

Map

Or

Other *(specify)*

PC 78 in its entirety
PC 78 in its entirety

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)***

2

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:

See 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. ☒

See the attached sheet

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 ☒

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

09/29/2022
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.

P Vidovich

PC78 Intensification Submission, Additional Sheets (to be read with Form 5 attached)

The reasons for my views are:

PC78 enables development across urban Auckland (and in a number of rural settlements) at densities considerably beyond those anticipated in the Auckland Plan development strategy or planned for in the Long-term Plan. This is poor planning and will not lead to better functioning, more sustainable Auckland city.

If PC78 is approved in its current form, providing the necessary physical and community infrastructure is likely to become increasingly difficult for Council, will significantly and severely impact the community and liveability of Auckland.

PC78 does not acknowledge the work done for the Auckland Plan and the Auckland Unitary Plan which promotes a well-considered, evidence-based, community endorsed growth strategy that supports housing choice and density close to centres and public transport. PC78 is contrary to this.

The Unitary Plan has already enabled capacity for over 900,000 dwellings in residential zones alone, without the need for the proposed PC78. Council should reject the MDRS. PC78 appears to be working off an assumption that sufficient housing was not already being built in Auckland, which is clearly not the case. There is no justification for the upzoning of suburban areas which cannot cope with the enabled capacity.

The scale of intensification which the Plan Change allows will adversely change the character of communities, lead to the loss of heritage homes, and place additional pressure on existing soft and hard infrastructure. Including parks, community facilities, schools, roads, utilities and services. Council has acknowledged that they cannot fund the required infrastructure investment

The quality of design and urban outcomes with more permissive controls in PC78 and the other Plan Changes proposed (e.g. the ability to build the third storey considerably closer to adjacent properties, together with considerably smaller outlook and outdoor living court requirements), will result in poor quality of development and significant adverse impacts on adjacent properties to development. Community cohesion is integral to residents well being and PC78 does not support this.

PC78 is going to lead to overcrowding because it's creating a product that is suitable for smaller families and not the majority of Aucklanders and including those larger families.

I seek the following decision by Council:

To reject PC78 in its entirety, and instead rely on the Unitary Plan while streamlining the regulatory process and invest in the required infrastructure to support Auckland's growth.

2159.1

Councillors should stand up for the communities they represent and vote against PC78. Most in the community are not aware of the detail of PC78 and the significant adverse impact it will have on their communities. Councillors need to represent those residents and ensure PC78 does in fact lead to a better functioning, more sustainable city rather than the reverse as it the outcome with the current Plan Change as drafted.

5

If PC78 is approved, a widespread redrafting of the Plan Change is needed, including the addition of qualifying matters which include the availability and capacity of the necessary physical and community infrastructure, as well as Council's committed funding capacity to service growth.

2159.2

The upzoning of suburban Auckland is not supported where this is not well serviced by the necessary physical and community infrastructure.

Ginny Taare

From: Helen Renwick <helen.renwick@gmail.com>
Sent: Thursday, 29 September 2022 12:12 pm
To: Unitary Plan
Subject: Submission on PC 78

In general, I support the proposed plan changes. If the options for Auckland are to spread out or go up, intensification is certainly preferable.

My submission relates specifically to Le Roys Bush, Birkenhead. Le Roys Bush is a remarkable natural treasure, the closest native bush reserve to the CBD. It is valued and supported by the community and attracts visitors from other areas.

PC 78 proposes to provide for terrace housing and apartment buildings on the margins of the reserve, the northern end of which is close to Highbury, a transport hub, and a logical place for more intense housing.

However, allowing dense housing on the margins would undermine the experience of being in the bush and close to nature. Runoff from dense housing could negatively impact the flora and fauna, while visual and aural impacts would certainly reduce the native bush experience for visitors.

The bush needs a critical mass to survive and is already vulnerable. Use of the reserve will increase with more people living in the area, and it is vital that it be secured and protected.

My request is that any building on the margins of LRB be restricted to low density housing. 2163.1

Section 32: Significant Ecological Areas applies in this case. Low density housing would protect the bush itself and interfere least with the enjoyment of a nature experience. The need for more housing can still be met by intensifying around Highbury to the east. 2163.2

Protect and preserve Le Roys Bush.

Helen Renwick

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

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

Auckland Council
Te Kaunihera o Tāmaki Makaurau

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

Attn: Planning Technician
Auckland Council
Level 24, 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)

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

KTW Systems LP

Address for service of Submitter

C/- V Dimery Consulting Limited, Level 3, 43 High Street, Auckland Central, Auckland 1010

Telephone: 3775054 Fax/Email: rachel@dimery.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 78
Plan Change/Variation Name	Intensification

The specific provisions that my submission relates to are:
(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)	Please refer to attached table.
Or Property Address	
Or Map	Please refer to attached table.

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:

Please refer to attached table.

(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. ☒

Please refer to attached table.

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 ☒

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

09/29/2022
Date

Notes to person making submission:

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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.

Sub pt.	Specific provision submission relates to	Submission – support/oppose/amendments sought and reasons for submission	Relief Sought	
1.	The entire plan change	Oppose KTW Systems LP owns 5 Palmerston Road, Birkenhead, North Shore. KTW Systems LP considers that Proposed Plan Change 78 does not appropriately take into account the special character values present at Birkenhead Point, nor does it appropriately take into account the special character values of Auckland's suburbs as a whole. The methodology to evaluate the application of the special character areas is inconsistent, as swathes of land in the potential light rail corridor have been excluded from the plan change. This is inconsistent with the requirements for a section 32 evaluation required under section 77L of the Resource Management Act. Section 32 evaluations are required to evaluate whether the plan change is the most appropriate way to achieve the objectives. The objectives for the Special Character Area Overlay apply to the entire overlay and it is inappropriate, inefficient, and ineffective to assess changes to the provisions in Plan Change 78 in a piecemeal fashion.	KTW Systems LP seeks Plan Change 78 is withdrawn and re-notified to consider the impact of the provisions on special character values as a whole; or in the alternate, amendment to the provisions (including planning maps) to better provide for the recognition and maintenance of special character values present in all of Auckland's early business and residential suburbs. KTW Systems LP seeks further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.	2169.1
2.	Mapping – Special Character Overlay	Oppose the amendments made to reduce the spatial extent of the Special Character Areas Overlay. In particular, the extent of the overlay in the Birkenhead area has been reduced such that the coherency of the special character values will be eroded significantly. The small 'islands' are not representative of the special character values articulated in the Birkenhead character statement.	Amend planning maps so that the spatial extent of the Special Character Areas Overlay applies to the area of Birkenhead Point shown in the map below.	2169.2

Sub pt.	Specific provision submission relates to	Submission – support/oppose/amendments sought and reasons for submission	Relief Sought
		The southern end of Palmerston Road, Birkenhead has a cluster of properties that were scored 5 and 6 in Council's in-field review (refer excerpt below from Summary of Area Findings for Special Character Areas: Residential, which shows the southern extent of Birkenhead Point).  These properties collectively support the special character of the Birkenhead area. As the properties are on both sides of Palmerston Road, this creates a cohesiveness to the streetscape that reflects the historical form of subdivision and built form at this locality.	

Sub pt.	Specific provision submission relates to	Submission – support/oppose/amendments sought and reasons for submission	Relief Sought
3.	Mapping – Mixed Housing Urban Zone	Oppose the application of the Mixed Housing Urban Zone to areas where the "Infrastructure – Water and Wastewater Constraints Control" applies. Rezoning land Mixed Housing Urban when there are known infrastructure constraints is not the most appropriate way to achieve the objectives as: 1. It is not efficient or effective to nominally represent land as being suitable for more intensive development when it is unable to be serviced. 2. There are other reasonably practicable options, including applying the Low Density Residential Zone to land subject to infrastructure constraints. 3. The Section 32 evaluation identifies that the water servicing constraints for the Lower North Shore are not expected to be lifted in the life of the Auckland Unitary Plan. In relation to the lower reaches of the North Shore, including Birkenhead Point, the two watermains across the Harbour Bridge are currently constrained. The Westhaven pumpstation has been delayed to land availability. Given this uncertainty, it is not appropriate to apply the Mixed Housing Urban Zone to the lower reaches of the North Shore. This is especially relevant, given the provisions of Proposed Plan Change 78 will take immediate legal effect.	Rezone all land subject to the "Infrastructure – Water and Wastewater Constraints Control" as Low Density Residential Zone.

2169.3

Sub pt.	Specific provision submission relates to	Submission – support/oppose/amendments sought and reasons for submission	Relief Sought	
4.	Mapping - Infrastructure – Water and Wastewater Constraints Control	Support Identifying the "Infrastructure – Water and Wastewater Constraints Control" as a qualifying matter under section 77I(j) of the Resource Management Act is necessary, as known infrastructure constraints make higher density development in these areas inappropriate. The provision of infrastructure has long lead times, as demonstrated by the Central Interceptor project (resource consents and notices of requirement were lodged and approved between 2012 to 2018 and the project build is between 2019-2026). Therefore, known infrastructure constraints should be identified where these will impact on development potential. This is more efficient and effective than requiring a site-by-site analysis through the resource consent application process.	Retain the extent of the "Infrastructure – Water and Wastewater Constraints Control" as shown on the planning maps.	2169.4
5.	Low Density Residential Zone and Mixed Housing Urban Zone Objectives H3A.2(10) and H5.2(7)	Support The inclusion of clear objectives that identify that development will be enabled where it can be serviced accords with sound resource management practice and is the most appropriate way to provide for the health and well-being of communities. It will also give effect to Objective 1 in Schedule 3A of the Resource Management Act, which seeks to achieve a well-functioning urban environment.	Retain objectives H3A.2(10) and H5.2(7).	2169.5 2169.6

Sub pt.	Specific provision submission relates to	Submission – support/oppose/amendments sought and reasons for submission	Relief Sought	
6.	Low Density Residential Zone and Mixed Housing Urban Zone Policies H3A.3(12) and H5.3(12)	Support Requiring dwellings to be provided with access to water, wastewater and stormwater services accords with the purpose of the Resource Management Act and is the most appropriate way to achieve objective H3A.2(10) and objective H5.2(7). It is also the most appropriate way to achieve a well-functioning urban environment.	Retain policy H3A.3(12) and H5.3(12).	2169.7 2169.8
7.	Low Density Residential Zone and Mixed Housing Urban Zone Policies H3A.3(13) and H5.3(13)	Oppose As set out earlier in this submission, the provision of infrastructure has long lead times. It is inappropriate and circular, to on the one hand identify known infrastructure constraints that will endure for the life of the Auckland Unitary Plan and on the other hand, include a policy requiring these areas to be provided with appropriate infrastructure.	Amend policies H3A.3(13) and H5.3(13) as follows: ~~Require~~ Avoid development of new dwellings in areas identified on the planning maps as subject to water, wastewater or stormwater infrastructure constraints, ~~to be provided with appropriate infrastructure.~~	2169.9 2169.10
8.	Activity tables the Low Density Residential Zone and Mixed Housing Urban Zone H3A. 4.1(A10) and H5.4.1 (A14C)	Oppose Providing for additional dwellings in areas subject to the "Infrastructure – Water and Wastewater Constraints Control" as a restricted discretionary activity is inappropriate. Moreover, the proposed amendments are unclear, as there are new standards to be complied with for dwellings within the Infrastructure – Combined Wastewater Network Control and Infrastructure – Stormwater Disposal Constraints Control areas; however there is no standard for development in the proposed "Infrastructure – Water and Wastewater Constraints Control" area. The plan change includes new objectives and policies that seek to enable development only where it can be	Amend the activity tables in the Low Density Residential Zone and Mixed Housing Urban Zone to classify more than one dwelling on a site subject to the "Infrastructure – Water and Wastewater Constraints Control" as a non-complying activity. Delete all associated matters of discretion and assessment criteria for two or more dwellings within the "Infrastructure – Water and Wastewater Constraints Control".	2169.11 2169.12

Sub pt.	Specific provision submission relates to	Submission – support/oppose/amendments sought and reasons for submission	Relief Sought	
		serviced by the water supply, wastewater and stormwater networks (refer Objective H5.2(7) and Policies H5.2(12) and (13). Omitting specific rules in areas with known water supply constraints is not the most appropriate way to achieve these objectives and policies. It will not enable people and communities to provide for their wellbeing if adequate water supply is unable to be provided for residents in newly built homes. It may also have implications for health and safety if adequate water pressure cannot be provided for firefighting purposes.		
9.	E38.2(10)	Support Intensification and further development should only be enabled in areas where there is adequate existing or planned infrastructure, which will be delivered within the life of the Auckland Unitary Plan. The amendments, as notified, to objective E38.2(10) seek to ensure that subdivision is provided for where it can be serviced. This in turn will achieve a well functioning urban environment and provide for people and communities' wellbeing, health and safety.	Retain E38.2(10) as notified.	2169.13
10.	E38.3(31)	Support Policy E38.3(31) is the most appropriate way to achieve objective E38.2(10). Intensification and further development should only be enabled in areas where there is adequate existing or planned infrastructure, which will be delivered within the life of the Auckland Unitary Plan. This in turn will achieve a	Retain policy E38.3(31) as notified.	2169.14

Sub pt.	Specific provision submission relates to	Submission – support/oppose/amendments sought and reasons for submission	Relief Sought	
		well-functioning urban environment and provide for people and communities' wellbeing, health and safety.		
11.	Table E38.4.2 Activity table – Subdivision in residential zones Rule (A29B)	Oppose, amendments sought Providing for additional dwellings in areas subject to the "Infrastructure – Water and Wastewater Constraints Control" as a restricted discretionary activity is inappropriate. The proposed amendments (as notified) to Objective E38.2(10) seek to provide for subdivision where sites can be serviced by the water supply, wastewater and stormwater networks. Existing policy E38.2(20) requires sites capable of containing a building to connect to networks for wastewater, stormwater and potable water. Enabling subdivision where there are known infrastructure constraints, with no prospect in the life of the plan of this changing, is not the most appropriate way to achieve this objective or to give effect to the associated policy. Policy E38.3(31) seeks to avoid subdivision in areas with known infrastructure constraints and as such, non-complying activity status is the most efficient and effective means of giving effect to this policy direction.	Amend E38.4.2(A29B) to classify all subdivision subject to the "Infrastructure – Water and Wastewater Constraints Control" as a non-complying activity.	2169.15
12.	Chapter L: Schedule 15 Special Character Schedule, Statements and Maps	Oppose The amendments to the Special Character Statements and Maps do not appropriately reflect the special character values present in Auckland's suburbs. In particular, the amendments to the Birkenhead Point area take a flawed approach that does not consider the cohesiveness of the existing streetscapes and built form. The amendments to the extent of the Birkenhead	Amend the character statements to ensure special character values present in Auckland's suburbs are appropriately recognised.	2169.16

Sub pt.	Specific provision submission relates to	Submission – support/oppose/amendments sought and reasons for submission	Relief Sought
		Point special character area will create 'islands' of special character areas. Enabling significant development to occur in between these 'islands' will erode the special character values articulated in the character statement including: - the two distinct phases of development from the 1890s to 1940s and 1960s to 1970s, that are clearly evident in the built form and pattern of development. - the consistency of the height of buildings, which is predominately one to two storeys. - the built form and its visual coherence.	Amend the description to 15.1.7.5 Special Character Areas Overlay – General: North Shore – Birkenhead Point as follows: The overlay area covers <u>much</u> ~~parts~~ of Birkenhead Point…

2169.17

Ginny Taare

From: Holly Tutill <holly@thepc.co.nz>
Sent: Thursday, 29 September 2022 2:43 pm
To: Unitary Plan
Cc: Jessica Andrews; bh.henrikwest@xtra.co.nz; c.k.henriksen@xtra.co.nz
Subject: Submission to PC 78 - Henriksen - 5 & 6 Arun Street, Stanmore Bay
Attachments: Submission to PC 78 - Henriksen - FINAL.pdf

Good afternoon,

Please find attached a submission to Plan Change 78: Intensification on behalf of Beau Henriksen, Cliff Henriksen and Karen Henriksen (the Submitters) regarding the sites located at 5 Arun Street and 6 Arun Street, Stanmore Bay.

Thank you.

Ngā mihi / Kind regards

Holly Tutill
Planning Assistant
THE PLANNING COLLECTIVE
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A hub of planning excellence

Form 5

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

Clause 6 of Schedule 1, Resource Management Act 1991

To: Auckland Council (via email: unitaryplan@aucklandcouncil.govt.nz)

Name of Submitter: Beau Henriksen, Cliff Henriksen and Karen Henriksen, owners of 5 and 6 Arun Street, Stanmore Bay (Lot 3 DP 75755 and Lot 2 DP 75755)

This is a submission is made on behalf of Beau Henriksen, Cliff Henriksen and Karen Henriksen to Auckland Council on the Proposed Plan Change 78: Intensification

The specific provisions of Plan Change 78 that the submission relates to are:

- The zoning of the land at 5 and 6 Arun Street, Stanmore Bay, and the application of spatially identified qualifying matters on the land

Beau Henriksen, Cliff Henriksen and Karen Henriksen could not gain an advantage in trade competition through this submission.

Statutory Context

Section 77G (1) of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 outlines that *every relevant residential zone of a specified territorial authority must have the MDRS incorporated into that Zone.*

Section 77G(6) of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 outlines that *a specified territorial authority may make the requirements set out in Schedule 3A or policy 3 less enabling of development than provided for in that schedule or by policy 3, if authorised to do some under section 77I.*

Section 77I outlines that *a specified territorial authority may make the MDRS and the relevant building height or density requirements under policy 3 less enabling of development in relation to an area within a relevant residential zone only to the extent necessary to accommodate 1 or more of the following qualifying matters that are present:*

(a) a matter of national importance that decision makes are required to recognise and provided for under section 6:

(b) a matter required in order to give effect to a national policy statement (other than the NPS-UD) or the New Zealand Coastal Policy Statement 2010: …

(j) any other matter that makes higher density, as provided for by the MDRS or policy 3, inappropriate in an area, but only if section 77L is satisfied."

Section 77L outlines that *"a matter is not a qualifying matter under section 77I(j) in relation to an area unless the evaluation report referred to in section 32 also—*

(a) identifies the specific characteristic that makes the level of development provided by the MDRS (as specified in Schedule 3A or as provided for by policy 3) inappropriate in the area; and

(b) justifies why that characteristic makes that level of development inappropriate in light of the national significance of urban development and the objectives of the NPS-UD; and

(c) includes a site-specific analysis that—

(i) identifies the site to which the matter relates; and

(ii) evaluates the specific characteristic on a site-specific basis to determine the geographic area where intensification needs to be compatible with the specific matter; and

(iii) evaluates an appropriate range of options to achieve the greatest heights and densities permitted by the MDRS (as specified in Schedule 3A) or as provided for by policy 3 while managing the specific characteristics."

Submission

Site Description

5 Arun Street, Stanmore Bay is legally described as Lot 3 DP 75755 and is approximately 2,129m^2 in area. 6 Arun Street, Stanmore Bay is legal described as Lot 2 DP 75755 and is approximately 1,079m^2 in area. We have reviewed the Record of Title for these sites and there are no limitations registered on the Title that would limit application of the MDRS. The sites are held in the same ownership.

An aerial image of the sites is provided in Figure 1 overleaf. The Beachfront Rest Home operates from 5 and 6 Arun Street which provides supported residential care facilities to the elderly. The sites are developed, containing numerous two-storied buildings which are utilised in conjunction with the supported residential care facility. The sites are accessed via a single vehicle access to Arun Street. 6 Arun Street adjoins an esplanade reserve to the north which runs parallel to the Stanmore Bay Beach.

The sites are located in the north-eastern area of Stanmore Bay. Stanmore Bay is a suburb located on the Whangaparaoa Peninsula and is situated between the Red Beach and Whangaparaoa settlements. The subject sites are located close to local amenities such as the Stanmore Bay Beach, Stanmore Bay Park, the Hibiscus Coast Outboard Boating Club, Stanmore Bay Pool and Leisure Centre and the Pukeko Early Learning Centre. Furthermore, the site is approximately a 10-minute walk to the nearby local centre on Brightside Road, and approximately a 5-minute drive to the Whangaparaoa Town Centre.

There are public transport options which provide connectivity around the Whangaparaoa Peninsula and wider Auckland Region via the Hibiscus Coast Bus Station at Silverdale and a network of reserves within the site's vicinity which provide pedestrian routes throughout Stanmore Bay.



Figure 1: Aerial image of 5 and 6 Arun Street, Stanmore Bay (Source: GripMaps, 27/09/2022)

Auckland Unitary Plan - Operative in Part Zoning

The sites are currently zoned Residential - Single House Zone under the Auckland Unitary Plan - Operative in Part (AUP-OP) and is subject to the following controls:

- Coastal Inundation 1% Annual Exceedance Probability Plus 1m Control - 1m Sea Level Rise which covers the southern portion of 5 Arun Street.
- Macroinvertebrate Invertebrate Community Index Control - Urban covers the entirety of both sites.

Refer to **Attachment 1** for a copy of the AUP-OP maps for the subject site.

Catchment, Hydrology and Climate Impact Layers

The Auckland Council GeoMaps - Catchments and Hydrology layer shows that the south-western portion of 5 Arun Street is covered by the 1% Annual Exceedance Probability (AEP) floodplain area and is within a flood sensitive area as shown in Figure 2 overleaf. No overland flowpaths traverse through the sites.



Figure 2: Aerial image of sites showing extent of catchment and hydrology layers
(Source: Auckland Council GeoMaps Catchment and Hydrology Layer, 27/09/2022)

The Auckland Council GeoMaps - Climate Impact layer shows that 5 Arun Street is covered by the coastal inundation and coastal erosion layers as shown in Figure 3 below.

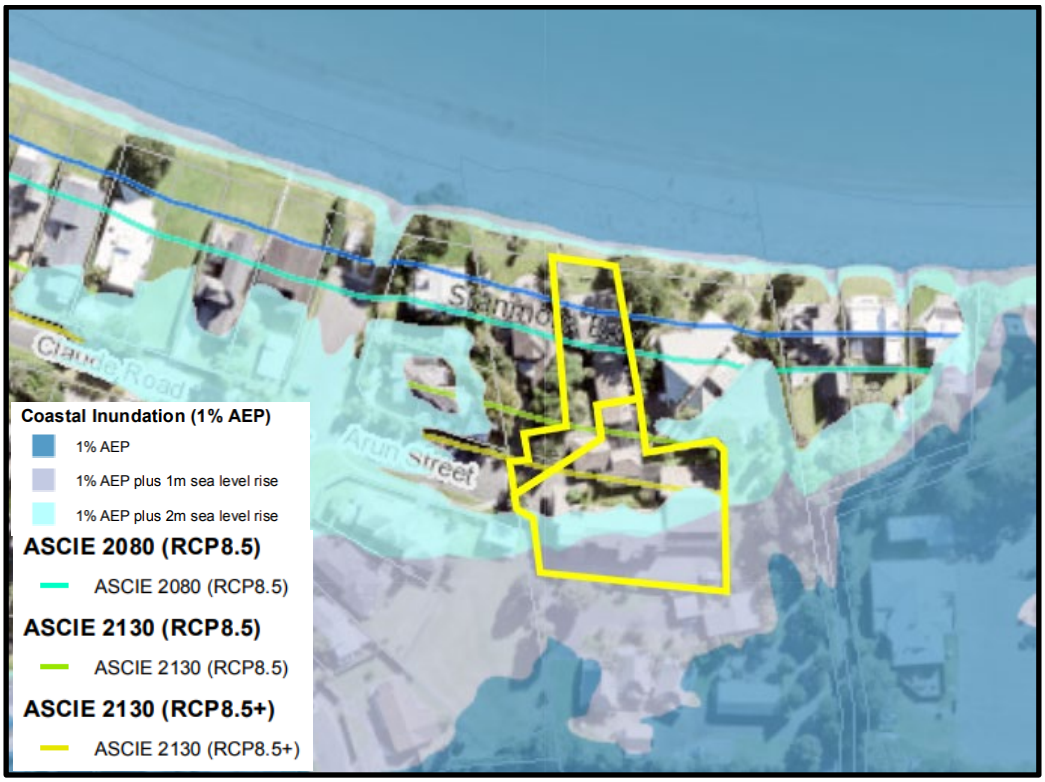


Figure 3: Aerial image of sites showing extent of coastal impact layers
(Source: Auckland Council GeoMaps Coastal Impact Layer, 27/09/2022)

Plan Change 78: Intensification

Through Change 78 (PC78), 5 Arun Street is proposed to be zoned Residential - Low Density Residential (LDRZ) and the following spatially identified qualifying matters are identified on this site:

- Coastal Erosion
- Flood Plains
- Water and/or Wastewater Constraints Control
- Coastal Inundation

6 Arun Street is proposed to be zoned LDRZ through PC78 and the following spatially identified qualifying matters are identified on the site:

- Coastal Erosion
- Water and/or Wastewater Constraints Control

The PC78 maps include an information layer which stipulates that the sites are subject to a future coastal hazards plan change.

The coastal erosion, coastal inundation and flood plain areas have been identified by Council as qualifying matters for the subject sites through sections 771(a) and 771(b) which states that:

> *77I Qualifying matters in applying medium density residential standards and policy 3 to relevant residential zones*
>
> *A specified territorial authority may make the MDRS and the relevant building height or density requirements under policy 3 less enabling of development in relation to an area within a relevant residential zone only to the extent necessary to accommodate 1 or more of the following qualifying matters that are present:*
>
> *(a) a matter of national importance that decision makers are required to recognise and provide for under section 6:*
>
> *(b) a matter required in order to give effect to a national policy statement (other than the NPS-UD) or the New Zealand Coastal Policy Statement 2010:*
>
> *(c) a matter required to give effect to Te Ture Whaimana o Te Awa o Waikato— the Vision and Strategy for the Waikato River:*
>
> *(d) a matter required to give effect to the Hauraki Gulf Marine Park Act 2000 or the Waitakere Ranges Heritage Area Act 2008:*
>
> *(e) a matter required for the purpose of ensuring the safe or efficient operation of nationally significant infrastructure:*
>
> *(f) open space provided for public use, but only in relation to land that is open space:*
>
> *(g) the need to give effect to a designation or heritage order, but only in relation to land that is subject to the designation or heritage order:*
>
> *(h) a matter necessary to implement, or to ensure consistency with, iwi participation legislation:*
>
> *(i) the requirement in the NPS-UD to provide sufficient business land suitable for low density uses to meet expected demand:*
>
> *(j) any other matter that makes higher density, as provided for by the MDRS or policy 3, inappropriate in an area, but only if section 77L is satisfied.*

In order to impose qualifying matters, a territorial authority must meet the requirements of s77J which specifically requires that:

> *(3) The evaluation report must, in relation to the proposed amendment to accommodate a qualifying matter, —*
>
> *(a) demonstrate why the territorial authority considers—*
>
> *(i) that the area is subject to a qualifying matter; and*
>
> *(ii) that the qualifying matter is incompatible with the level of development permitted by the MDRS (as specified in Schedule 3A) or as provided for by policy 3 for that area; and*
>
> *(b) assess the impact that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity; and*
>
> *(c) assess the costs and broader impacts of imposing those limits.*

The section 32 reports indicate that the Council have taken a blanket approach to preventing further intensification of sites that are identified on the Council GeoMaps system as being subject to coastal erosion, coastal inundation and flooding as provided for by 77K. The outcome is proposed application of the Residential - Low Density Residential zoning to affected sites. This approach does not meet the requirements of section 77I, 77J and 77K of the RMA for the following reasons:

- The sites have already been comprehensively developed for the supported residential care use which clearly demonstrates that it is not inappropriate for the sites to be developed in accordance with the density or building height enabled through the MDRS.
- Section E36 of the AUP-OP already contains provisions relating to the management and design of development within areas subject to coastal erosion, coastal inundation, and flooding. Therefore, the application of these natural hazards as a qualifying matter and application of the Residential - Low Density Residential zoning to the land is not necessary as these hazards are already protected and managed through the zoning provisions.
- The modelling has been undertaken at a regional-scale and therefore does not provide a site-specific assessment as to natural hazard risks for the site. It is more appropriate for this site-specific assessment of hazard risk to be undertaken when developing a design for development of sites subject to natural hazards. No new mapping has been undertaken by Auckland Council and the existing maps are non-statutory because of the high level and non-site-specific detail of those maps. The future coastal hazards plan change may also address specific coastal hazards that may or may not apply to the land and therefore any determination of these qualifying matters is best determined as part of that future process.

Accordingly, the coastal inundation, coastal erosion hazard and floodplain areas should not be applied as limiting qualifying matters to the land.

As set out above, Auckland Council have applied the Residential - Low Density Residential to the land prevent further intensification of land subject to natural hazards as provided for by 77I (a) and 77K. It is noted that this zoning rationale has been applied inconsistently within Stanmore Bay and the wider Whangaparaoa Peninsula as various sites shown on the GeoMaps layers to be subject to natural hazards are proposed to be zoned Residential - Mixed Housing Urban.

Nevertheless, the above assessment demonstrates that the natural hazards should not be applied as limited qualifying matters to the land and therefore the sites should be rezoned to Residential - Mixed Housing Urban. Furthermore, the existing development and use of the sites as a supported residential care facility with 43 beds clearly demonstrates the ability for the site to be developed at a density that is in keeping with that enabled through the modified Residential - Mixed Housing Zone incorporating the MDRS. Supported residential care facilities are generally anticipated within the Residential - Mixed Housing Urban Zone as signalled by the Restricted Discretionary activity status of the activity in this zone. The sites are well located in terms of its proximity to local amenities, community services, open space and public transport options which contribute to well-functioning urban environments. All these factors clearly indicate that the practical and efficient zoning of the land is Residential - Mixed Housing Urban.

Auckland Council have applied the water and/or wastewater constraints control as a new qualifying matter under section 77I(j). The Council must meet the following requirements in s77L to impose a qualifying matter under s77I(j):

> *77LFurther requirement about application of section 77I(j)*
> *A matter is not a qualifying matter under section 77I(j) in relation to an area unless the evaluation report referred to in section 32 also—*
>
> *(a) identifies the specific characteristic that makes the level of development provided by the MDRS (as specified in Schedule 3A or as provided for by policy 3) inappropriate in the area; and*
> *(b) justifies why that characteristic makes that level of development inappropriate in light of the national significance of urban development and the objectives of the NPS-UD; and*
> *(c) includes a site-specific analysis that—*
> *(i) identifies the site to which the matter relates; and*
> *(ii) evaluates the specific characteristic on a site-specific basis to determine the geographic area where intensification needs to be compatible with the specific matter; and*
> *(iii) evaluates an appropriate range of options to achieve the greatest heights and densities permitted by the MDRS (as specified in Schedule 3A) or as provided for by policy 3 while managing the specific characteristics.*

The Section 32 report does not provide sufficient site-specific analysis or justification to determine that the level of development enabled by the MDRS for the subject sites would be inappropriate in the context of the water and/or wastewater constraints. It is also unclear whether the developed nature of the subject sites has been taken into account when determining the water and/or wastewater constraints for the sites. As such, the water and/or wastewater constraint should not be applied as a limiting qualifying matter to the site.

Decision Sought

Beau Henriksen, Cliff Henriksen and Karen Henriksen seek the following decision from Auckland Council:

2173.1
2173.2
2173.3
2173.4
2173.5

- That PC78 be approved in part subject to the matters raised within this submission, namely that the land at 5 and 6 Arun Street, Stanmore Bay be zoned Residential - Mixed Housing Urban, with no qualifying matters applying to the site.
- Any other relief required to achieve the outcomes sought in this submission.

Hearing of Submission

Beau Henriksen, Cliff Henriksen and Karen Henriksen do wish to be heard in support of its submission and will consider presenting a joint case at a hearing with others if they make a similar submission.



Jessica Andrews (Agent)
Planner
The Planning Collective Limited
(person authorised to sign on behalf of submitter)

Date: 29 September 2022

Address for Service:

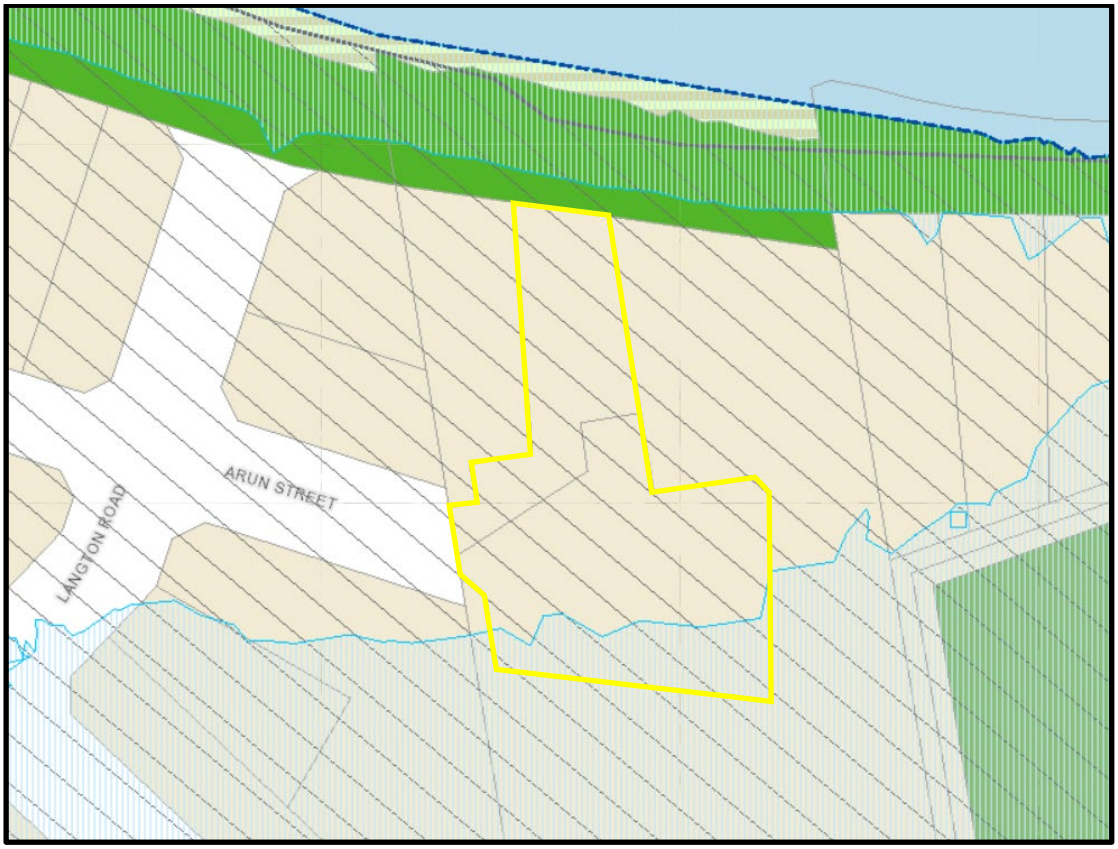
Beau Henriksen, Cliff Henriksen and Karen Henriksen
C/- The Planning Collective Limited
PO Box 591
Warkworth, 0941
Attn: Jessica Andrews
E: Jessica@thepc.co.nz
Ph: 021 422 713

Attachments:

1: Auckland Unitary Plan - Operative in Part
2: Plan Change 78 Maps

Attachment 1:

Auckland Unitary Plan – Operative in Part Maps



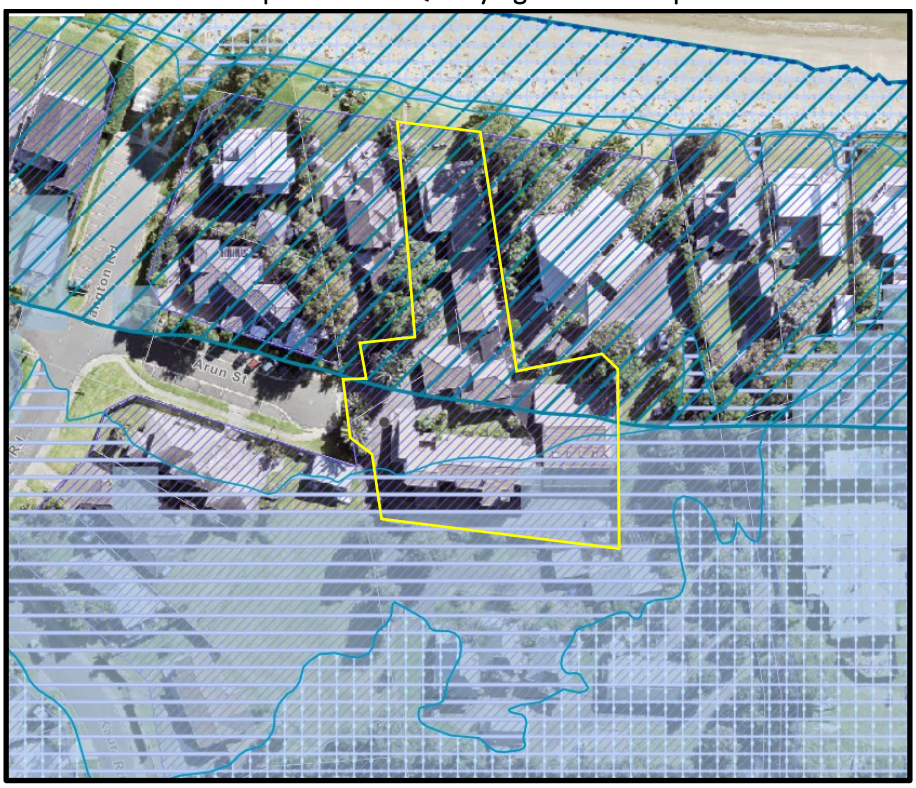
Attachment 2:

Plan Change 78 Maps

Proposed PC78 Zoning Map:



Proposed PC78 Qualifying Matters Map:



End of Report

Ginny Taare

From: Christine Caughey <christine.caughey@gmail.com>
Sent: Thursday, 29 September 2022 2:56 pm
To: Unitary Plan
Subject: Submission to Plan Change 78
Attachments: Plan Change 78 - SRRG submission (Final).pdf

Please find the attached submission to Proposed Plan Change 78 sent on behalf of the Seaview Road Residents Group.

Kind regards

Christine Caughey

Christine Caughey

M: +64 27 47 44 219
E: christine.caughey@gmail.com

Submission on Proposed Plan Change 78

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

Office use

Submission No

Receipt date

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

Attn: Planning Technician Auckland Council
Level 24, 135 Albert Street Private Bag 92300 Auckland 1142

Submitter details

Full Name or Name of Agent (if applicable)

Christine Margaret Caughey and Sue Haigh on behalf of the Seaview Road Residents Group

Address for service of Submitter

63 Seaview Road, Remuera, Auckland 1050

Telephone: Fax/Email: Contact Person: Christine Caughey

Mob 027 47 44 219, E: christine.caughey@gmail.com

Scope of submission

This is a submission on Proposed Plan Change 78 – Intensification.

The specific provisions that the submission relates to are:
(Please identify the specific parts of the proposed plan change)

Plan provision Special Character Overlay - scoring as Qualifying Matter

Property Address; Auckland wide and Seaview Road, Remuera ("**Seaview Road**")

Maps: Plan Change 78 Special Character and residential zoning Provisions

Maps: Plan Change 78 Water and Wastewater Servicing Constraints

Other *(specify)* Section 32 Water and Waste Water servicing constraints: Evaluation Report

This submission:

Supports preserving the existing special character overlays across Auckland generally and in Seaview Road in particular.

Opposes removal of special character overlays (as detailed in the AUP) across Auckland and requests that all of Seaview Road have a special character overlay.

Opposes inappropriate application to higher density residential, in areas where there are water and waste water servicing constraints. That factor should constitute a qualifying matter.

Opposes inappropriate scoring methodology for special character qualifying matters.

The Seaview Road Residents Group seeks to have the relevant aspects of the proposed plan change identified above, amended.

Reasons for the Seaview Road Residents Group submission

The proposed Plan Change is undesirable and inappropriate because:

1. It fails to include and protect Special Character Areas.

2. It is contrary to the purpose of the Resource Management Act 1991 as set out in Part 2 including Section 5.

3. It does not recognise and provide for the protection of historic heritage and special character from inappropriate subdivision, use, and development as required by section 6(f) of the Act.

4. It fails to have any or sufficient regard to the matters set out in section 7 of the Act, and in particular:

   (b) the efficient use and development of natural and physical resources:

   (c) the maintenance and enhancement of amenity values:

   (d) intrinsic values of ecosystems:

(f) maintenance and enhancement of the quality of the environment:

(i) the effects of climate change.

5. It fails to have any or sufficient regard to the "additional provisions for regional rules and district rules" and the "intensification requirements in residential zones" set out in Part 5 of the Resource Management Act 1991, including in particular sections 77A, 77B, 77G,77I, 77J 77O,and 77Q.

6. It will have significant adverse effects on the environment, and in particular on the people of Auckland, their communities, on the amenity values in the areas excluded and on the social, economic, aesthetic and cultural conditions which are affected by those matters.

7. The Plan Change is not required to give effect to the requirements of the Resource Management (Housing and other matters) Amendment Act 1991 or of the National Policy Statement – Urban Development, as the Plan Change with all the Special Character Areas included as a qualifying matter would provide more than enough capacity for Auckland's future housing needs for the foreseeable future.

8. The process, methodology, criteria and scoring of the review of the Special Character areas is not supported. It is not logical and will not enable robust coherence and adequate protection of special character housing and areas either individually, or as a whole.

9. The manner in which Seaview Road has been assessed and scored for Special Character is not appropriate.

10. The traditional subdivision pattern landscape, significant pre-1940s housing, natural and treed environment in both the public and private realm, should be considered in assessing the special character quality of the entire street.

11. It is inappropriate to assess individual houses outside their setting as their values also contribute visually within the greater streetscape.

12. The waste water infrastructure is identified in the Maps as being a constraint down the entire length of Seaview Road. Water quality testing in Hobson Bay reveals it is heavily polluted due to overflows and discharges. Increased density in Seaview Road will exacerbate this already major environmental issue. Quoting the Section 32 Report, *If the AUP gave effect to Policy 3 of the NPS-UD and inserted the MDRS at the sites identified as being subject to water and wastewater servicing constraints this would likely result in significant adverse effects on the environment*. Ref Section 32 and S 77J and 77I new (other matter) qualifying matter. Water and Waste water Servicing Constraints Evaluation Report for Plan Change 78.

13. The partitioning of Seaview Road into sections of medium density on the one hand, and sections of low density residential with a special character overlay on the other hand, is inconsistent with sound planning practice.

For all the above reasons it is appropriate that the whole of Seaview Road should have a low density residential zoning and special character overlay for its full length. This will support the protection of this slice of Auckland's unique and distinctive residential tapestry in its traditional special character of architectural and natural form.

For the above reasons, the Seaview Road Residents Group seeks the following decisions by Council:

1. That the 3.6% Special Character Areas currently included in the Unitary Plan be reinstated in their entirety in the Planning Maps of Plan Change 78. 2179.1 2179.2
2. That the whole of Seaview Road be rezoned to low density residential. 2179.3
3. That the whole of Seaview Road have a special character overlay. 2179.4
4. That water and wastewater constraints be identified as a qualifying matter. 2179.5
5. Any other or further changes to the Proposed Plan Change which are required to give effect to the requested changes.

Christine Caughey

Sue Haigh

Christine Caughey and Sue Haigh

For and on behalf of the Seaview Road Residents Group.

The Group wishes to be heard and would consider a joint presentation.

29 September 2022

NOTICE OF SUBMISSION ON PROPOSED PLAN CHANGE 78

AUCKLAND UNITARY PLAN

TO: Planning Technician, Auckland Council

Email: unitaryplan@aucklandcouncil.govt.nz

SUBMITTER DETAILS

FULL NAME	Sean Molloy
ADDRESS OF SUBMITTER	14 Dublin Street, St Marys Bay, Auckland 1011
TELEPHONE	021 877340
EMAIL	sean.molloy@extensor.co.nz

SCOPE OF SUBMISSION

This is a submission opposing Proposed Plan Change 78 as it affects the inner city suburb of Auckland known as St Mary's Bay. This submission relates to all aspects of PC78 as they affect St Mary's Bay which, for the purposes of this notice, is the area bounded by St Mary's College and Jacob's Ladder in the east, the northern motorway to the north, Curran Street to the west and Jervois Road/College Hill to the south.

I will not benefit through trade competition through this submission.

SUBMISSION

This submission relates to all of Plan Change 78. I generally oppose Plan Change 78 because it has not been sufficiently nor accurately assessed, there has been inadequate consultation, and it is currently not consistent with sound resource management practice, the sustainable management purpose and principles of the Resource Management Act 1991 and will not enable people and communities to provide for their social and economic well-being.

Without derogating from this broad objection, I wish to make the following more specific points in opposition to Plan Change 78:

1. **I oppose** the walkable catchment of 1200 metres imposed on St Mary's Bay and measured from the western edge of the City Centre zone.

2. **I oppose** the removal of the Special Character Area Overlay from St Mary's Bay at all, and particularly in circumstances where there has not been any analysis or justification for this under s.32 RMA.

3. **I oppose** the potential through Plan Change 78 to reduce the protection of the historic heritage of St Mary's Bay whether by the failure of the Council to fulfil its obligations under s.6f RMA, the Heritage New Zealand Pouhere Taonga Act 2014, and the AUP Chapter B5 Regional Policy Statement instruction, or otherwise.

4. **I oppose** the failure of Plan Change 78 to provide for historic heritage and/or special character sub-areas over St Mary's Bay particularly in circumstances where the number of historic heritage dwellings reached the 75% and 66% arbitrary threshold unilaterally imposed by the Council without any statutory or evidential foundation.

5. **I oppose** the failure of the Plan Change 78 to recognise the spiritual, ecological, archaeological, and historic value of the kauri residential buildings located across St Mary's Bay as the legitimate built remnants of the forests of Tai Tokerau and Waitakere. This failure shows neglect for the principles of the Treaty of Waitangi, an obligation which the Council must meet under s.8 RMA.

6. **I oppose** the walkable catchment of 400 metres from a Ponsonby Town Centre imposed over St Mary's Bay.

7. **I oppose** the characterisation of Ponsonby Road as a Town Centre to justify a walkable catchment from Ponsonby Road.

8. I **oppose** the reliance on the Ponsonby Town Centre zone to justify any walkable catchment from Ponsonby Road. The Council is not required by the National Policy Statement on Urban Development (**NPSUD**) or otherwise, to impose any walkable catchment from any Town Centre Zone.

9. I **oppose** any walkable catchment extending into St Mary's Bay being imposed and/or measured from any part of Ponsonby Road.

10. **I oppose** the failure of the Council to provide a structure plan (or other) analysis of the likely effects of proposed intensification over St Mary's Bay as required under the provisions of the AUP Chapter B, and s.32 RMA.

11. **I request** Plan Change 78 be amended to account for the above matters and to impose the Low Density Residential Zone over all properties that will be located in an Historic Heritage area or Special Character Area Overlay in St Mary's Bay.

12. **I request** that Plan Change 78 reinstate the zones currently operative for St Mary's Bay that have been altered by PC78, including those not already covered by the St Mary's Bay Special Character Area Overlay prior to the notification of PC78.

Reasons

The reasons for my opposition to PC78 are as follows:

1. The walkable catchment of 1200 metres imposed from the western edge of the City Centre Zone is contrary to international planning advice. The Council's international consultant, Mr Jan Gehl, recommended 500-800 metres as the furthest walking catchment likely to be used in association with a city centre. All international recommendations are based on an 800 metre maximum walkable catchment. This distance gives recognition to the various population cohorts likely to walk.

2. The Council has failed to justify the removal of the SCA overlay from St Mary's Bay in the s.32 RMA reports which have been written to justify PC78. There is no reference in any report to the reasons for the removal of this important resource management district plan control. The demolition control is an integral part of the SCA and is the technique relied upon to implement the instruction of AUP Chapter B5.

3. Having provided an historic heritage rating for every dwelling in St Mary's Bay, the Council acknowledges that over 200 of the existing dwellings have high historic heritage value and therefore are protected by s.6f RMA. The obligation to protect these dwellings has been ignored.

4. The Council gives no reason in the documents supporting PC78 why the previous Special Character Area Overlay for St Mary's Bay has not been imposed but has been withdrawn despite the clear evidence that groupings of historic heritage dwellings across St Mary's Bay reach the thresholds of 75% and 66% used throughout Auckland by the Council, as the basis for reimposing Special Character Areas.

5. The intensification outcome of PC78 directly attacks the *mauri* and *wairua* of the ancient Kauri forests which are extant in the Kauri cottages and villas across St Mary's Bay. There is no s.32 documentation discussing why this spiritual and ecological connection should be ignored.

6. Ponsonby Road and its environs are not properly characterised as a major or minor town centre, it has none of the characteristics of a town centre. Ponsonby Road is unique because it is a lineal retail/entertainment town centre space with limited amenity, convenience or community facilities.

7. The walkable catchment of 400 metres from Ponsonby Road is therefore a fiction invented by the Council. Policy 3(d) of the NPSUD makes walkable catchment imposition from town centre zones an option for the Council to impose. The imposition must be related to the character and amenity provided by the Town Centre Zone. There is no obligation on the Council under the NPSUD or otherwise to impose a walkable catchment connected to the Ponsonby Town Centre Zone. It should also be recognised that the commercial centre of Ponsonby Road is no longer in Three Lamps but closer to Ponsonby Central at 146 Ponsonby Road and the corner of Richmond Road

8. The only planning method available for the Council to test the potential adverse effects of the intensification model across St Mary's Bay is to use the structure planning analysis technique. This will enable a finer grained and more context specific analysis for changes to the operative plan. The failure of the Council to prepare a structure plan for this major urban paradigm shift to settlement patterns and development initiatives

is contrary to the provisions of s.32 RMA and the quality and sufficiency of the proposed changes in Plan Change 78 are irretrievably undermined and cannot be relied on. Just by way of example, Plan Change 78 has failed to account for current road, infrastructure and open space limitations.

9. The newly created Low Density Residential Zone is the appropriate zone to be placed on any parts of St Mary's Bay where an Historic Heritage Area or Special Character Area overlay is imposed. The Mixed Housing Urban Zone is inappropriate as the underlying zone for such overlays, and must be restricted to sites where redevelopment is not contrary to the purpose of the overlays.

10. Without justification the Council, through PC78, has mistakenly rezoned areas of St Mary's Bay which were not covered by the former Special Character Area Overlay. This action has been taken without consultation with the affected landowners. These areas must revert to the operative zone arrangements.

11. There are existing serious transport infrastructure constraints throughout St Mary's Bay relating to substandard road widths, traffic congestion and high on-street parking demands. The proposed residential intensification will overwhelm the existing transport infrastructure leading to serious adverse social, economic and cultural effects. There is no capacity for the Council to improve the existing transport infrastructure to avoid, remedy or mitigate such effects. There has been no s.32 RMA analysis of such effects and/or assessment of the serious impact that will occur from the proposed residential intensification through Plan Change 78.

12. PC78 fails to address the historic Combined Wastewater /Stormwater constraints in St Marys Bay which continue to result in regular overflows of Wastewater directly into the Waitemata Harbour. The Watercare proposal to separate Wastewater and Stormwater has now effectively been rejected in favour of an extension to the Central Interceptor to Pt Erin which at the earliest will not be completed until 2028.A rule is required to prevent any intensification until infrastructure is upgraded

13. The amenity standards for solar access and privacy provided in the operative MHU zone need to be reinstated to protect fundamental amenities to adjoining properties

14. Most of the sites in St Marys Bay are small with typical lot sizes of 300 -400 sqm. In most cases any Intensive development will require amalgamation of 2 or 3 adjoining lots. The cost of amalgamating expensive improved properties will generally result in a prohibitive land cost. A typical local example relates to the proposed THAB zoned sites at 10-18 New Street. The sites are currently developed with 3 modern homes, an old Motel and a renovated bungalow. The combined QV assessments equate to $10,500 per sqm of the total land area. Recent land sales in the Mixed Use (MU) Zone in College Hill /Jervois Road range from $6000 -$8,500 per sqm

15. There is ample suitable MU zoned land in St Marys Bay in College Hill and Jervois Road to satisfy demand for intensive development. A development site at 99 College Hill /20 Dublin Street, which was acquired by Manson TCLM with Resource Consent granted in 2017 for a development of 49 apartments with 32 apartments in a 5 level

building on the College Hill frontage, has now been on sold and a low-rise development of 12 townhouses is now proposed on the front portion of the site. The option for an intensive development has been waived by one of the most effective and well-funded Auckland developers in spite of full engineering and working drawings having been prepared

16. Any development in the THAB zones requires a lot size of at least 1000sqm to achieve the purpose of the development envelope promoted by the THAB zone. The costs to assemble a site of this size are prohibitive given the level of values in the St Marys Bay area.

17. Overall, the Council has failed in its duty to prepare a plan change which meets the purpose of s.32 RMA, and to protect the wellbeing of the community and the historic heritage of St Mary's Bay required by Part 2 RMA. PC78 does not achieve sustainable management and is accordingly contrary to the purpose of the RMA.

I seek the following decisions by the Council, amending PC78:

1. Reduce the Central City Zone walkable catchment to 800 metres. 2181.1

2. Reimpose the operative Special Character Area Overlay across St Mary's Bay, or, alternatively impose Historic Heritage Character Areas as requested by the St Mary's Bay Association's submission 2181.2 2181.3

3. Impose inadequate road network capacity as an accepted Qualifying matter under the NPS-UD criteria. 2181.4

4. Delete the reference to any walkable catchment extending into St Mary's Bay, measured from the Ponsonby Road Town Centre western edge or elsewhere. 2181.5

5. Impose the Low Density Residential Zone as the underlying zone for any areas covered by Historic Heritage Area or Special Character Area overlays as depicted on the plan attached to the submission of the St Mary's Bay Association. 2181.6

6. Reinstate all operative or similar zones across those parts of St Mary's Bay not affected by the Historic Heritage or Special Character overlays as depicted on the plan attached as annexure 2 to the submission of the St Mary's Bay Association. 2181.7

I wish to be heard in support of this submission. I declare that I cannot gain any advantage in trade competition through this submission.

I am directly affected by the adverse effects that will arise from PC78 and as set out by the matters of concern in my submission.

Signature of Submitter.....

Date: 20/9/2022

10-18 new street



9/28/2022, 3:55:25 PM

1:564

0 0 0.01 0.02 mi

0 0.01 0.01 0.03 km

Walkable Catchment

Height Variation Control

Eagle Technology, Land Information New Zealand, GEBCO, Community maps contributors, Plans and Places, Chief Planning Office

Ginny Taare

From: matthew Brajkovich <mattboomer4949@gmail.com>
Sent: Thursday, 29 September 2022 3:46 pm
To: Unitary Plan
Cc: matthew Brajkovich
Subject: Matthew Brajkovich PC78
Attachments: cbrra Intensification Submission 202209.pdf

Hi, please find the following submission for plan change 78.

The below submission is on behalf of Matthee Brajkovich, I thank you for the opportunity toi submit support for the council restrictive views to intensification and the Qualifying Matters and support these QM in full and they should be extended.

1: I wish to be heard or work with others re a verbal submission at the hearing panels
2: I generally support PC78 and the council's stance on implementation of the restrictions and Qualifying Matters (QM), but these need to be extended especially in the old SHZ (H3). 2187.1
3: all RMA Section 6 matters apply to howick east and need to be QM and all councils QMs.. 2187.2
4: the councils many reports re the constraints in howick east as commissioned by council in 2013 to 2016 still apply and must be QM or other reports that determine the restrictions. 2187.3
5: the NES and other standards must apply, as well as and not limited to the coastal policy statement 2010, all directives and MfE guidance must be applied or unintended extreme consequences will occur, or socially and environmentally poor outcomes will become so bad the area may become unlivable for both new and older built properties, we need to rebuild better 2187.4
6: In general terms I think height limits need to be relaxed in areas when it does not obstruct a view such as stockade hill, ie the valleys need to have the ability to build up and retain the natural features of the land and allow for better environmental outcomes, ie enforce maintenance in the stream areas. reduce sediment flows. 2187.5
7: enforce tanking to service the needs of the site and add capacity for the retention of natural feature 2187.6
8: I believe the water discharge considered from some of the properties proposed to be intensified will create such problems that costs to fix will become too expensive resulting in poor environmental outcomes.
9: enforcement of site coverage rules and no exceptions for below ground site coverage, ie 80% dig out and 60% above, does not allow for site soakage and increases runoff as the tanking requirements are also not be applied as per guide ie GD01, or other guides that help direct the objective of the AUP especially chapter E and B. 2187.7
10: make all stormwater guides for the AUP and council enforceable, "let build better", "lets care more". 2187.8
11: the new directive for this is for a 100year built view of outcomes.
12: the Auckland Act calls for a plan, Howick has one as it was to guide consenting, this needs to be applied in full. Developers and landowners need to take responsibility for their land.
13: Enforce the bylaws and operational staff to do this work must be educated on the AUP objectives and outcomes so financial outcomes are measurable, accountable and accumulative to produce the outcomes sort.
14: The water discharge is already causing massive issues and environmental damage and the aup calls for this to be reduced, this situation is NO LONGER NATURAL SERVITUDE.
15: enforce all provision of the AUP for the environment and the RPS old or new as part of the NES and Coastal policy statement 2187.9
16: as the new legislation is already legal, I assume the new RPS is enforceable as well as the NES 2020, and this new more restrictive RPS is enforceable to control the outcomes of the new MDRS legislation.
17: Extend the angle degree of view shaft protection over stockade hill, cement the current angle forever and all parts of PC78 re this. 2187.10
18: retain the Howick village character statement in full and extend it and make the rebuild of the village have to comply with the QM of the area, water,wastewater and stormwater and the coastal policy statement. 2187.11 2187.12
19:I attach a list i also worked on with CBRR as part of HRRA over the last 6 years and agree all these matters need to be resolved.

Matthew Brajkovich
3.46pm approx 29th September 2022

THE INTENSIFICATION DEBATE CONTINUES – AND YOUR HELP IS NEEDED:

Summary

Auckland Council have now published Plan Change 78, in compliance with recent legislation passed to permit housing intensification across Auckland City and other cities. The revised planning rules are now in place, but there is still an opportunity (until 29 September) to make further submissions citizens believe are required on the plan changes and amendments. These submissions will be considered by an Independent Hearings Panel, who will make recommendations to Council on any further changes they believe are necessary. When submitting, please indicate that you would like to speak to your submission. We can help with that, or maybe use your allocated time.

We believe it is very important for individuals to make further submissions in order to support the changes that permit intensification where it is appropriate (close to city and metropolitan centres) and to get additional safeguards against inappropriate developments in other parts of the city.

In summary, we suggest a number of areas where individuals may wish to make submissions. To minimize work, individual submitters are welcome to copy and paste, or modify, our suggestions as they wish.

A more detailed elaboration of our reasons is given on the following pages. This summary is intended to enable submitters to consider possible points for their own submission. Key points are to:

1. Support the proposed changes to date in Plan Change 78. (We recommend this because we do not want to see these changes weakened by other submissions opposing them).
2. Request the Independent Hearings Panel to introduce long term economic costs as a qualifying matter. A further Plan Change can introduce a time bound, location based, intensification plan that meets the objectives of the legislation, whilst also focussing infrastructure investments within predetermined priority areas. This will have the benefit of (i) enabling Auckland Council to channel developments to areas where there is sufficient infrastructure capacity; (ii) getting maximum value for money from infrastructure investments; (iii) achieving better planned maintenance to be targeted to areas of higher population density, rather than being dispersed across the city; (iv) enabling other providers, such as Ministries of Education and Health, and power and telecommunications companies, to plan their investments to reflect planned population growth.
3. Because of the growing incidences of heavy rainfall and flooding, request stormwater to be included as a qualifying matter, with a wider area-based risk assessment, based on the 100 year flood scenario. Without this, we believe that an increasing risk of flooding, stream erosion and even difficulties obtaining affordable insurance cover will occur. (Cockle Bay is at particular risk because of dependence on streams, soak pits and aged infrastructure).
4. Include immediately all relevant safeguards set out in the New Zealand Coastal Policy statement 2010. (At the moment there are references only to areas of coastal erosion and inundation. The Enabling Act requires the Coastal Policy to be considered).
5. Improve transparency and consistency by including specific specifications on all consent requirements. (In cases where we have raised queries, we have been referred to individual planners for explanations.
6. If you feel it appropriate, then you may wish to request wider areas of the city be included as character areas, in order to preserve our heritage.

SUPPORTING INFORMATION

Introduction

As we have indicated previously, in late 2021, and with only limited consultation, central government passed legislation (the Resource Management (Enabling Housing Supply and other Matters) Amendment Act 2021) to support housing intensification throughout Auckland, and fourteen so called Tier 1 territorial authorities. This allows for more housing, including apartments and townhouses, with greater height and density, across most residential areas. There is no requirement for a resource consent. The legislation specifies a limited number of circumstances where such intensification is not permitted – so called "qualifying matters" – but these are limited in scope.

Auckland Council, in compliance with the legislation, has now published Plan Changes (in particular, Plan Change 78) to the Auckland Unitary Plan. These define areas where intensification can occur. In contrast to Auckland City, Christchurch City - which is subject to the same legislation – has been much more rigorous in opposing intensification.

The Auckland Plan Change defines Cockle Bay as Mixed House Urban Zone, meaning the medium density residential standards will apply with immediate effect, allowing up to 3 dwellings of up to 3 storeys height (12 metres, including the roof) to be constructed on individual sections. For Cockle Bay, there are some safeguards in terms of water and wastewater constraints, but no recognition of risks associated with stormwater, despite the dependence on streams and soak pits for drainage in parts of the area, and past flooding history. Only properties flooded by the 100 year (Average Recurrence Interval) floods have "floodplains" as a qualifying matter.

Although the new planning regime is now in place, there is still an opportunity to influence the final shape of the city. Submissions are now open on the new planning rules. All submissions will be considered by an Independent Hearings Panel, who will make recommendations to Auckland Council that could result in further changes. Submissions close on 29 September 2022. There will then be an opportunity to make verbal follow up submissions to the Panel. Recommendations on further changes will be finalised by March 2024.

Having water and wastewater issues recognized as a qualifying matter is a partial success. However, we do not believe that adequate safeguards have been included for both our local area and Auckland as a whole. **If you want to secure safeguards that prevent random and intrusive development in areas that are not suited to development, (3 by 3 storey developments next door) we believe it is vital that you make a submission.** It is not vital that every point is covered in your submission. We will all need additional time to finalize good, evidence-based, submissions that avoid wasting the Panel's time. We do, however, suggest you also ask to be heard by the Panel. This will give you time to refine your thinking and to present a more comprehensive verbal submission. We are prepared to offer further advice and assistance to achieve this.

The legislative failure

We find it incredible that the two major political parties, both of whom claim to have the credentials to make wise decisions on economic management for the country, could have failed to have considered the medium to long term economic costs of a "one size fits all" approach to planning[1]. Putting aside the focus on development near city and other centres, which makes good sense, it assumes that all areas of a city are homogeneous, with similar characteristics across all areas. This includes assuming that there is uniform city-wide infrastructure capacity with the same "whole of life" expectation; uniform access to water supply; stormwater drainage; and wastewater treatment and networks; that all areas have equal access to schools, hospitals and medical facilities; that all areas are serviced by financially sustainable transport services; with no undue traffic congestion that requires special measures to alleviate delays, and that there are adequate communications networks, energy supply and social facilities. The legislation assumes that infrastructure has the capacity to cope with ad hoc growth and that there will be no difficulty providing increased capacity for growth

[1] The legislation does specify that nationally significant infrastructure is a qualifying matter that can be used to declare an area unsuitable for intensification

across all areas of the city. The legislation fails to reflect that future random increases in infrastructure use will create random increases in demand for infrastructure capacity, and increased area-specific, volume-driven, planned maintenance, rehabilitation and replacement, with associated costs.

In contrast, sound investment management requires city-wide prioritization. Requirements for additional capacity must be manged on a structured area-by-area basis, built around a location-based development plan. This effects not just Council planning. Ministries responsible for provision of services such as schools and hospitals deserve some certainty about where and when growth will occur, rather than it being randomized across cities.

The legislation and plan change fails to consider priorities and local factors that should influence development within a city that in Auckland's case stretches from Wellsford to Pukekohe. The legislation goes on to assume that all fourteen major territorial centres in New Zealand are identical, and can be subjected to the same rules.

The qualifying matters specified in the legislation[2] provide only limited opportunities to introduce a development framework that reflects a need to channel development into areas where there is adequate infrastructure capacity to service future growth. The result will be very high medium to long term costs that could be avoided by more structured planning.

Our submission point 2 below endeavours to address this as far as possible within the legislative constraints.

Submission Point 1 – Support for changes to date

Plan Change 78 contains a number of plan changes giving effect to the legislative requirements. Because these may be challenged by other submitters there is a small risk that they could be removed or reduced in their scope. We believe the new provisions, including protection of views from Stockade Hill, need to be supported. The main point of our subsequent submission points is to secure further improvements, as indicated in subsequent submission points.

Submission Point 2 – Channelling growth to locations with capacity to absorb it.

In order to avoid the risk of avoidable costs in the medium to long term, we ask the Independent Hearings Panel to advocate a medium to long term approach that focusses development in areas where there is adequate spare infrastructure capacity to cater for population growth. This is to include non-Council infrastructure such as, schools and medical facilities and green space

Effectively this means including medium to long term economic and opportunity costs (or risks) as a qualifying matter. Consideration must be given to water supply and sewerage systems, including combined wastewater and stormwater; stormwater infrastructure capacity; the long term economic life of infrastructure and planned replacement programmes; road and transport network capacity; and social infrastructure available such as schools, medical facilities, energy supplies, telecommunications networks and green space.

A revised plan change can provide for area-specific timebound zoning changes that reflect planned capacity increase in infrastructure, thus achieving the objectives of the Enabling Act in a long term, cost effective manner.

In our submission to Council prior to the publication of Plan Change 78 we suggested that developers wishing to construct homes in areas where there was insufficient infrastructure capacity be required to pay a premium to offset the need to provide additional infrastructure on a timeline falling outside planned infrastructure development.

Submission Point 3 - Include stormwater infrastructure as a qualifying matter

The plan change rightly includes reference to combined wastewater and stormwater infrastructure as a qualifying matter. It makes no provision for areas such as Cockle Bay (and other parts of Auckland)

[2] See Reference at conclusion of this Discussion Paper

where stormwater is not fully accommodated within fixed infrastructure. In these locations streams, flow paths and soak pits are important elements of the stormwater systems. Allowing intensification on sections currently serviced by soak pits reduces permeable areas and opportunities for natural absorption of stormwater. It increases the risk of increased flows in streams and overland flow paths, and flooding. As with the previous submission point, unplanned intensification introduces a high risk of avoidable medium to long term economic costs in terms of stream erosion and increased flooding. Indirect costs are likely to be incurred by property owners because of increased stream maintenance and insurance premiums – if in fact they are able to obtain insurance in locations with a record of flooding and erosion. This risk is already demonstrated in other parts of the country and globally. It can be avoided by excluding areas from intensification where stormwater infrastructure is inadequate and there is a track record of flooding.

Although the Cockle Bay catchment is identified as being subject to the Water and Wastewater constraints control, it appears that this is intended to be applied in an ad hoc manner, giving residents no assurance of consistent application of principles within the area. This raises an issue of equity. For instance, it is stated that applications for individual properties will be assessed against whether there is adequate capacity, including reticulated water and wastewater, and water for firefighting, and whether there is the ability to connect dwelling(s) to reticulated and wastewater networks. As an isolated case this makes sense. In a wider context it has the potential for introducing huge inconsistencies, and a risk of “first come, first served” developments. As an example, there was a question of wastewater capacity for the original application for 71 apartments proposed for 30 – 40 Sandspit Road, Cockle Bay. If such an application was approved, even though the sewerage network was nearing capacity, then it moves the area closer to the point where subsequent development applications must be declined because maximum capacity had been reached, or there is a significant risk of future sewerage overflows effecting residents over a wider area. A wider spatially based prioritization- based methodology for determining growth areas based on infrastructure capacity overcomes development based on micro-level assessments.

The current revised development application for apartments at the same location, currently before the Environment Court, revealed flawed calculations by the developer for the stormwater retention / detention tanks. Adequate capacity tanks will mitigate some of the above risks, but not eliminate them completely. A definitive ruling is required on how the calculations are to be undertaken, and sampling of specific installations will be necessary to ensure compliance, with penalties for failures. There is also a question, not answered in our queries to Auckland Council, about following the required code of practice.

We request the Hearings Panel to recommend to Council: (i) that stormwater be included as a qualifying matter for all development sites; (ii) that no intensification be permitted adjacent to streams, flow paths, flood plains and other locations with a risk of flooding in the future; (iii) the correct basis for calculating capacity of retention / detention tanks; (iv) a requirement to follow all required codes of practice, in particular in all areas defined as being subject to a stormwater constraint.

Submission Point 4 - Include areas subject to compliance with Coastal Policy Statement as a qualifying matter.

The Enabling legislation specifies that a qualifying matter is compliance with National Policy Statements and the New Zealand Coastal Policy Statement. The Coastal Policy does not appear in the legend or on the Plan change 78 Information Sheets as a qualifying matter. The map show areas at risk of coastal erosion and coastal inundation, but gives no indication of which properties are subject to constraints to enable them to comply with the Coastal Policy. In the case of Cockle Bay, with a number of streams providing stormwater drainage, we would argue that policy compliance extends beyond properties adjacent to the beach, as the whole catchment drains down to the beach, and there is already quantified evidence of increased sedimentation – in contradiction to the Coatal Policy provisions.

Our submission to Council at the time that the Plan Change was being prepared indicated 3 objectives and 9 policies that have a particular relevance to Auckland coastal areas. In response to our query to Council about the scope of protections under Plan change 78 and legislated coastal

policy, the response was that Council wishes "to avoid development in areas subject to coastal inundation and erosion, with a preferred approach of rezoning all affected properties and a new low residential zone". However, Council goes on to state that this cannot be addressed through Plan Change 78. It will be covered in a future Coastal hazard Plan Change (at an unspecified time). No other changes to incorporate Coastal policy objectives and policies are mentioned in response to our queries.

We submit that the statement of qualifying matters (Information Sheets 7 and 8, Parts 1 and 2) be expanded to include the Coastal Policy objectives and policies which must be complied with, and that properties effected be identified on the maps. We submit that properties must be identified based on the risk and effects related to the Coastal policy – for instance whether they effect, or are likely to effect, water quality and marine ecosystems through increased sedimentation or cumulative effects[3].

Submission Point 5 – In order to secure full transparency and consistency, the plan change be more prescriptive within the new planning rules on what requirements must be met.

In theory this submission should not be required. However, experience suggests otherwise. We give 4 examples:

Firstly, in a current case before the Environment court there are different interpretations on the application of climate change projections relating to rainfall projections and calculations, and applicability to new consent applications for multiple dwellings, compared to applications that are compliant with existing rules. After expert consultation, Council has already had to require revised calculation for stormwater retention and detention tanks once, but the revised calculations remain in dispute. The mere fact that experts can disagree on the interpretation means that the rules lack clarity. This needs to be formally resolved with a consistent interpretation.

Secondly, as indicated in the previous paragraph, there is scope for different interpretations of GDO1 (Stormwater Management Devices in the Auckland Region, Amendment 2, December 2017), a part of the AUP, and the Code of Practice. An updated Plan Change document can eliminate this debate by clarifying the rules for all parties. The mere fact that this is disputed before the Environment Court indicates significant scope for different interpretation. This ambiguity must be eliminated for the benefit of all stakeholders.

Thirdly we have raised queries with Council on interpretation of the new guidelines. The mere fact that we had to ask the questions indicates that the situation is not clear. Council staff responsible for resolving the queries were not able to provide an answer, and referred us to the planner and engineers for our area[4]. This raises the scenario, not only of lack of transparency but also

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[3] These effects are one example. (Policy 4, Integration). This is only 1 of the relevant objectives and policies. Other objectives and policies must also be incorporated.

4 *Our question to Council*: Please confirm or otherwise that irrespective of the presence or absence of other qualifying matters, stormwater quality and quantify management is required for all sites in accordance with the provisions of the relevant sections of the existing AUP, Council's Code of Practice and Council's design guidelines. Specifically, sections E1, E8, E10, E36, and E38 of the AUP, the use of GDO1(SWMD- Amendment 2) and the Stormwater Code of Practice are applicable.

Council responses to this and similar questions: "All development must be checked through the Councils building consent process and / or infrastructure-Development engineering section of the Council."

"The relevant codes for checking should be verified with the Council's Resource Consent team (for the relevant area) and Development Engineers."

"In terms of legal effect and how MDRS affects properties, you would need to discuss this matter with the Principal Specialist Planner in the Resource Consents Department for the Cockle Bay area. They have detailed advice about the application of QM's and its relationship with MDRS."

"However, as stated earlier, for specific sites and application of the MDRS standard and how the QM affects development, please check with the resource consents team responsible for the area."

inconsistency of interpretation between different geographical areas of the city. This is further illustrated by the dispute related to the recent felling of trees, including trees stated to be protected or "significant", at the former UNITEC Arboretum, in order to make way for a new housing development[5].

Fourthly we note that although the Regional Policy Statement is referred to in Sections E1 of the revised AUP, the forgoing scope for omissions means that it is desirable that the policy statement requirements are fully integrated into the more specific policies, objectives and criteria for reviewing consent applications, and the relevant sections of the Building Code.

We request that the Independent Hearings Panel recommend that these safeguards of specifying all relevant criteria to be considered be incorporated into relevant sections of an updated a Plan Change.

Submission Point 6 – Special Character areas

This is more subjective. It is our belief that parts of the city do have distinct characteristics that give the area a unique character. These risk being destroyed under the revised plan change, which has been driven by the legislation. We ask the Independent Hearings Panel to urgently recommend to Council that the criteria used to assess which areas of the city deserve protection be interpreted more liberally in order to retain the overall appearance of larger areas of the city, and the associated heritage.

References: Resource Management Act (Enabling Housing and Other Matters) Enabling Act 2021

Section 77I Qualifying matters in applying medium density residential standards and policy 3 to relevant residential zones

A specified territorial authority may make the MDRS and the relevant building height or density requirements under policy 3 less enabling of development in relation to an area within a relevant residential zone only to the extent necessary to accommodate 1 or more of the following qualifying matters that are present:

(a) a matter of national importance that decision makers are required to recognise and provide for under section 6: 2021 No 59 Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 Part 1 s 9 9

(b) a matter required in order to give effect to a national policy statement (other than the NPS-UD) or the New Zealand Coastal Policy Statement 2010:

(c) a matter required to give effect to Te Ture Whaimana o Te Awa o Waikato—the Vision and Strategy for the Waikato River:

(d) a matter required to give effect to the Hauraki Gulf Marine Park Act 2000 or the Waitakere Ranges Heritage Area Act 2008:

(e) a matter required for the purpose of ensuring the safe or efficient operation of nationally significant infrastructure:

(f) open space provided for public use, but only in relation to land that is open space:

(g) the need to give effect to a designation or heritage order, but only in relation to land that is subject to the designation or heritage order:

(h) a matter necessary to implement, or to ensure consistency with, iwi participation legislation:

(i) the requirement in the NPS-UD to provide sufficient business land suit- able for low density uses to meet expected demand:

(j) any other matter that makes higher density, as provided for by the MDRS or policy 3, inappropriate in an area, but only if section 77L is satisfied.

[5] Reported by the Tree Council 22 September 2022

NOTICE OF SUBMISSION ON PROPOSED PLAN CHANGE 78

AUCKLAND UNITARY PLAN

TO: Planning Technician, Auckland Council

Email: unitaryplan@aucklandcouncil.govt.nz

SUBMITTER DETAILS

FULL NAME	**ST MARYS BAY ASSOCIATION INCORPORATED** ("the Association")
ADDRESS OF SUBMITTER	
TELEPHONE	09 3765414 or 021 902 744
EMAIL	brian@metroplanning.co.nz

SCOPE OF SUBMISSION

This is a submission opposing Proposed Plan Change 78 as it affects the inner city suburb of Auckland known as St Mary's Bay. This submission relates to all aspects of PC78 as they affect St Mary's Bay which, for the purposes of this notice, is the area bounded by St Mary's College and Jacob's Ladder in the east, the northern motorway to the north, Curran Street to the west and Jervois Road/College Hill to the south.

The Association will not benefit in any form of trade competition through this submission.

POINTS OF SUBMISSION

This submission relates to all of Plan Change 78.

This submission is lodged by the Association which was formed IN 1975 for the purpose of supporting the interest and welfare of residents living in St Mary's Bay. The Association currently has over 300 members.

The St Mary's Bay area is recognised regionally, nationally, and internationally as a uniquely preserved collection of period housing dating back to the 1800's. The housing stock of St Mary's Bay and similar inner suburbs of Auckland are said to be the largest surviving collection of 19th Century wooden dwellings in the world. The legacy nineteenth century road network is characterised by its small and narrow streets.

The Association generally opposes Plan Change 78 because it has not been sufficiently nor accurately assessed, there has been inadequate consultation, and it is not consistent with sound resource management practice, the sustainable management purpose and principles of the Resource Management Act 1991 and will not enable people and communities to provide for their social and economic well-being.

Primary Submission

The Association opposes the changes being introduced by Proposed Plan Change 78 ("PC78") for the primary reason that the National Policy Statement on Urban Development 2020 (as amended May 2022) ("NPS-UD") does not give effect to the Resource Management Act 1991. None of its directions, including purported rules, are the product of a section 32 analysis.

The directives contained in the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 ("the Amendment Act") are inconsistent with and do not give effect to the requirements of Part 2 of the Resource Management Act 1991. They do not provide for managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic and cultural wellbeing. The proposals enable and require development which will generate significant adverse effects on the environment.

Without derogating from this primary submission, the Association wishes to make the following more specific submission points in opposition to Plan Change 78:

1. **The Association opposes** the walkable catchment of 1200 metres imposed on St Mary's Bay and measured from the western edge of the City Centre zone.

2. **The Association opposes** the removal of the majority of the Special Character Area Overlay from St Mary's Bay, and particularly in circumstances where there has not been any analysis or justification for this action in the s.32 RMA reports.

3. **The Association opposes** the potential through Plan Change 78 to reduce significantly the protection of the historic heritage of St Mary's Bay whether by the failure of the Council to fulfil its obligations under s.6f RMA, the Heritage New Zealand Pouhere Taonga Act 2014, and the AUP Chapter B5 Regional Policy Statement instruction, or otherwise.

4. **The Association opposes** the failure of Plan Change 78 to provide for historic heritage and/or special character sub-areas over St Mary's Bay particularly in circumstances where the number of historic heritage dwellings present across St Mary's Bay reached the 75% and 66% arbitrary threshold unilaterally imposed by the Council without any statutory or evidential foundation. The Association notes with concern the inadequacies of the Council historic heritage rating method for dwellings and the failure to follow the guidance found in AUP Schedule 15 which determines the attributes that contribute to heritage and character.

5. **The Association opposes** the failure of the Plan Change 78 to recognise the spiritual, ecological, archaeological, and historic value of the Kauri residential buildings located across St Mary's Bay as the legitimate built remnants of the forests of Tai Tokerau and

Waitakere. This failure shows neglect for the principles of the Treaty of Waitangi, an obligation which the Council must meet under s.8 RMA.

6. **The Association opposes** the walkable catchment of 400 metres from the Ponsonby Road Town Centre zone imposed over St Mary's Bay and **opposes** the characterisation of Ponsonby Road as a Town Centre that justifies a walkable catchment under Policy 3(d) National Policy Statement on Urban Development (**NPS-UD**).

7. **The Association opposes** the reliance on the Ponsonby Town Centre zone to justify any walkable catchment from Ponsonby Road. The Council is not required by the NPS-UD or otherwise, to impose any walkable catchment from any Town Centre Zone.

8. **The Association opposes** any walkable catchment extending into St Mary's Bay being imposed and/or measured from any part of Ponsonby Road.

9. **The Association opposes** the failure of the Council to provide a structure plan (or other) analysis of the likely effects of proposed intensification over St Mary's Bay as required under the provisions of the AUP Chapter B, and s.32 RMA.

10. **The Association opposes** the failure of the Council to include the road network of St Mary's Bay as a Qualifying Matter recognising the physical constraints of the network and its inability to manage the traffic generation that will arise from the proposed intensification.

11. **The Association opposes** the absence of any controls/rules /or standardsto prevent development applications being considered for consent in areas covered by the Combined Wastewater/Stormwater Constraint notation.

12. **The Association opposes** the deletion of important standards in the MHU zone, namely **H5.6.6** Alternative Height in Relation to Boundary and the associated amenity standards for assessment found **H5.8.2(5)** Sunlight Access (a) & (b) and Overlooking and Privacy (d); and **H5.6.7** Height in Relation to Boundary adjoining lower intensity zones.

13. T**he Association opposes** the absence of a minimum site size for development in the THAB zone in St Mary's Bay. The Association notes the need to ensure that THAB development opportunities are restricted to the road network that can provide complying carriageway width and pavement strength to sustain intensification development.

14. **The Association requests** Plan Change 78 be amended to account for the above matters and to impose the Low Density Residential Zone over all properties that will be located in an Historic Heritage area or Special Character Area Overlay in St Mary's Bay in satisfaction of this submission.

15. **The Association requests** that Plan Change 78 reinstate the operative zones of St Mary's Bay that have been altered by PC78, that were not included in the operative St Mary's Bay Special Character Area Overlay prior to the notification of PC78.

Reasons

The reasons for The Association's opposition to PC78 are as follows:

1. **Walkable Catchments -** The walkable catchment of 1200 metres imposed from the western edge of the City Centre Zone is contrary to international planning advice and unsupportable. The Council's international consultant, Mr Jan Gehl, recommended 500-800 metres as the furthest walking catchment likely to be used in association with a city centre. His advice was received and adopted by the Council in 2011 and is now ignored. All international recommendations are based on an 800 metre maximum walkable catchment. This distance gives recognition to topography and the various population cohorts likely to walk. In particular the requested 800 metre walkable catchment cannot rely on access via Jacob's Ladder or the St Mary's Bay motorway pathway because these routes are declared unsafe by Council's Parks Department.

2. **Justification for SCA Removal -** The Council has failed to justify the removal of the SCA overlay from St Mary's Bay in the s.32 RMA reports which have been written to support PC78. There is no reference in any report to the reasons for the removal of this important resource management district plan control from this suburb. The demolition control is an integral part of the SCA and is the technique relied upon to implement the instruction of AUP Chapter B5.

3. **Historic Heritage Ratings -** Having provided an historic heritage rating for every dwelling in St Mary's Bay, the Council acknowledges that over 200 of the existing dwellings have high historic heritage value and therefore are protected by s.6f RMA. The obligation to protect these dwellings has been ignored. Although the Association notes the inadequacies of the rating methodology, it has used the rating methodology to review obvious errors in the rating assessments of some dwellings in St Mary's Bay. The Association has taken expert advice to conclude that some dwellings rated "4" in the Council methodology are more accurately rated "5". The attached plan **Annexure 1** sets out the Association's assessment of sub-areas of historic heritage which meet the Council's arbitrary thresholds for inclusion in Special Character areas. The attached Annexure 1 Plan demonstrates the Association's review of the heritage rating outcomes across St Mary's Bay. The plan confirms that the arbitrary Council imposed threshold of 75% and 66% are met. In addition, any dwelling or part thereof predating 1900 requires specific protection under the Heritage New Zealand Pouhere Taonga Act 2014. This acknowledgement has not occurred in PC78.

4. **No Reason for SCA Removal -** The Council gives no reason in the s32 RMA documents supporting PC78 why the previous Special Character Area Overlay for St Mary's Bay has not been imposed as in other inner city suburbs but has been withdrawn despite the clear evidence that groupings of historic heritage dwellings across St Mary's Bay reach the arbitrary thresholds of 75% and 66% used throughout Auckland by the Council, as the basis for reimposing Special Character Areas. Of

particular concern is the removal of protection of the environs of Selby Square – a unique civic and heritage part of Auckland containing a scheduled building.

5. **Te Tiriti o Waitangi Obligation s8 RMA -** The intensification outcome of PC78 directly attacks the *mauri* and *wairua* of the ancient Kauri forests which are extant in the Kauri cottages and villas across St Mary's Bay. There is no s.32 documentation discussing why this spiritual and ecological connection has been ignored contrary to the provisions of s8 RMA.

6. **Ponsonby Road Town Centre Zone -** Ponsonby Road and its environs are not properly characterised as a major or minor town centre because it has none of the characteristics of a town centre. Ponsonby Road is unique because it is a lineal specialist retail/entertainment town centre space with few amenity, convenience, or community facilities. The retail catchment is mainly beyond any walkable catchment. This matter arises from Policy 3(d) NPS-UD. It is an option and is not a mandatory requirement. The Ponsonby Road Town Centre Zone is identified as a large third tier zone. In fact, it is very low density and is not a significant employer. There is very limited commercial activity above ground level. Future development opportunities are significantly limited by the Business Special Character Area constraints along the full length of Ponsonby Road. In the light of this knowledge, Council should have exercised its discretion not to attach THAB zoning to it.

7. **No Walkable Catchment Required -** The walkable catchment of 400 metres from Ponsonby Road is therefore a fiction invented by the Council. Policy 3(d) of the NPSUD makes walkable catchment imposition from town centre zones an option for the Council to impose. The imposition must be related to the character and amenity provided by the Town Centre Zone. There is no obligation on the Council under the NPSUD or otherwise to impose a walkable catchment connected to the Ponsonby Town Centre Zone, nor is there any objectively sustainable imperative for any walkable catchment to be related to the Ponsonby Town Centre Zone and/or Ponsonby Road. There is no justification in this case for the Council to do so in Plan Change 78.

8. **Failure to Provide Structure Plan -** The only planning method available for the Council to test the potential adverse effects of the intensification model across St Mary's Bay is to use the structure planning analysis technique endorsed by Chapter B2 of the AUP. This will enable a finer grained and more context specific analysis for changes to the operative plan. The failure of the Council to prepare a structure plan for this major urban paradigm shift to settlement patterns and development initiatives is contrary to the provisions of s.32 RMA and the quality and sufficiency of the proposed changes in Plan Change 78 are irretrievably undermined and cannot be relied on. Just by way of example, Plan Change 78 has failed to account for current road network, infrastructure and open space limitations.

9. **Best Zone Choice -** The newly created Low Density Residential Zone is the appropriate zone to be placed on any parts of St Mary's Bay where an Historic Heritage Area or Special Character Area overlay is imposed. The Mixed Housing Urban Zone is inappropriate as the underlying zone for such overlays and must be restricted to

sites where redevelopment is not contrary to the purpose of any heritage or special character overlays. The zone choice requested by the Association is depicted on **Annexure 2** attached to this submission**.**

10. **Wrong Zone Choices -** Without justification the Council, through PC78, has wrongly rezoned areas of St Mary's Bay which were not covered by the former Special Character Area Overlay in the Operative AUP for greater intensity. This action has been taken without consultation with the affected landowners or with consideration to the potential adverse effects. These areas must revert to the operative zone arrangements accepting that previous MHS zoned areas will become MHU zone.

11. **Road Network Constraints -** There are existing serious transport infrastructure constraints throughout St Mary's Bay relating to substandard road reserve widths, traffic congestion and high on-street parking demands. The proposed residential intensification will overwhelm the existing transport infrastructure leading to serious adverse social, economic and cultural effects. There is no capacity for the Council to improve the existing transport infrastructure to avoid, remedy or mitigate such effects without significant road widening involving major traffic disruptions and significant property acquisition. There has been no s.32 RMA analysis of such effects and/or assessment of the serious impact that will occur from the proposed residential intensification through Plan Change 78.

12. Section 77I of the Amendment Act provides that:

> *"A specified territorial authority may make the MDRS and the relevant building height or density requirements under policy 3 less enabling of development in relation to an area within a relevant residential zone only to the extent necessary to accommodate 1 or more of the following qualifying matters thatare present:*
>
> *(j) any other matter that makes higher density, as provided for by the MDRS or policy 3, inappropriate in an area, but only if section 77L is satisfied."*

13. Section 77L provides as follows:

> *"Further requirement about application of section 77I(j)*
>
> *A matter is not a qualifying matter under section 77I(j) in relation to an area unless the evaluation report referred to in section 32 also—*
>
> *(a) identifies the specific characteristic that makes the level of development provided by the MDRS (as specified in Schedule 3A or as provided for by policy 3) inappropriate in the area; and*
>
> *(b) justifies why that characteristic makes that level of development inappropriate in light of the national significance of urban development and the objectives of the NPS-UD; and*
>
> *(c) includes a site-specific analysis that—*

(i) identifies the site to which the matter relates; and

(ii) evaluates the specific characteristic on a site-specific basis to determine the geographic area where intensification needs to be compatible with the specific matter; and

(iii) evaluates an appropriate range of options to achieve the greatest heights and densities permitted by the MDRS (as specified in Schedule 3A) or as provided for by policy 3 while managing the specific characteristics."

In accordance with sections 77H and 77L Auckland Council has determined that the level of access provided to the existing Beachlands Coastal Village, for which no improvements in capacity are presently contemplated, should not be subject to density increases and that the roading network limitations and traffic situation constitute a Qualifying Matter. For the same reasons the roads in St Mary's Bay which are of substandard width must be regarded as a Qualifying Matter.

14. **Failure to Control Development in Infrastructure Constrained Areas –** PC78 has imposed constraint mapping across St Mary's Bay to address the Combined Wastewater/Stormwater constraints. A rule is required to prevent development applications for intensification from lodgement until the constraint is addressed with upgraded infrastructure

15. **Abandoning Amenity Controls in MHU Zone -** The amenity standards for solar access and privacy in the operative MHU zone provide a guarantee that properties enjoy an acceptable level of amenity from neighbouring developments. These standards must be reinstated in the new MHU zone to protect these basic amenities.

16. **Minimum Lot Size in THAB Zone –** All development in the THAB zone requires a minimum lot size of at least 1000m² to achieve the purpose of the development envelope promoted by the THAB zone. THAB developments must be restricted to roads with reserve widths of not less than 16 metres to meet AT standards.

17. **Summary -** Overall, the Council has failed in its duty to prepare a plan change which meets the purpose of s.32 RMA, and to protect the wellbeing of the community and the historic heritage of St Mary's Bay required by Part 2 RMA. PC78 does not achieve sustainable management and is accordingly contrary to the purpose of the RMA.

The Association seeks the following decisions by the Council, amending PC78:

1. Reduce the Central City Zone walkable catchment to 800 metres measured form Victoria Park Market and ignoring Jacob's Ladder as an access point. 2193.1

2.	Reimpose the operative Special Character Area Overlay across St Mary's Bay, or, alternatively impose Historic Heritage Character Areas as set out in the St Mary's Bay Association's submission Annexure 2 plan.	2193.2 2193.3
3.	Accept the inadequate road network capacity of St Mary's Bay as a Qualifying Matter under the Amendment Act and NPS-UD criteria.	2193.4
4.	Assist the implementation of the Combined Wastewater/Stormwater Constraiint notation by preventing/or delaying the consideration of new development applications within the notified area until the constraint is remedied.	2193.5
5.	Impose the operative Standards H5.6.6 and H5.6.7 and the associated assessment criteria at H5.8.2(5) to the revised format of the MHU Zone in PC78.	2193.6
6.	Impose a minimum lot size of 1000m² for new development in the THAB Zone and prevent such developments on road with a reserve less than 16 metres.	2193.7 2193.8
7.	Delete the reference to any walkable catchment extending into St Mary's Bay, measured from the Ponsonby Road Town Centre western edge or elsewhere.	2193.9
8.	Impose the Low Density Residential Zone as the underlying zone for any areas covered by Historic Heritage Area or Special Character Area overlays as depicted on the plan attached as Annexure 2 to the submission of the St Mary's Bay Association.	2193.10
9.	Reinstate all operative or similar zones across those parts of St Mary's Bay not affected by the Historic Heritage or Special Character overlays as depicted on the plan attached as Annexure 2 to the submission of the St Mary's Bay Association.	2193.11

The Association wishes to be heard in support of this submission and declares that it cannot gain any advantage in trade competition through this submission.

The Association's members are directly affected by the adverse effects that will arise from PC78 and as set out by the matters of concern in this submission.



Signature of Submitter's Agent……

Signed for and on behalf of the St Mary's Bay Association

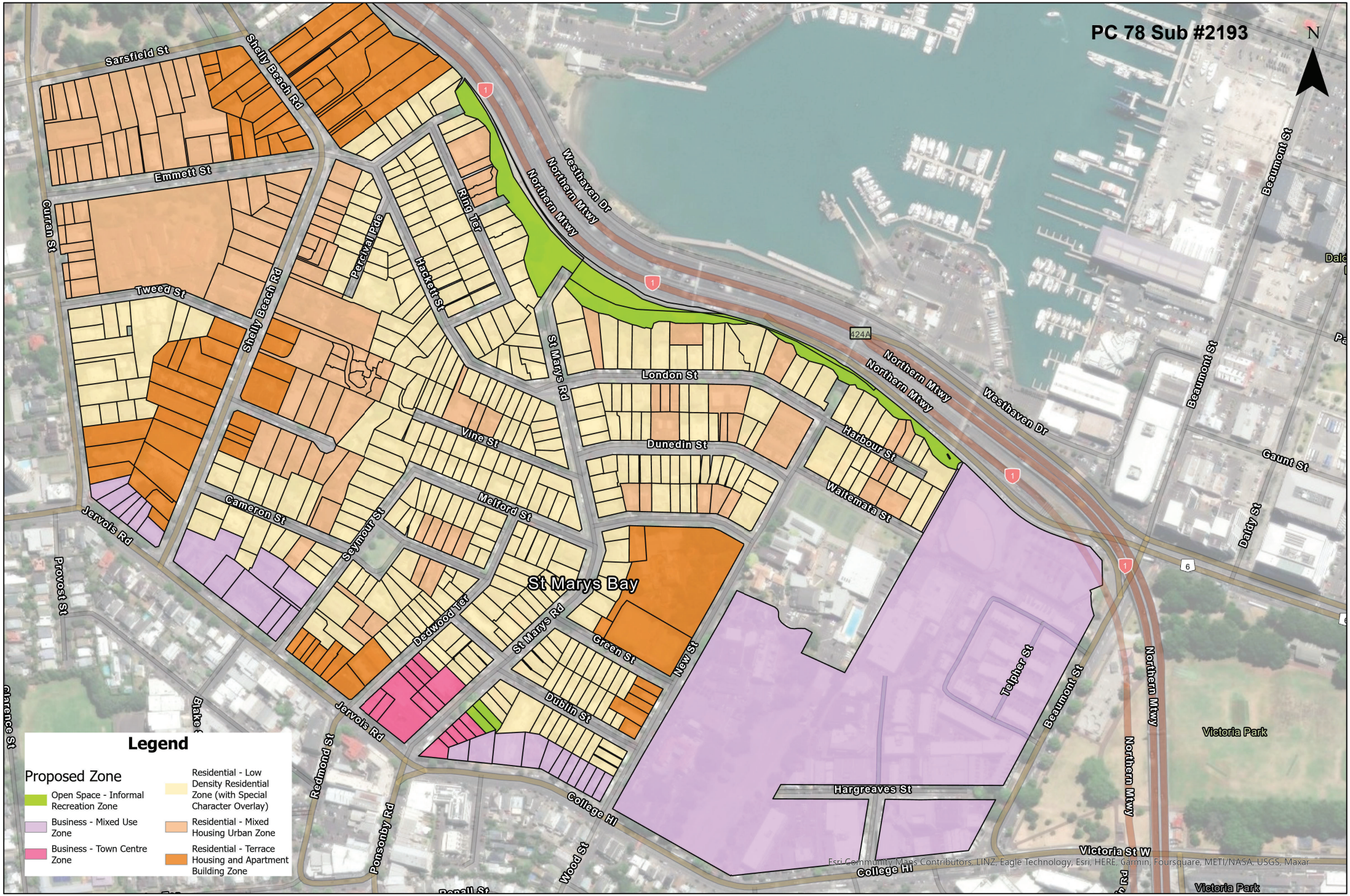
Date: 29 September 2022



ST MARY'S BAY ASSOCIATION

Area 20 St Mary's Bay

Annexure 1. St Mary's Bay - Proposed New Sub-Areas using Auckland Council Criteria and Methodology - 29th September 2022



ST MARY'S BAY ASSOCIATION

Area 20 St Mary's Bay

Annexure 2. SMBA Proposed Zone in Response to Plan Change for NPS-UD & MDRS (PC78) - 29th Sept 2022

Submission on Notified Proposal for Policy Statement of Plan, Change or Variation

Clause 6 of Schedule 1, Resource Management Act 1991

To Auckland Council
Private Bag 92300
Auckland 1142

For: Planning Technician

By email: unitaryplan@aucklandcouncil.govt.nz

1 The submitter is Matthew Brian Jeffreys, Stephanie Beth Jeffreys and Liston Trustee Services Limited of 53 Princes Street, Northcote Point, Auckland.

2 This submission is a submission on Plan Change 78 Intensification to the Auckland Unitary Plan Operative in Part (**PC 78**).

3 The submitter could not gain an advantage in trade competition through this submission.

4 The specific provisions of PC 78 that this submission relates to are the provisions that relate to and affect 41-61 and 44-54 Princes Street, Northcote Point, Auckland (inclusive) including:

(a) zoning; and

(b) qualifying matters.

5 The submitter's submission is that:

(a) it is appropriate and consistent with the purpose and principles of the Resource Management Act 1991 for urban intensification within and around Northcote Point, including the area defined by 41-61 and 44-54 Princes Street, Northcote Point in particular to be constrained by qualifying matters because:

(i) the area is an older, established part of Auckland with a distinctive and recognisable style of architecture and other built character;

(ii) significant vegetation provides an important buffer between dwellings and State Highway 1;

(iii) urban intensification at a scale and density that would otherwise be permitted in the Residential – Mixed Housing Urban Zone under the Medium Density Residential Standards would have irreversible significant adverse effects on the and residential character and amenity of a unique part of Auckland

(b) as more particularly set out in Table 1 below:

Table 1

Provision	Position	Reasons
Zoning	Support	The zoning of 59 and 61 Northcote Point as Residential – Low Density Residential Zone appropriately recognises and provides for the

59 and 61 Princes Street, Northcote Point		protection of the historic heritage at 61 Princes Street as well as the constraints imposed by natural heritage, special character, and infrastructure.
D18.1 – Special Character Areas Overlay – General (both Residential and Business) Special Character Areas Overlay – General: North Shore – Northcote Point	Support Extend	The Overlay appropriately recognises and provides for the identification and protection of parts of Auckland with concentrations of special architectural and other built character values, including Northcote Point. The submitter supports the application of the Overlay to parts of Northcote Point and seeks the extension of the Overlay to include properties at 51-61 Princes Street, Northcote Point because the built form on these properties reflects the special architectural and other built character values that are present within the Overlay as notified (see Attachment 1).
Infrastructure – Water and/or Wastewater Constraints Control Table H5.4.1 (A14C)	Support	The application of Infrastructure – Water and/or Wastewater Constrains Control to parts of Northcote Point including the properties at 41-61 and 44-54 Princes Street, Northcote Point is supported because the existing infrastructure capacity in limited. Requiring resource consent for two or more dwellings per site within the Overlay is an appropriate response to ensure that each new dwelling and all existing dwellings are capable of being fully serviced by the reticulated water supply and wastewater disposal networks.
D13 Notable Trees Overlay Table D13.4.1(A7), (A8), (A9)	Support	The application of the Overlay to the group of trees on 45-79 Princes Street adjacent to Sulphur Beach Road is supported because these trees make a valuable and essential contribution to the residential amenity of dwellings on 45-79 Princes Street by providing a physical and visual barrier between Stage Highway 1 and the dwellings on those properties.

6 The submitter seeks that the Auckland Council:

(a) accept PC 78 as it relates to and affects 41-61 and 44-54 Princes Street, Northcote Point, Auckland (inclusive) as notified, subject to the extension of the Special Character Areas Overlay - General (both Residential and Business) to include 51-61 Princes Street, Northcote Point; 2195.1

And, more specifically that the Auckland Council

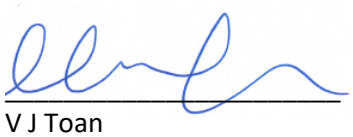
(b) retain the Residential – Low Density Residential Zone for 59 and 61 Princes Street, Northcote; 2195.2

(c)	retain the Special Character Areas Overlay – General: North Shore – Northcote Point;	2195.3
(d)	retain the Infrastructure – Water and/or Wastewater Constraints Control as it applies to Northcote Point;	2195.4
(e)	retain the Notable Trees Overlay as it applies to Princes Street, Northcote Point; and	2195.5
(f)	apply the Special Character Areas Overlay – General: North Shore – Northcote Point to 51-61 Princes Street, Northcote Point.	2195.6

7 The submitter wishes to be heard in support of this submission.

8 If others make a similar submission, the submitter will consider presenting a joint case with them at a hearing.

Dated 29 September 2022



V J Toan
Counsel for Matthew Brian Jeffreys, Stephanie Beth Jeffreys and Liston Trustee Services Limited

Address for Service of Submitter

C/- Glaister Ennor, PO Box 63, Shortland Street, Auckland 1140
For: Vicki Toan

Email: vicki.toan@glaister.co.nz

Telephone: (09) 356 8243

Attachment 1

46 Princes Street



48 Princes Street



51 Princes Street



53 Princes Street



55 Princes Street



Submission on Notified Proposal for Policy Statement of Plan, Change or Variation

Clause 6 of Schedule 1, Resource Management Act 1991

To Auckland Council
Private Bag 92300
Auckland 1142

For: Planning Technician

By email: unitaryplan@aucklandcouncil.govt.nz

1 The submitter is Reynolds Family Trust and Piscita Investment Trust of 51 Princes Street, Northcote Point, Auckland.

2 This submission is a submission on Plan Change 78 Intensification to the Auckland Unitary Plan Operative in Part (**PC 78**).

3 The submitter could not gain an advantage in trade competition through this submission.

4 The specific provisions of PC 78 that this submission relates to are the provisions that relate to and affect 41-61 and 44-54 Princes Street, Northcote Point, Auckland (inclusive) including:

(a) zoning; and

(b) qualifying matters.

5 The submitter's submission is that:

(a) it is appropriate and consistent with the purpose and principles of the Resource Management Act 1991 for urban intensification within and around Northcote Point, including the area defined by 41-61 and 44-54 Princes Street, Northcote Point in particular to be constrained by qualifying matters because:

(i) the area is an older, established part of Auckland with a distinctive and recognisable style of architecture and other built character;

(ii) significant vegetation provides an important buffer between dwellings and State Highway 1;

(iii) urban intensification at a scale and density that would otherwise be permitted in the Residential – Mixed Housing Urban Zone under the Medium Density Residential Standards would have irreversible significant adverse effects on the and residential character and amenity of a unique part of Auckland

(b) as more particularly set out in Table 1 below:

Table 1

Provision	Position	Reasons
Zoning	Support	The zoning of 59 and 61 Northcote Point as Residential – Low Density Residential Zone appropriately recognises and provides for the

59 and 61 Princes Street, Northcote Point		protection of the historic heritage at 61 Princes Street as well as the constraints imposed by natural heritage, special character, and infrastructure.
D18.1 – Special Character Areas Overlay – General (both Residential and Business) Special Character Areas Overlay – General: North Shore – Northcote Point	Support Extend	The Overlay appropriately recognises and provides for the identification and protection of parts of Auckland with concentrations of special architectural and other built character values, including Northcote Point. The submitter supports the application of the Overlay to parts of Northcote Point and seeks the extension of the Overlay to include properties at 51-61 Princes Street, Northcote Point because the built form on these properties reflects the special architectural and other built character values that are present within the Overlay as notified (see Attachment 1).
Infrastructure – Water and/or Wastewater Constraints Control Table H5.4.1 (A14C)	Support	The application of Infrastructure – Water and/or Wastewater Constrains Control to parts of Northcote Point including the properties at 41-61 and 44-54 Princes Street, Northcote Point is supported because the existing infrastructure capacity in limited. Requiring resource consent for two or more dwellings per site within the Overlay is an appropriate response to ensure that each new dwelling and all existing dwellings are capable of being fully serviced by the reticulated water supply and wastewater disposal networks.
D13 Notable Trees Overlay Table D13.4.1(A7), (A8), (A9)	Support	The application of the Overlay to the group of trees on 45-79 Princes Street adjacent to Sulphur Beach Road is supported because these trees make a valuable and essential contribution to the residential amenity of dwellings on 45-79 Princes Street by providing a physical and visual barrier between Stage Highway 1 and the dwellings on those properties.

6 The submitter seeks that the Auckland Council:

(a) accept PC 78 as it relates to and affects 41-61 and 44-54 Princes Street, Northcote Point, Auckland (inclusive) as notified, subject to the extension of the Special Character Areas Overlay - General (both Residential and Business) to include 51-61 Princes Street, Northcote Point; 2196.1

And, more specifically that the Auckland Council

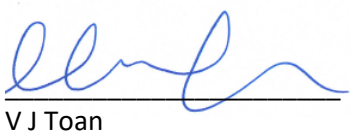
(b) retain the Residential – Low Density Residential Zone for 59 and 61 Princes Street, Northcote; 2196.2

(c)	retain the Special Character Areas Overlay – General: North Shore – Northcote Point;	2196.3
(d)	retain the Infrastructure – Water and/or Wastewater Constraints Control as it applies to Northcote Point;	2196.4
(e)	retain the Notable Trees Overlay as it applies to Princes Street, Northcote Point; and	2196.5
(f)	apply the Special Character Areas Overlay – General: North Shore – Northcote Point to 51-61 Princes Street, Northcote Point.	2196.6

7 The submitter wishes to be heard in support of this submission.

8 If others make a similar submission, the submitter will consider presenting a joint case with them at a hearing.

Dated 29 September 2022



V J Toan
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Attachment 1

46 Princes Street



48 Princes Street



51 Princes Street



53 Princes Street



55 Princes Street

