I hereby give notice that an ordinary meeting of the Planning Committee will be held on:

**Date:** Tuesday, 6 August 2019  
**Time:** 9.30am  
**Meeting Room:** Reception Lounge  
**Venue:** Auckland Town Hall  
301-305 Queen Street  
Auckland

Komiti Whakarite Mahere / Planning Committee

OPEN AGENDA

**MEMBERSHIP**

Chairperson  
Cr Chris Darby
Cr Richard Hills
Cr Josephine Bartley
Cr Dr Cathy Casey
Deputy Mayor Cr Bill Cashmore
Cr Ross Clow
Cr Fa’anana Efeso Collins
Cr Linda Cooper, JP
Cr Alf Filipaina
Cr Hon Christine Fletcher, QSO
Mayor Hon Phil Goff, CNZM, JP
IMSB Member Hon Tau Henare
Cr Penny Hulse
Cr Mike Lee

Deputy Chairperson  
Cr Daniel Newman, JP
IMSB Member Liane Ngamane
Cr Greg Sayers
Cr Desley Simpson, JP
Cr Sharon Stewart, QSM
Cr Sir John Walker, KNZM, CBE
Cr Wayne Walker
Cr John Watson
Cr Paul Young

(Quorum 11 members)

Kalinda Gopal  
Senior Governance Advisor  
1 August 2019

Contact Telephone: (09) 367 2442  
Email: kalinda.gopal@aucklandcouncil.govt.nz  
Website: www.aucklandcouncil.govt.nz

**Note:** The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted. Should Members require further information relating to any reports, please contact the relevant manager, Chairperson or Deputy Chairperson.
Terms of Reference

Responsibilities

This committee guides the physical development and growth of Auckland through a focus on land use planning, housing and the appropriate provision of infrastructure and strategic projects associated with these activities. Key responsibilities include:

- Relevant regional strategy and policy
- Infrastructure strategy and policy
- Unitary Plan
- Spatial plans
- Plan changes to operative plans
- Housing policy and projects
- Special Housing Areas
- City centre development
- Tamaki regeneration
- Built heritage
- Urban design
- Environmental matters relating to the committee’s responsibilities
- Acquisition of property relating to the committee’s responsibilities and within approved annual budgets
- Activities of the following Council Controlled Organisations:
  - Panuku Development Auckland
  - Auckland Transport
  - Watercare Services Limited
  - Regional Facilities Auckland (stadium)

Powers

(i) All powers necessary to perform the committee’s responsibilities, including:
   (a) approval of a submission to an external body
   (b) establishment of working parties or steering groups.

(ii) The committee has the powers to perform the responsibilities of another committee, where it is necessary to make a decision prior to the next meeting of that other committee.

(iii) The committee does not have:
   (a) the power to establish subcommittees
   (b) powers that the Governing Body cannot delegate or has retained to itself (section 2).
**Exclusion of the public – who needs to leave the meeting**

**Members of the public**

All members of the public must leave the meeting when the public are excluded unless a resolution is passed permitting a person to remain because their knowledge will assist the meeting.

**Those who are not members of the public**

**General principles**

- Access to confidential information is managed on a “need to know” basis where access to the information is required in order for a person to perform their role.
- Those who are not members of the meeting (see list below) must leave unless it is necessary for them to remain and hear the debate in order to perform their role.
- Those who need to be present for one confidential item can remain only for that item and must leave the room for any other confidential items.
- In any case of doubt, the ruling of the chairperson is final.

**Members of the meeting**

- The members of the meeting remain (all Governing Body members if the meeting is a Governing Body meeting; all members of the committee if the meeting is a committee meeting).
- However, standing orders require that a councillor who has a pecuniary conflict of interest leave the room.
- All councillors have the right to attend any meeting of a committee and councillors who are not members of a committee may remain, subject to any limitations in standing orders.

**Independent Māori Statutory Board**

- Members of the Independent Māori Statutory Board who are appointed members of the committee remain.
- Independent Māori Statutory Board members and staff remain if this is necessary in order for them to perform their role.

**Staff**

- All staff supporting the meeting (administrative, senior management) remain.
- Other staff who need to because of their role may remain.

**Local Board members**

- Local Board members who need to hear the matter being discussed in order to perform their role may remain. This will usually be if the matter affects, or is relevant to, a particular Local Board area.

**Council Controlled Organisations**

- Representatives of a Council Controlled Organisation can remain only if required to for discussion of a matter relevant to the Council Controlled Organisation.
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1 Apologies

At the close of the agenda no apologies had been received.

2 Declaration of Interest

Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as a member and any private or other external interest they might have.

3 Confirmation of Minutes

That the Planning Committee:

a) confirm the ordinary minutes of its meeting, held on Tuesday, 2 July 2019 as a true and correct record.

4 Petitions

At the close of the agenda no requests to present petitions had been received.

5 Public Input

Standing Order 7.7 provides for Public Input. Applications to speak must be made to the Governance Advisor, in writing, no later than one (1) clear working day prior to the meeting and must include the subject matter. The meeting Chairperson has the discretion to decline any application that does not meet the requirements of Standing Orders. A maximum of thirty (30) minutes is allocated to the period for public input with five (5) minutes speaking time for each speaker.

At the close of the agenda no requests for public input had been accepted.

6 Local Board Input

Standing Order 6.2 provides for Local Board Input. The Chairperson (or nominee of that Chairperson) is entitled to speak for up to five (5) minutes during this time. The Chairperson of the Local Board (or nominee of that Chairperson) shall wherever practical, give one (1) day’s notice of their wish to speak. The meeting Chairperson has the discretion to decline any application that does not meet the requirements of Standing Orders.

This right is in addition to the right under Standing Order 6.1 to speak to matters on the agenda.
6.1 Local Board Input - Aotea/Great Barrier Local Board - Dark Sky Sanctuary

Te take mō te pūrongo
Purpose of the report
1. Izzy Fordham, Chairperson Aotea/Great Barrier Local Board and Richard Somerville-Ryan, Chair Aotea/Great Barrier International Dark Sky Sanctuary Advisory Group will speak to the committee.

Ngā tūtohunga
Recommendation/s
That the Planning Committee:

a) receive the Aotea/Great Barrier Local Board Input regarding the Dark Sky Sanctuary and thank Izzy Fordham and Richard Somerville-Ryan for attending.

Attachments
A Aotea/Great Barrier Dark Sky Sanctuary memo .............................................. 257
B Aotea/Great Barrier Dark Sky Sanctuary presentation .............................................. 269

7 Extraordinary Business

Section 46A(7) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

“An item that is not on the agenda for a meeting may be dealt with at that meeting if-

(a) The local authority by resolution so decides; and

(b) The presiding member explains at the meeting, at a time when it is open to the public,

   (i) The reason why the item is not on the agenda; and

   (ii) The reason why the discussion of the item cannot be delayed until a subsequent meeting.”

Section 46A(7A) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

“Where an item is not on the agenda for a meeting,

(a) That item may be discussed at that meeting if-

   (i) That item is a minor matter relating to the general business of the local authority; and

   (ii) the presiding member explains at the beginning of the meeting, at a time when it is open to the public, that the item will be discussed at the meeting; but

(b) no resolution, decision or recommendation may be made in respect of that item except to refer that item to a subsequent meeting of the local authority for further discussion.”
Te take mō te pūrongo
Purpose of the report
1. To seek the adoption of the Drury-Opāheke and Pukekohe-Paerata Structure Plans.

Whakarāpopototanga matua
Executive summary
2. Auckland is growing rapidly. To accommodate a portion of the region's growth, Drury-Opāheke and Pukekohe-Paerata have been earmarked to support significant future business and residential development. About 1900 hectares of land immediately surrounding Drury-Opāheke and 1300 hectares surrounding Pukekohe-Paerata have been identified in the Auckland Plan as future urban areas and zoned Future Urban in the Auckland Unitary Plan (Operative in Part)(Auckland Unitary Plan). Before any urban development of the Future Urban zone can occur, the land must be structure planned. The Drury-Opāheke and Pukekohe-Paerata structure plans set out the pattern of land uses and the supporting infrastructure network for the Future Urban zoned land around Drury-Opāheke and Pukekohe-Paerata.

3. The structure plans have been prepared in the context of the existing urban areas of Pukekohe, Paerata, Drury and Papakura. The structure plans build on the opportunities and constraints in and around the Future Urban zone. They have also taken on board feedback received in 2017, 2018 and 2019. The structure plans also respond to input from a programme of hui held with mana whenua over the last two years. The structure plan maps are shown in Figure 1a (Drury-Opāheke) and Figure 1b (Pukekohe-Paerata).

4. Key high-level features of the structure plans include:
   • Ecological and stormwater areas are set aside from any built urban development.
   • Yield calculations indicate that the new residential areas could enable about 22,000 dwellings in the Drury-Opāheke structure plan area and 12,500 dwellings in the Pukekohe-Paerata structure plan area. The residential zones proposed would provide for a range of living types from larger sections around the fringe to more intensive dwellings such as town houses and apartments around proposed new centres and along public transport routes.
   • The Drury Opāheke Structure Plan proposes about 150 hectares (net developable) of industry-business land. Centres are also provided for.
   • Drury-Opāheke will be a highly desirable place to live, work and play once the necessary infrastructure is in place - in particular public transport infrastructure. The structure plan shows how a new urban area can develop considering environmental constraints and opportunities. Centres, housing, business areas, schools, community facilities and parks will be provided and supported by an integrated public transport network and other new infrastructure. Important cultural values, heritage and natural features are also addressed.
   • The Pukekohe-Paerata Structure Plan recognises the importance of the relationship between the future urban area and the existing urban areas of Pukekohe, Paerata and Buckland. Transport links, community facilities and business land provision are considered across the entire area. The structure plan will enable the transformation of the future urban zoned land in a way that reinforces the Pukekohe town centre as the heart of Pukekohe-Paerata.
Surrounding rural activities and the rural economy will remain very important to Pukekohe-Paerata. Activities such as horticulture and equine industries are envisaged to continue to operate in rural zones and business land will provide opportunities for rural-related businesses to operate.

The Pukekohe-Paerata Structure Plan proposes approximately 95 hectares (net developable) of land to be zoned Light Industry and proposes a new local centre.

The land uses in both structure plan areas will be supported by infrastructure including parks and open spaces (Auckland Council and Minister of Conservation), transport networks (Auckland Transport, New Zealand Transport Agency and Kiwirail), stormwater networks (Auckland Council), water and wastewater (Watercare Services Ltd) community facilities (Auckland Council), electricity and gas (including Transpower, Counties Power, Vector and First Gas), and telecommunications (various private sector providers).

Other community facilities and services (schools, hospitals, social services and justice) and emergency services (police, fire, ambulance) will also be required in conjunction with growth.

5. The development of Drury-Opāheke and Pukekohe-Paerata’s Future Urban zones will occur over the long-term and will be sequenced in stages over the next 30 years as key infrastructure is provided. The Future Urban Land Supply Strategy 2017 (available on the Auckland Council website) sets out the council’s strategy for ensuring the coordinated delivery of key infrastructure with land use changes to the Auckland Unitary Plan. Much of the infrastructure identified in the structure plans is not currently funded. Work has recently commenced to identify when and how funds will be available. Until there is certainty about this funding, rezoning from future urban to urban should not occur.
Figure 1a: Drury-Opāheke Structure Plan 2019
Figure 1b: Pukekohe-Paerata Structure Plan 2019
Ngā tūtohunga
Recommendation/s

That the Planning Committee:

a) adopt the Drury-Opāheke Structure Plan 2019 (included as Attachment A to the agenda report).

b) authorise the Manager Central South Planning to make any minor amendments to the Drury-Opāheke Structure Plan in order to improve its legibility and correct any errors.

c) adopt the Pukekohe-Paerata Structure Plan 2019 (included as Attachment B to the agenda report).

d) authorise the Manager Central South Planning to make any minor amendments to the Pukekohe-Paerata Structure Plan to improve its legibility and correct any errors.

e) note the importance of ongoing discussions with key stakeholders and mana whenua with an interest in the Drury-Opāheke and Pukekohe-Paerata Structure Plan areas.

f) note that staff will report back to the relevant committee(s) once further work has been completed on the funding, sequencing and delivery of infrastructure in the Drury-Opāheke and Pukekohe-Paerata Structure Plan areas.

Horopaki
Context

7. About 1900 ha of land at Drury-Opāheke and about 1300 ha of land immediately surrounding Pukekohe-Paerata have been identified in the Auckland Plan as future urban areas. These areas have also been zoned Future Urban in the Auckland Unitary Plan (as shown on Figure 2 below). Before any rezoning and urban development of the Future Urban zone can occur, the Auckland Unitary Plan requires that land must be structure planned. The Planning Committee approved the preparation of structure plans for Drury-Opāheke and Pukekohe-Paerata in August 2017. The Drury-Opāheke and Pukekohe-Paerata structure plans set out the pattern of land uses and the required supporting infrastructure network for the Future Urban zoned land around Drury-Opāheke and Pukekohe-Paerata.
8. The main phases of developing the Drury-Opāheke and Pukekohe-Paerata structure plans include:
   - analysis of opportunities and constraints in 2017
   - a first phase of consultation in September – October 2017
   - analysis of feedback and land use options and selection of updated options
   - a second phase of consultation in September-October 2018
   - analysis of feedback and updated technical information and preparation of the draft structure plans
   - a final phase of consultation on the draft structure plans in April 2019
   - analysis of feedback and any new information
   - adoption of final structure plans.
9. A programme of hui has been held with a mana whenua working group since 2017. These hui have informed the development and content of the Drury-Opāheke and Pukekohe-Paerata structure plans.

10. At key phases of the process, the Structure Plan Political Reference Group set up by the Planning Committee provided guidance on the plans and authorised the release of the draft structure plans for feedback. The structure plans are now ready for adoption by the Planning Committee.

Tātaritanga me ngā tohutohu
Analysis and advice

11. The Drury-Opāheke and Pukekohe-Paerata Structure Plans 2019 build on previous work done for the Future Urban zone – such as the Pukekohe Area Plan 2014, Auckland Council’s Future Urban Land Supply Strategy (which looks at the sequencing of development across Auckland), and the Transport for Future Urban Growth Programme\(^1\) (which looked at transport infrastructure).

12. Work on the development of structure plans for Drury-Opāheke and Pukekohe-Paerata started in 2017. Identification of opportunities, constraints, planning issues and concepts has been informed throughout this period by:
   - background research
   - supporting technical documents (some of which have been updated during the process), including extensive transport modelling and assessments undertaken by Te Tupu Ngātahi/Supporting Growth Alliance
   - consultation, including ongoing discussions with mana whenua and three periods of public consultation in 2017, 2018 and 2019.

Drury-Opāheke Vision

13. The following vision has been developed:

   Drury – Opāheke is a sustainable, liveable, compact and accessible place with successful centres and residential options close to a variety of employment opportunities. It is well connected to the wider Auckland region through the rail and road networks. Cultural and heritage values are respected.

   To implement this vision, the Drury-Opāheke Structure Plan aspires to achieve the following outcomes:
   - community focus
   - quality-built environment
   - a well-connected Drury-Opāheke
   - integration with infrastructure delivery
   - natural hazard management
   - protection of the natural environment.

14. Key changes made to the Drury-Opāheke structure plan throughout structure planning process are set out below.

   Following 2017 feedback
   - Development of land use scenarios for evaluation, resulting in preliminary preferred options for consultation.

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\(^1\) A collaboration between Auckland Council, the NZ Transport Agency and Auckland Transport. This programme has since been superseded by Te Tupu Ngātahi’s Supporting Growth Programme.
Following 2018 feedback

- North west boundary of the structure plan area amended to exclude land recently given operative urban zoning under Private Plan Change 6: Auranga B1 Drury West.
- Area of industrial land increased to provide more local employment opportunities and reduce commuting and wider freight congestion.
- Large main centre retained on the eastern side of the Drury Motorway Interchange.
- Two previous western local centres replaced by one indicative western local centre located on SH22 (Karaka Road) near Jesmond Road.
- Smaller centres added to serve local communities.
- Expert technical reports were completed or updated. Key reports included transport, and Business Land Demand and Location analysis.
- Pattern of increased residential density near centres and public transport retained. Some changes to the draft residential zoning made to respond to the proposed centres and transport infrastructure.
- Indicative transport infrastructure shown in accordance with the Integrated Transport Assessment 2019.
- Blue-green network concept: streams, floodplains and parks retained with some changes to the indicative parks.

Following 2019 feedback

- Transport:
  - Updated to include the preferred indicative Mill Road route in the south eastern part of the structure plan area and consequential changes to collector roads.
  - Provision of park and rides clarified.
- Centres:
  - Centres depicted as indicative locations on the maps. This recognises that more detailed work will need to be undertaken at the plan change investigation stage to determine the exact location, extent and zoning of centres.
  - The western centre location is located only on the north side of SH 22 (Karaka Road), between Jesmond Road and Burberry Road, alongside SH22.
- Industrial business areas:
  - The northern Opaheke industrial business area has been reduced in extent slightly. The area south of Ponga Road has been changed from proposed Business - Light Industry to proposed Residential - Mixed Housing Suburban between Ponga Road and the nearby stream.
  - An additional area of proposed Business – Light Industry has been included between the indicative strategic “Mill Road”, Fitzgerald Road and Drury Hills Road. This replaces the proposed Residential - Mixed Housing Suburban previously shown.
  - The edge of the proposed industrial business area in south west Drury has been adjusted. This creates a better alignment of the zone edge with property boundaries and topography in the area between Great South Road and Runciman Road.
  - The overall area of industrial business land increases slightly as a result of these changes.
- The structure plan now lists the outcomes expected for each sub-area in the structure plan area. This has been in part informed by a Neighbourhood Design Statement and includes the main centres, industrial areas, public transport corridors, residential areas and the blue-green network. This will guide future plan change preparation to achieve good outcomes.
Pukekohe-Paerata vision

15. The following vision has been developed:

*New growth areas will enhance Pukekohe as a focal point and place to further support the surrounding rural economy. These areas will offer a range of housing choice and employment opportunities for people at all stages of life. It will be well connected to the wider Auckland and Waikato regions, while protecting and enhancing the natural, physical and cultural values that contribute to Pukekohe’s unique character and identity.*

To implement this vision, the Pukekohe-Paerata Structure Plan aspires to provide these planning outcomes:
- A place for people
- Our shared stories
- A healthy, flourishing and sustainable community
- Valuing our natural environment
- Rural Pukekohe
- Servicing our future community

16. Changes made to the Pukekohe-Paerata Structure Plan throughout the structure planning process include:

**Following 2017 feedback**
- Removal of the 2016 transport infrastructure
- Identifying Auckland Unitary Plan residential zones for residential land
- Increasing business land
- Consequently reducing residential land
- A potential local centre in Structure Plan Area D
- Inclusion of indicative open space.

**Following 2018 feedback**
- Key outcomes refined to reflect feedback and aspirations identified by the community.
- Land uses
  - Amount of business land proposed was reduced.
  - Type of business land was refined and proposed to be Light Industry Zone and Local Centre Zone.
  - Amount of residential land was increased (due to decrease of business land)
  - Potential open space was refined.
  - Expert technical reports were completed or updated. Key reports included transport, and Business Land Demand and Location analysis.
  - Environmental information added to maps e.g. 20 metre riparian buffer along both sides of permanent and intermittent streams and geological features such as tuff rings.

**Following 2019 feedback**
- Minimal content changes made between the Draft Pukekohe-Paerata Structure Plan 2019 and the finalised Pukekohe-Paerata Structure Plan 2019. One land use change has been made – 10 Butcher Road, a 2.3ha site in Area E, has been changed from proposed Residential – Mixed Housing Suburban zone to proposed Business - Light Industry zone.
Staging and Timing

17. Several landowners requested changes to the staging and timing of development in the two southern structure plan areas. The final Drury-Opāheke and Pukekohe-Paerata structure plans do not propose to change development staging to bring forward any areas. This is due to the significant infrastructure funding constraint combined with the council’s objective of achieving a quality, compact city as set out in the Auckland Plan development strategy and the Auckland Unitary Plan. At this point in time, the staging for development in the Drury-Opāheke and Pukekohe-Paerata structure plans remains the same as that identified in the Council’s Future Urban Land Supply Strategy.

18. The final structure plan maps for adoption are shown in Figure 1a and Figure 1b.

Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera Council group impacts and views

19. Watercare and Auckland Transport have representatives on the Drury-Opāheke and Pukekohe-Paerata structure plan project teams and on the Structure Plan Steering Group.

20. The council’s structure plan teams have worked closely with the Supporting Growth Alliance (Te Tupu Ngātahi). This is a collaboration between the New Zealand Transport Agency, Auckland Transport and Auckland Council. The purpose of the Supporting Growth Alliance is to identify and protect the preferred transport networks to support Auckland’s planned greenfield growth over the next 30 years.

21. The council’s Drury-Opāheke and Pukekohe-Paerata structure plan teams have also worked with various internal council teams (including parks, healthy waters and community facilities), and external government, infrastructure, community service, business and rural interest groups.

Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe Local impacts and local board views

22. Franklin and Papakura Local Boards have been briefed a number of times during the project (May 2017, September 2017, June 2018, March 2019 and July 2019). The boards have also provided feedback at various times during the structure planning process. The Franklin Local Board is supportive of the structure plan projects and has not raised any significant concerns around the plans or process. The Papakura Local Board is generally supportive of the structure plans but raised a number of matters in feedback on the Draft Drury-Opāheke Structure Plan 2019.

23. While supportive of the main centre being near the existing Drury village, the Papakura Local Board is concerned about adverse effects from such a centre on the development of Papakura as a metropolitan centre. The centres are proposed in accordance with projections of centre land requirements for the potentially large future population growth in the structure plan area, consistent with advice provided by professional economists, taking into account existing centres such as Papakura. That said, it is important to note that the final size and function of the proposed centres within the Drury-Opāheke Structure Plan area will be determined through plan changes to the Auckland Unitary Plan at a future date. The analysis in support of those plan changes will need to address any potential impacts on Papakura.

24. The board supports the proposed industrial areas but is concerned about them bordering residential areas and wants green belt buffers provided. Wherever possible, the boundaries of proposed industrial areas include a buffer between the industrial area and residential areas. This is either a road or a future riparian reserve.

25. The board advises that inundation from flooding should be avoided and that climate change should be taken into account. The structure plan process remapped floodplains taking climate change into account. The structure plan follows the Auckland Unitary Plan approach of avoiding urban development in the floodplains.
26. The board supports the parks proposed noting the need to complement existing park networks and be accessible by cycling and public transport. The parks are proposed in accordance with council parks acquisition policy which includes integration with the existing network. All parks will be accessible by walking and cycling.

27. The board also supports planning for provision of community facilities. Future community facility needs have been investigated as part of the structure planning process and will be progressively provided in accordance with population growth.

**Tauākī whakaaweawe Māori**

**Māori impact statement**

28. The council included mana whenua early in the southern structure planning process. Ten mana whenua groups were contacted by the council in July 2017 (at the Mana Whenua Kaitiaki Forum) and September 2017. This was to inform them that the council would start structure planning for these areas, and to invite them to be involved in the process. From this four iwi groups chose to be actively involved with the council in the southern structure planning process and formed a working group. They are Ngāi Tai ki Tāmaki, Ngāti Tamaoho, Ngāti Te Ata Waiohua and Te Ākitai Waiohua. Huakina Development Trust were invited by these iwi to also be part of this process.

29. At this point in time, other mana whenua with customary interests in the structure planning areas have either opted to not be involved due to other priorities, or have deferred to the four iwi who are actively involved. However, this does not preclude them from being involved in any engagement going forward if they wish.

30. Regular hui have been held in Pukekohe with this working group and council staff throughout the structure planning process. Nineteen hui or workshops have been held between September 2017 and June 2019.

31. These hui have been a forum to openly discuss the structure planning process, mana whenua relationships with the structure planning areas (past, present and future), and their aspirations, concerns and issues with future development of the structure plan areas. The regular hui have informed the development of the Drury-Opāheke and Pukekohe-Paerata structure plans. Some mana whenua also provided feedback as part of public engagement.

32. Engagement with mana whenua is on-going and will continue beyond the structure plan process.

**Ngā ritenga ā-pūtea**

**Financial implications**

33. There are significant costs associated with the infrastructure required to enable/support development within the southern structure plan areas. Very limited council or central government funding is currently available. Under the Auckland Council and Crown Joint Programme of Work on Auckland Housing and Growth, work is being undertaken to confirm the most appropriate sequencing of the key transport infrastructure required to enable growth in the Drury-Opāheke area. Work has also commenced to identify appropriate funding/financing mechanisms to support Auckland’s growth. The outcomes of this and other related work will be reported to the relevant council committee(s) in the new council term.

**Ngā raru tūpono me ngā whakamaurutanga**

**Risks and mitigations**

34. There are no significant risks in adopting the Drury-Opāheke and Pukekohe-Paerata structure plans. The structure plans are non-statutory documents and cannot be appealed.

35. While adopting the structure plans could create public expectations that the land will be ready to develop in the near future, this risk can be mitigated by key messaging around staging and the sequencing, funding and delivery of bulk infrastructure.
Ngā koringa ā-muri

Next steps

36. The current staging for land being ready to develop within the Drury-Opāheke and Pukekohe-Paerata Structure Plan areas is set out in council’s Future Urban Land Supply Strategy (2017). Depending on the outcomes of the work that has commenced in relation to infrastructure sequencing and funding, it may be possible to revise this staging. As noted previously, the results of this work will be presented to the relevant committee(s) in the new council term. Any changes to staging will also need to take into account the strategic city-wide implications of enabling additional growth in the southern structure plan areas.

37. Council has engaged extensively with mana whenua and key stakeholders during the development of the Drury-Opāheke and Pukekohe-Paerata Structure Plans. Ongoing discussions with these groups will be important.

Ngā tāpirihanga

Attachments

Due to the size and complexity of Attachments A and B they have been published separately at the following link: http://infocouncil.aucklandcouncil.govt.nz > Planning Committee > 6 August 2019 > Attachments

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<tr>
<td>A</td>
<td>Drury-Opāheke Structure Plan 2019 (117 pages) <em>(Under Separate Cover)</em></td>
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<tr>
<td>B</td>
<td>Pukekohe-Paerata Structure Plan 2019 (138 pages) <em>(Under Separate Cover)</em></td>
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Ngā kaihaina

Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Craig Cairncross - Lead Planner</th>
</tr>
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</table>
| Authorisers | John Duguid - General Manager - Plans and Places  
Megan Tyler - Chief of Strategy |
Te take mō te pūrongo

Purpose of the report

1. To update the Planning Committee on progress on the Auckland Council and Crown joint programme of work on Auckland housing and urban growth.

Whakarāpopototanga matua

Executive summary

2. Improving housing affordability in Auckland by increasing the supply of housing is a key strategic priority of the Crown’s Urban Growth Agenda and the Auckland Plan 2050.

3. At the March 2019 meeting of the Planning Committee a terms of reference and an initial work programme for a joint council and Crown work programme on housing and urban growth were unanimously endorsed.

4. On 8 May 2019 Cabinet’s Economic Development Committee endorsed the terms of reference. The terms of reference have since been signed by the relevant Ministers and a copy returned to council.

5. The joint council and Crown work programme is divided into seven workstreams across an initial 12-month period.

6. A joint work programme steering group of senior staff from council and various Crown departments are now overseeing the delivery of the actions agreed on in the work programme and this report provides the first quarterly progress update.

7. The key areas of progress are:
   - Crown endorsement of the joint work programme, and signing of the Terms of Reference in May
   - workshops on the social infrastructure required in Drury to service future growth
   - clarification of the extent of deficiencies in the transport network and what needs to occur to address those deficiencies (both projects and funding) at Drury and a programme adopted to find a way forward
   - review of whether the intended outcomes of the Terrace House and Apartment Building zone are being achieved – in conjunction with developers and Ministry for the Environment
   - working with Treasury, Department of Internal Affairs and Crown Infrastructure Partners on alternative financing and funding tools to pay for infrastructure in both brownfield and greenfield locations – using 4 areas as case studies – Mt Roskill, Tamaki, Redhills and Drury
   - Auckland Council lodged a submission on the Kāinga Ora – Homes and Communities Bill, informed by feedback from Watercare Services Limited, Panuku and Auckland Transport as well as a number of local boards and staff from the Independent Māori Statutory Board.
   - Auckland Council provided feedback on the Building System Legislative Reform discussion document released by the Ministry of Business, Innovation and Employment.

8. The next update on the joint work programme to this Committee will be in November/December 2019.
Ngā tūtohunga
Recommendation/s
That the Planning Committee:

a) note progress on the Crown and Auckland Council Joint Programme of Work on Auckland Housing and Urban Growth.

b) forward this progress update to local boards through Local Board Services

c) forward this progress update to the Independent Māori Statutory Board.

Horopaki
Context

9. Improving housing affordability in Auckland by increasing the supply of housing is a key strategic priority of the Crown’s Urban Growth Agenda and Auckland Council’s Auckland Plan 2050.

10. At the March 2019 meeting of this committee a terms of reference and an initial work programme for a joint Council and Crown work programme on housing and urban growth were unanimously endorsed. The committee also sought a similar endorsement from the Crown and requested quarterly updates on progress.

11. On 8 May 2019 Cabinet’s Economic Development Committee passed the following resolutions:

   noted that Auckland Council has endorsed the Terms of Reference of the Auckland Housing and Urban Growth Joint Programme (the Terms of Reference);

   endorsed the Terms of Reference, attached to the paper under DEV-19-SUB-0112;

   invited the Minister of Housing and Urban Development, the Minister for the Environment, the Minister of Local Government and the Minister for Building and Construction to sign and make minor amendments where needed to the Terms of Reference on behalf of the government;

   noted that signing the Terms of Reference will create an obligation for Ministers and agencies to engage with Auckland Council in a spirit of collaboration;

   agreed that the Minister of Housing and Urban Development, the Minister for the Environment, the Minister for Building and Construction and the Minister of Local Government will represent the government on the Political Working Group.

12. The terms of reference have since been signed by the relevant Ministers and a copy returned to council (see Attachment B).

13. A joint work programme steering group of senior staff from council and various Crown departments are now overseeing the delivery of the actions agreed on in the work programme.
Tātaritanga me ngā tohutohu
Analysis and advice
14. The terms of reference for the joint work programme outline that the programme is designed for the purpose of:

- aligning and prioritising objectives
- effective co-ordination and delivery
- improving ways of working together
- supporting new/amended policies, legislation and tools.

To date the programme has enabled more targeted conversation between staff from various Crown agencies and from across the council group. Initially these conversations have focussed on providing the Crown with data and information on Auckland Council’s approach to managing urban growth and enabling housing, and on understanding from council’s point of view, how the Crown protocols and reporting processes differ from councils.

15. The joint work programme has seven main workstreams:

- Auckland Development Programme – focussing on Drury: City Centre to Mangere urban growth areas; Manukau; CRL development opportunities
- Affordable housing
- Infrastructure funding and financing
- Urban planning – focussing on quality intensification and costs and benefits of growth
- Spatial planning
- Urban Development Agency
- Removing barriers to the efficient delivery of houses – focussing on Building Act and Building Code improvements, efficient consenting and optimal utilisation of zoning and related infrastructure capacity.

16. Attachment A to this report sets out in more detail work progress that has been made against each of the workstreams.

17. Key activities undertaken since the last report:

- Crown endorsement of the joint work programme, and signing of the terms of reference in May (see Attachment B)
- workshops on the social infrastructure required in Drury to service future growth
- clarification of the extent of deficiencies in the transport network and what needs to occur to address those deficiencies (both projects and funding) at Drury and a programme adopted to find a way forward
- review of whether the intended outcomes of the Terrace House and Apartment Building zone are being achieved – in conjunction with developers and Ministry for the Environment
- working with Treasury, Department of Internal Affairs and Crown Infrastructure Partners on alternative financing and funding tools to pay for infrastructure in both brownfield and greenfield locations – using 4 areas as case studies – Mt Roskill, Tamaki, Redhills and Drury
- Auckland Council lodged a submission on the Kāinga Ora – Homes and Communities Bill, informed by feedback from WSL, Panuku and Auckland Transport as well as a number of local boards and staff from the Independent Māori Statutory Board.
- Auckland Council provided feedback on the Building System Legislative Reform discussion document released by the Ministry of Business, Innovation and Employment.
Planning Committee
06 August 2019

Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera
Council group impacts and views
18. The work programme involves the wider council family including Panuku, Watercare, Auckland Transport and ATEED. The joint Crown and council Political Steering Group for the joint work programme is supported by an Executive Steering Group. Auckland Council Chief Executive Stephen Town represents the council group on this Executive Steering Group.

Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe
Local impacts and local board views
19. The programme includes workstreams and projects with local benefits/impacts. No specific consultation has been undertaken with local boards in the strategic oversight of the joint work programme. However, normal processes for working with local boards continue at a project level e.g. Drury-Opaheke growth area.
20. A separate memo has been sent to local boards to provide an overview of the joint programme of work which can be read alongside this update. The Director of Urban Growth and Housing has also offered to meet individually with local boards where requested.
21. As part of the wider Urban Growth and Housing portfolio, all local board members are receiving on a monthly basis:
   • a growth and housing datasheet – contains the most frequently referenced figures such as a population and projected growth, future urban land data and economic data
   • a growth and housing snapshot – provides updates on significant growth projects and housing data and a breakdown of new dwellings consented and code of compliance certificates issued by local board area.

Tauākī whakaaweawe Māori
Māori impact statement
22. The Auckland Plan 2050 ‘Homes and Places’ outcome has a focus area to invest in and support Māori to meet their specific housing needs.
23. The programme includes workstreams and projects of interest to Māori because of their potential to deliver affordable housing and economic development opportunities as well as their potential environmental and cultural impacts. Processes for working with Māori are being utilised at a project level.

Ngā ritenga ā-pūtea
Financial implications
24. The joint work programme has created a more formal working relationship with government on existing workstreams and projects. Although some of the proposed actions are new, most of the programme is already underway in some form and will be funded by existing budgets at this stage.

Ngā raru tūpono me ngā whakamaurutanga
Risks and mitigations
25. The General Managers Group is overseeing and managing programme risks.
26. A deep dive into the Crown reform – urban growth and housing risks was completed by the Risk team in May 2019. The results of this deep dive were reported to the Audit and Risk Committee on 5 June 2019. The top risk register has been updated to reflect the deep dive. The residual risk rating of moderate was reassessed and has not changed. It was recommended that a number of mitigations be established.
27. Through the deep dive it was acknowledged that the joint work programme had been agreed and that this is a key control to mitigate the risk that the Crown and council objectives, leadership approach and priorities concerning housing and urban growth are not aligned.

**Ngā koringa ā-muri**

**Next steps**

28. Work is continuing on projects across the joint work programme. Council staff will continue to work collaboratively with their equivalents within the Crown.

29. The next progress update to the relevant committee will be in November/December 2019.

**Ngā tāpirihanga**

**Attachments**

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<td>Quarterly update on Auckland Council and Crown Joint Programme of work - Auckland Housing and Urban Growth August 2019</td>
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<tr>
<td>B</td>
<td>Signed Terms of Reference Auckland Housing and Urban Growth Joint Work Programme</td>
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**Ngā kaihaina**

**Signatories**

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<tr>
<td>Author</td>
<td>Anna Jennings - Principal Advisor</td>
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<td>Authorisers</td>
<td>Penny Pirrit - Director Urban Growth and Housing</td>
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<td></td>
<td>Megan Tyler - Chief of Strategy</td>
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| Delivery | Auckland Development Programme | Unlocking joint priority urban development areas:  
- Southern urban growth area  
- City Centre to Mangere Light Rail Transit (LRT)  
- Transform Manukau City Rail Link (CMRL) Stations and surrounds | a. Southern urban growth area:  
- To better enable growth in the South, the project envisages:  
  a. An immediate focus on the Drury urban growth area, implementing the Drury-Opahake Structure Plan (separate project plans being prepared for 1.1, 1.2 and 1.3)  
  b. A medium-term focus on supporting development in other Southern urban growth areas | 3. Drury transport project  
- A Drury Transport Investment project is underway to provide expert advice:  
  • On optimal timing, staging and sequencing of delivery of the preferred transport network projects  
  • On options to fund these projects - This project will take 8 – 10 months. |  |
|          |                          |                                                           | b. Southern urban growth areas:  
- Support structure planning and land release in other suitable future urban zone areas | n/a               | 2. Identify and enable community/social infrastructure - Progressing scope to map community/social infrastructure to identify short-medium term opportunities for joined up provision. |
|          |                          |                                                           | The parties note the Government’s aspiration to undertake a wider joint spatial planning exercise for the South (including linking with North Waikato) from 2020. |                   | 3. Identify catalyst actions to enable employment - A project plan has been completed which seeks to provide an evidenced based approach to identify actions to attract investment into the area and create employment opportunities. |
|          |                          |                                                           |                                                                                                                                            |                   |                                                                                               |
|          |                          |                                                           | 2. City Centre to Mangere LRT urban development areas, including:  
- Mt Roskill  
- Mangere  
- Oranga  
- Onehunga |                   | n/a                                                                 - To be determined in 2020.                                                                                                           |
|          |                          |                                                           | Actions designed to complement NZTA’s, HLC and I&EC work on the LRT corridor.  
(note work focused on LRT corridor but not necessarily dependent on LRT proceeding) |                   |                                                                                               |
|          |                          |                                                           | • Comparison of location and capacity of currently funded infrastructure, with intensification/priority areas  
• Clarification on infrastructure location, capacity and upgrades required for intensification of priority areas  
• Identify targeted changes to the Unitary Plan that enable better intensification outcomes  
• Develop joined up funding and investment plans with HLC/NZC, MoE, NZTA, KiwiBuild, AC, AT that:  
  • Builds market attractiveness through providing local community facilities, schools and public amenity improvements to cater for increased people living close to LRT  
  • Enables the infrastructure required to cater for increased density in LRT corridor  
• In Onehunga urgently join up and integrate the planning for LRT and East West connections in Onehunga to ensure that community and development opportunities are optimised | n/a               | The initial focus of this project is ensuring up to date information is available on the capacity of existing infrastructure in the priority areas, and what might be the gap in terms of growth aspirations. |
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<tr>
<td></td>
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<td>- Investigate the opportunity to leverage infrastructure projects and investment to remove the Transpower pylons as part of the transformation of Onehunga.</td>
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<td></td>
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<td>3. Transform Manukau</td>
<td>r/a</td>
<td>This work is now completed and has progressed to a joint Crown/Council programme. The Council’s Director of Urban Growth and Housing and the Chief Operating Officer of Panuku are on the establishment group.</td>
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<td>- Complete Crown/Council Joint Business Case and resource implementation</td>
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<td>- Review investment approach and reprioritise HNZ redevelopment in Manukau (Rata Vines) to unlock transformation opportunities (as part of the above).</td>
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<td>4. CRL development opportunities – Aotea, Karangahape Rd, Mt Eden</td>
<td>r/a</td>
<td>Stage one of this work is complete. The JWP maintains a watching brief only as it has its own governance arrangements.</td>
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<td>- Complete stage one work to ensure that development opportunities are optimised. Stage one includes:</td>
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<td>- Current state analysis</td>
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<td>- Defining desired urban outcomes for station vicinities</td>
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<td>- Gap analysis including constraints and opportunities</td>
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<td>- Options for development</td>
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<td>- Agree stage two programme of work (including defining roles and responsibilities) for CRL to progress.</td>
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<td>New tools and approaches</td>
<td>Affordable Housing</td>
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<td>- Investigate the effectiveness and efficiency of regulatory (including retained affordable housing) and non-regulatory interventions in the housing system to identify ways to increase affordable housing</td>
<td>r/a</td>
<td>The first phase of this includes research projects to understand the demographic and income profile of the “Intermediate housing market”; the lived experience of those in this market; and the international literature and NZ/International case studies on potential solutions. The workstream is in progress and on track to report back on findings and options from early 2020. Working with HUG towards alignment, and shared use of research findings.</td>
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<td>Infrastructure Funding and</td>
<td></td>
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<td>- Continue to work together on new funding/financing tools and mechanisms to enable bulk and distribution infrastructure to be funded</td>
<td>r/a</td>
<td>Work has been undertaken with Treasury, DIA and Crown Infrastructure Partners on alternative financing and funding tools to pay for infrastructure in both brownfield and greenfield locations – using 4 areas as case studies – Mt Roskill, Tamaki, Redhilts and Drury.</td>
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<tr>
<td>Financing</td>
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<td>- Identifying the full infrastructure costs (funded and unfunded) to support housing and urban growth in the priority areas of growth</td>
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<td>- Testing the application of new tools and mechanisms to the priority areas, informed by the infrastructure costs, housing yields and land concentration in each area</td>
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<td>- Develop a medium-long term pipeline of projects which could be candidates for alternative financing and funding models</td>
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| Urban Planning  |                      | 1. Quality intensification                                               | • Address planning regulation, methods and practice that may act as roadblocks to delivery of quality housing intensification (including working with key Auckland developers to test impacts of RMA and Unitary Plan requirements on uptake in the Terrace Housing and Apartment Building zone)  
• Use the Auckland Housing programme and Auckland case studies to test national direction options for quality intensification  
• Ensure the Auckland Unitary Plan continues to support the market for quality intensification over time | r/a         | A group of developers, consultant planners, urban designers and architects were interviewed individually to gain insight into the issues being encountered with developing apartment buildings in the Terrace Housing and Apartment Building zone (THAB), under the current planning regime. Resource consent data from 2018 has been analysed to determine the type of developments (i.e. standalone houses, terraces, apartments) being granted resource consent in the THAB zone, and the spatial distribution of these developments. Interim options have been developed to address the identified issues. There has been a report back to the Property Council and the Council’s Urban Growth General Manager Group on the interim findings of the research. It is anticipated that a report on the final outcomes of the research will be provided to the Planning Committee in the first quarter of 2020. |
<p>|                 |                      | 2. Costs and benefits of growth                                         | • Work together to better understand and quantify the wider costs and benefits of urban development                                                                                                         | r/a         | The Costs and benefits of growth work is being led by central government. Thus far, it consists of a report identifying what costs and benefits are typically considered in other jurisdictions, and where possible, how they have been measured. No further progress has been made beyond the report at this stage and the scope of this project is still being worked on. |
| Spatial Planning|                      | Likely to split into two projects – input to the NPSUD and input to RMA review | • Use the Auckland Plan experience to test and inform options to strengthen spatial planning in New Zealand                                                                                             | r/a         | The Spatial Planning Project will help to inform the NPSU Urban Design guidance on Future Development Strategy policies. A draft brief has been developed for this project and a workshop held to look at more detailed areas of focus. Initial work has begun to record learnings from producing the Auckland Plan Development Strategy. The project is aiming to deliver a report in early September that will feed into consultation on the NPSU Urban Design during August and September this year. |</p>
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</table>
| Urban Development Agency      |                                                                             |                                                                         | • Regular reporting on legislative process and entity development  
• Identification of locations in Auckland where a UDA could be active and coordination with Auckland Council (coordination on large scale projects) | r/a         | Auckland Council has lodged a submission on the Kāinga Ora – Homes and Communities Bill, informed by feedback from Wāhine, Panuku and AT as well as from a number of Local Boards and staff from RMB. Waiting for advice on when Select Committee hearing will occur.  
Auckland Council Group (ACG) staff have met with the interim Urban Development Group (staff from HLC, HNZC and Kiwibuild) to discuss an agreed approach to early engagement with the ACG when the Urban Development Group is looking to acquire land for development purposes. |
|                               |                                                                             | 1. Building Act and Building Code and efficiency of consenting processes | • Support effective delivery of the existing Building and Construction work programme, informed by Auckland Council’s experience and expertise.  
• Tools and process improvements to the efficiency and performance of building consenting processes at Auckland Council | r/a         | AC has provided extensive submission on the Building Act Regulatory reform proposals (amongst 500 submissions NZ wide).  
Implementation of the Meeting Demand program providing extra resources for processing and inspection work leading to reduced timeframes for Consenting and Code Compliance certification.  
Prefabrication and modular housing pilot approval scheme progressing, needs legislative support. |
|                               |                                                                             | 2a - Optimal utilization of zoning – THAB                                 | • Investigation of tools and mechanisms that encourage optimal utilisation of zoning (note 2 has now been split into 2a and 2b) | r/a         | This work is now complete and is an input into the Quality Intensification Project.                                                                                                                                                         |
|                               |                                                                             | 2b - Optimal utilization of infrastructure capacity                      | • Investigation of tools and mechanisms that encourage optimal utilisation infrastructure capacity | r/a         | A Council Group workshop is arranged for August 2019 to address this matter. Progression with this task is on hold until we have an agreed aligned approach to data share and prioritization planning.                                                   |
Auckland Housing and Urban Growth

A joint programme between Government and Auckland Council to deliver shared housing and urban growth priorities

Terms of Reference

March 2019

Auckland Council

MINISTRY OF HOUSING AND URBAN DEVELOPMENT

Environment
1. Parties

For the New Zealand Government
1.1 Hon Phil Twyford (Minister of Housing and Urban Development, Minister of Transport)

1.2 Hon David Parker (Minister for the Environment, Minister for Economic Development)

1.3 Hon Jenny Salesa (Minister for Building and Construction)

1.4 Hon Nanaia Mahuta (Minister for Maori Development, Minister of Local Government)

For Auckland Council
1.5 Hon Phil Goff (Mayor of Auckland)

1.6 Cr Bill Cashmore (Deputy Mayor of Auckland)

1.7 Cr Chris Darby (Chair of the Planning Committee)

1.8 Cr Penny Hulse (Chair of the Environment and Community Committee)

2. Purpose

2.1 This Terms of Reference is for both parties to record their mutual intentions and understanding in relation to a joint programme on housing and urban growth in Auckland, and for this to be governed in the form of a non-contractual agreement.

2.2 The joint programme is an expression of the collaborative approach to which both parties are committed and will allow for stronger alignment across and between all systems of government.

2.3 The joint programme is designed for the purpose of:

- aligning and prioritising objectives — there is an aligned strategic approach that meets both the Government’s and Auckland Council’s objectives, and results in best possible housing and urban growth outcomes for Auckland, while delivering the best possible value for money for infrastructure\(^1\) investment;

- effective co-ordination and delivery — housing and urban development processes (including those within existing frameworks and legislation) include effective co-ordination between local and central government, and across the relevant entities therein, to ensure robust planning and delivery;

\(^1\) This will include network (transport, three waters) and social infrastructure.
Improving ways of working together – building on existing processes there is greater communication, sharing of information (ensuring 'no surprises'), use of common data and evidence, and joint engagement with stakeholders and the private sector; and

Supporting new/amended policies, legislation and tools – working together to develop and implement new/amended legislation, policies, and tools that will enable the delivery of housing and urban growth (including consideration of other factors that may affect delivery, such as infrastructure funding and financing tools and the Building Act).

3. Objectives and Programme of Work

3.1 The overarching objectives for the joint programme include:

- Increased and accelerated provision of quality, affordable housing;
- Increased range of housing choices (type, location, tenure and price points);
- Achieving quality intensification;
- Growth and development that supports climate resilience and New Zealand's climate change obligations and protects and enhances the natural environment;
- Funding and financing tools to enable infrastructure delivery;
- Coordination of Crown and Council infrastructure investment (including location of government services) to support urban growth;
- Integrated and well-located employment growth; and
- The costs of growth are understood, and existing infrastructure and zoning is optimised.

3.2 The focus will be a joint programme of work between the Government and Auckland Council that will progress actions under the Auckland Plan 2050 and the Government's Housing and Urban Development work programme².

3.3 The joint programme will focus on increased delivery of housing and urban development through targeted actions (including a more collaborative approach to agreed spatial priority areas) and having an ongoing platform for joined up and agile decision making. The joint programme will also ensure Auckland has the tools and resources to successfully manage growth and deliver increased housing and urban development to meet the needs of Aucklanders (including affordable, accessible and well-located homes).

3.4 Appendix A outlines the joint programme of work that parties will commit to collaborate on and deliver over the next 12 months. The work programme will be reviewed regularly, and lessons learnt fed back to support improvements and updates as appropriate.

² This includes, amongst other things, KiwiBuild, the Housing and Urban Development Authority and the Urban Growth Agenda.
3.5 The joint programme does not cover all of the housing and urban growth responsibilities of Auckland Council and Government, which shall continue and support the joint efforts as appropriate.

4. Governance and Signatories

4.1 The Parties will be signatories to this Terms of Reference and will form a Political Governance Group. This group will meet quarterly to provide strategic direction, review progress and agree deliverables.

4.2 The governance structure will be supported by an Executive Steering Group and Programme Steering Group that will include senior officials from both parties (including relevant Council Controlled Organisations and Government agencies).

4.3 The role of the Executive Steering Group is to also meet quarterly and to:
   i. Provide the formal interface and communication with the Political Governance Group; and
   ii. Enable resolution and/or escalation of any significant issues

4.4 The Programme Steering Group will meet monthly to monitor progress and provide day-to-day management of the joint programme of work. The main role of the group will be to:
   i. Consider the key findings of the projects and provide advice as required;
   ii. Ensure the projects are delivered to the agreed scope and timeframes; and
   iii. Ensure that the projects are aligned and integrated with other cross-agency and Auckland related work as appropriate

4.5 The governance of the joint programme will provide high level and strategic oversight of the housing and urban growth objectives and the associated work programme outlined in this Terms of Reference. For the avoidance of doubt, it will not replace any established governance arrangements and accountabilities for the individual projects outlined in the joint programme of work.

4.6 Appendix B outlines the governance structure, which shall be updated and amended as required.
APPENDIX A

Joint Programme of Work

1.1 The joint programme will focus on our shared housing and urban growth priorities.

1.2 The programme of work below reflects a joint commitment to ensure Auckland’s growth supports the creation of thriving, affordable, inclusive and sustainable communities that provide housing, transport, employment and education opportunities to meet a wide range of needs.

1.3 The joint programme will help progress large-scale urban development and policy initiatives consistent with agreed priorities. Government and Auckland Council will achieve this by working together to share information, pursue opportunities, remove blockages and streamline regulatory and other processes.

1.4 Transport planning (including the ongoing work of ATAP and the Congestion Question) will be integrated into the joint programme where appropriate but will proceed through existing channels. Integration with transport planning will specifically focus on land use implications and opportunities for housing and urban development.

1.5 The following outlines a high-level overview of the joint programme of work. This joint programme of work will be discussed and approved by Cabinet and Auckland Council planning committee in March.
### Delivery

**Auckland Development Programme**

Unlocking joint priority urban development areas:
- Southern urban growth area
- City Centre to Māngere Light Rail Transit (LRT)
- Transform Manukau
- City Rail Link (CRL) Stations and surrounds

#### 1. Southern urban growth area

To better enable growth in the South, the project envisages:

<table>
<thead>
<tr>
<th>Action</th>
<th>Sub-project</th>
<th>Timeframe</th>
<th>Achieving Urban Growth Agenda and/or Auckland Plan Outcomes</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Drury urban growth area:</td>
<td>1. Review and revise staging</td>
<td>April 2019</td>
<td>UGA Pillar #1 Infrastructure Funding and Financing; #2 Urban Planning; #3 Spatial Planning</td>
</tr>
<tr>
<td>- Investigate cost and implications of changing the staging of infrastructure delivery and urban rezoning of future Urban land, including ways to accelerate delivery of key transport projects to address current transport issues</td>
<td></td>
<td></td>
<td>AP Homes and Places Outcome Direction #1 and #4; Focus area #1 and #5</td>
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<tr>
<td>- Secure land for future schools, medical facilities, social housing, parks/sports fields and community facilities required as growth area urbanised</td>
<td></td>
<td></td>
<td>AP Transport and Access Outcome, Focus area #3, #4, #5</td>
</tr>
<tr>
<td>- Catalyst actions are identified to enable employment and job growth in Drury</td>
<td></td>
<td></td>
<td>Auckland Development Strategy</td>
</tr>
<tr>
<td>- Completing transport planning and route/site protection for Drury as part of the Supporting Growth Alliance programme (2019-2020)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>b. A medium-term focus on supporting development in other Southern urban growth areas</td>
<td>2. Identify and enable community/social infrastructure</td>
<td>2019</td>
<td></td>
</tr>
<tr>
<td>The parties note the Government's aspiration to undertake a wider joint spatial planning exercise for the South (including linking with North Waikato) from 2020.</td>
<td>3. Identify catalyst actions to enable employment</td>
<td>April 2009</td>
<td></td>
</tr>
</tbody>
</table>

#### 2. City Centre to Mangere LRT urban development areas, including:

- Mt Roskill
- Māngere
- Oranga
- Onehunga

**Actions designed to complement NZTA’s, HLC and AC work on the LRT corridor.**

- Comparison of location and capacity of currently funded infrastructure, with intensification/priority areas
- Clarification on infrastructure location, capacity and upgrades required for intensification of priority areas
- Identify targeted changes to the Unitary Plan that enable better intensification outcomes
- Develop joined up funding and investment plans with HLC/NZTA, MinE, NZTA, KiwiBuild, AC, AT that:
  - Builds market attractiveness through providing local community facilities, schools and public amenity improvements to cater for increased people living close to LRT
  - Enables the infrastructure required to cater for increased density in LRT corridor
- In Onehunga urgently join up and integrate the planning for LRT and East West connections in Onehunga to ensure that community and development opportunities are optimised
- Investigate the opportunity to leverage infrastructure projects and investment to remove the Transpower pylons as part of the transformation of Onehunga.
### Attachment B

#### Item 9

<table>
<thead>
<tr>
<th>Category</th>
<th>Workstream</th>
<th>Project</th>
<th>Actions</th>
<th>Sub-project</th>
<th>Timeframe</th>
<th>Achieving Urban Growth Agenda and/or Auckland Plan Outcomes</th>
</tr>
</thead>
</table>
|                         |                             | 3.      | **Transform Manukau**  
- Complete Crown/Council Joint Business Case and resource implementation  
- Review investment approach and reprioritise HNZ redevelopment in Manukau (Rata View) to unlock transformation opportunities (as part of the above). |                                                                           | March 2019 |                                                             |
|                         |                             | 4.      | **CRL development opportunities—Aotea, Karangahape Rd, Mt Eden**  
- Complete stage one work to ensure that development opportunities are optimised. Stage one includes:  
  - Current state analysis  
  - Defining desired urban outcomes for station vicinities  
  - Gap analysis including constraints and opportunities  
  - Options for development  
  - Agree stage two programme of work (including defining roles and responsibilities) for CRLL to progress. |                                                                           | March 2019 |                                                             |
|                         | New tools and approaches    | Affordable Housing | **Investigate the effectiveness and efficiency of regulatory (including retained affordable housing) and non-regulatory interventions in the housing system to identify ways to increase affordable housing.** |                                                                           | March 2019 | UGA - Primary Outcome  
  AP Homes and Places Outcome  
  Direction #2 and #3; Focus area #1, #2, #3, #4  
  Mayoral Housing Taskforce |
|                         | Infrastructure Funding and Financing |           | **Continue to work together on new funding/financing tools and mechanisms to enable bulk and distribution infrastructure to be funded**  
- Identifying the full infrastructure costs (funded and unfunded) to support housing and urban growth in the priority areas of growth  
- Testing the application of new tools and mechanisms to the priority areas, informed by the infrastructure costs, housing yields and land concentration in each area  
- Develop a medium-long term pipeline of projects which could be candidates for alternative financing and funding models |                                                                           | Ongoing    | UGA Pillar #1  
  Auckland Plan and Auckland Council's 10-year Budget and Infrastructure Strategy |
|                         | Urban Planning              | 1.      | **Quality Intensification**  
- Address planning regulation, methods and practice that may act as roadblocks to delivery of quality housing intensification (including working with key Auckland developers to test impacts of RMA and Unitary Plan requirements on uptake in the Terrace Housing and Apartment Building zone)  
- Use the Auckland Housing programme and Auckland case studies to test national direction options for quality intensification  
- Ensure the Auckland Unitary Plan continues to support the market for quality intensification over time |                                                                           | April 2019 | UGA Pillar#2 Urban Planning; Pillar #5 Legislation  
  AP Homes and Places Outcome  
  Direction #1, #2, #4; Focus area #1, #3, #5 |

Appendix A iii
<table>
<thead>
<tr>
<th>Category</th>
<th>Workstream</th>
<th>Project</th>
<th>Actions</th>
<th>Sub-project</th>
<th>Timeframe</th>
<th>Achieving Urban Growth Agenda and/or Auckland Plan Outcomes</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. Costs and benefits of growth</td>
<td>Spatial Planning</td>
<td>• Work together to better understand and quantify the wider costs and benefits of urban development, in order to inform planning and investment decisions and other work programmes.</td>
<td></td>
<td></td>
<td>2019</td>
<td>UGA Pillar #2 Urban Planning, #3 Spatial Planning and #5 Legislation Auckland Plan-Primary Outcome</td>
</tr>
<tr>
<td></td>
<td>Housing and Urban Development Agency</td>
<td>• Use the Auckland Plan experience to test and inform options to strengthen spatial planning in New Zealand</td>
<td></td>
<td></td>
<td>June 2019</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Removing barriers to efficient delivery of housing</td>
<td>• Regular reporting on legislative process and entity development. • Identification of locations in Auckland where a UDA could be active and coordination with Auckland Council (coordination on large scale projects)</td>
<td></td>
<td></td>
<td>April 2019</td>
<td>UGA Pillar #5 Legislation AP Homes and Places Outcome Direction #2; Focus area #1, #4</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Support effective delivery of the existing Building and Construction work programme, informed by Auckland Council’s experience and expertise. • Tools and process improvements to the efficiency and performance of building consenting processes at Auckland Council.</td>
<td></td>
<td></td>
<td>August 2019</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Investigation of tools and mechanisms that encourage optimal utilisation of zoning and related infrastructure capacity</td>
<td></td>
<td></td>
<td>Early 2019</td>
<td>UGA Pillar #5 Legislation AP Homes and Places Outcome Direction #1, #2, #3; Focus area #1; #3</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>2019</td>
<td></td>
</tr>
</tbody>
</table>

Appendix A iv
APPENDIX B

Governance Structure

Political Governance Group
- Hon Phil Twyford
- Hon David Parker
- Hon Salesa
- Hon Mahuta
- Hon Phil Goff
- Cr Bill Cashmore
- Cr Chris Darby
- Cr Penny Hulse

Executive Steering Group
CEs from Central Government Agencies and Auckland Council

Programme Steering Group
Officials from Central Government and Auckland Council

Workstreams
(Lead officers will be assigned to each)
1. Auckland Development Programme
2. Affordable Housing
3. Infrastructure Funding and Financing
4. Urban Planning
5. Spatial Planning Frameworks
6. Housing and Urban Development Agency
7. Removing Barriers to Efficient Delivery

Appendix B i
Developing an Integrated Area Plan for part of the Albert-Eden and Puketāpapa local board areas, and reviewing the Māngere-Ōtāhuhu Area Plan for part of Māngere

File No.: CP2019/13073

Te take mō te pūrongo

Purpose of the report

1. To seek approval to develop an Integrated Area Plan for part of the Albert-Eden and Puketāpapa local board areas.

2. To seek approval to review, and if needed update the existing Māngere-Ōtāhuhu Area Plan for a part of the Māngere-Ōtāhuhu local board area.

Whakarāpopototanga matua

Executive summary

3. The Urban Development Group (UDG), formerly Homes Land and Community is leading and managing the redevelopment of existing state houses in the Mt Roskill and Māngere areas, as part of the Auckland Housing Programme.

4. The Auckland Housing Programme proposes for Mt Roskill to replace approximately 2,500 state homes with up to 10,000 new homes; and for Māngere to replace approximately 2,800 state homes with up to 10,000 new homes over the next 10 to 15 years (refer Attachments A and B).

5. The Auckland Plan 2050 identifies Mt Roskill and Māngere as development areas that are expected to undergo a significant amount of housing and business growth in the next 30 years to achieve a quality compact approach for future growth.

6. The UDG is developing a draft spatial delivery strategy (SDS) for parts of Mt Roskill and Māngere to support the increase in housing, alongside investments in infrastructure and community services to assist in delivering strong and resilient communities.

7. To capitalise on the transformational changes proposed in the draft SDS, the staff recommend to:
   - work with the Albert-Eden and Puketāpapa Local Boards, community, mana whenua and the UDG to develop an Integrated Area Plan for the Mt Roskill area, which builds on the work already undertaken through the draft SDS
   - review the existing Māngere-Ōtāhuhu Area Plan (2013) against the draft SDS for the Māngere area, and if needed update with the Māngere-Ōtāhuhu Local Board, with advice and direction from the community and mana whenua.

8. The development of the Integrated Area Plan and review of the Māngere-Ōtāhuhu Area Plan will consider the wider context beyond the scope of the draft SDS, including open spaces, community facilities and transport, while recognising and building on the important cultural and historical values, and natural landscapes of Mt Roskill and Māngere.
Ngā tūtohunga
Recommendation/s

That the Planning Committee:

a) approve the development of an Integrated Area Plan for the Mt Roskill redevelopment area, which is part of the Albert-Eden and Puketāpapa local board areas.

b) approve the review, and if needed update of the Māngere-Ōtāhuhu Area Plan for the Māngere redevelopment area, which is part of the Māngere-Ōtāhuhu local board area.

Horopaki Context

9. The Mt Roskill and Māngere redevelopment areas as defined by UDG have been identified by the Government as development areas because they have significant state housing areas, the need to renew the state housing assets, good transport links, and community facilities.

10. The Auckland Plan 2050 identifies Mt Roskill and Māngere as development areas that are expected to undergo a significant amount of housing and business growth in the next 30 years to achieve a quality compact approach for future growth.

11. To support the Auckland Housing Programme, the UDG is preparing a draft SDS for the Mt Roskill and Māngere redevelopment areas, which will identify supporting actions for infrastructure and community services required to ensure their broader objective of providing quality homes and resilient communities.

12. The draft SDS is an aspirational document, and is founded on previous council documents, staff advice, and key technical reports.

13. Central to the draft SDS is consideration of the broader environment and the context in which the Mt Roskill and Māngere redevelopment areas sit including:
   - transport links, open spaces and community facilities
   - the character and function of neighbourhood and town centres
   - natural landscapes and heritage features
   - biodiversity, ecology and water quality.

14. The UDG’s mandate to provide more homes and create greater places to live has led the draft SDS to identify potential future plan changes to the Auckland Unitary Plan (Operative in part) (AUP) to rezone land to support better integrated land use and transport outcomes. These may be undertaken at the same time as the development of the Integrated Area Plan, and review of the Māngere-Ōtāhuhu Area Plan.

15. To date, the UDG has engaged with council staff, mana whenua, infrastructure providers (e.g. Auckland Transport and Watercare Services), and crown agencies (e.g. Ministry of Education) on its draft SDS. The UDG is also actively progressing detailed neighbourhood masterplanning in parts of the Mt Roskill and Māngere redevelopment areas covered by the draft SDS.
16. The information compiled for the draft SDS is now at a stage where more community involvement would be useful. The council is best placed to carry out this consultation through the process of developing an Integrated Area Plan and reviewing the Māngere-Ōtāhuhu Area Plan building on the work already undertaken through the draft SDS. The outcomes of the Integrated Area Plan and review of the Māngere-Ōtāhuhu Area Plan may lead to future plan changes to the AUP and other initiatives.

17. The Integrated Area Plan would incorporate work already done as part of council’s place-based spatial planning programme endorsed by the Planning Committee in August 2017. This programme marked the transition from local board area plans to more place based spatial planning.

**Process**

18. The process to develop an Integrated Area Plan and to review the Māngere-Ōtāhuhu Area Plan will provide the opportunity for the community, mana whenua and stakeholders to provide feedback on the proposals in the draft SDS, and on the future of these areas. Community feedback will help shape the outcomes sought by the Integrated Area Plan and review of the Māngere-Ōtāhuhu Area Plan.

19. A draft process for developing the Integrated Area Plan is provided in Attachment C, and for reviewing the Māngere-Ōtāhuhu Area Plan is provided in Attachment D. The process will be discussed and confirmed at workshops with the local boards in August 2019.

**Tātaritanga me ngā tohutohu**

**Analysis and advice**

20. The development of an Integrated Area Plan, and review of the Māngere-Ōtāhuhu Area Plan could identify different land use opportunities, improvements to business centres, key infrastructure needs, and opportunities to enhance landscape and heritage features. However, Area Plans are non-statutory planning documents and cannot set rules for controlling development or directly approve the funding of projects.

21. This approach anticipates regular inputs and integration from other council departments (e.g. urban design, open space, heritage, community, Healthy Waters, cultural and environmental teams and economic development), council-controlled organisations including Auckland Transport and Watercare, key external infrastructure providers, and other government organisations.

**Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera**

**Council group impacts and views**

22. There is a need to prepare an Integrated Area Plan and review the Māngere-Ōtāhuhu Area Plan where the UDG’s draft SDS proposes actions, including potential future plan changes to rezone land in parts of these local board areas to achieve better land use and transport outcomes, and to support a quality compact urban form.

23. The development of the Integrated Area Plan, and review of the Māngere-Ōtāhuhu Area Plan provides the opportunity for the local boards, council staff, UDG, community and stakeholders to work collaboratively to capitalise on the transformational actions proposed in the UDG’s draft SDS for the benefit of the Mt Roskill and Māngere areas.

24. The development of the Integrated Area Plan, and review of the Māngere-Ōtāhuhu Area Plan will involve relevant council departments, and agencies including Auckland Transport and Watercare. Many of these stakeholders have already started to become involved in the draft SDS information gathering stages.
Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe
Local impacts and local board views

25. The UDG has been updating the Albert-Eden, Māngere-Ōtāhuhu, and Puketāpapa Local Boards through workshops on the detailed neighbourhood masterplanning within parts of the Mt Roskill and Māngere redevelopment areas.

26. The need to start work on an Integrated Area Plan and to review the Māngere-Ōtāhuhu Area Plan to provide an overarching planning view for the neighbourhood masterplanning was signalled to the Albert-Eden, Māngere-Ōtāhuhu, and Puketāpapa Local Boards in June 2019.

27. The process for developing an Integrated Area Plan was reported to, and endorsed by the Albert-Eden and Puketāpapa Local Boards in July 2019.

28. While the Mt Roskill redevelopment area includes parts of the Albert-Eden, Puketāpapa, and Whau local board areas, the proposals in the draft SDS are most likely to affect the Albert-Eden and Puketāpapa local board areas. Opportunities will be available for the neighbouring Whau Local Board to provide comments to inform the development of the Integrated Area Plan.

29. The process for reviewing, and if needed updating the Māngere-Ōtāhuhu Area Plan was reported to, and endorsed by the Māngere-Ōtāhuhu Local Board in July 2019.

30. While the Māngere redevelopment area includes parts of the Māngere-Ōtāhuhu and Ōtara-Papatoetoe local board areas; the proposals in the draft SDS are most likely to affect the Māngere-Ōtāhuhu local board area. Opportunities will be available for the neighbouring Ōtara-Papatoetoe Local Board to provide comments to inform the review, and if needed the update of the Area Plan.

Tauākī whakaaweawe Māori
Māori impact statement

31. Consultation on developing an Integrated Area Plan and reviewing the Māngere-Ōtāhuhu Area Plan by council has not yet occurred with mana whenua or mataawaka. However, the UDG has worked actively with mana whenua for over a year on the preparation of the draft SDS.

32. If the recommendations of this report are adopted, the development of an Integrated Area Plan and review of the Māngere-Ōtāhuhu Area Plan will include engagement with all mana whenua groups with an interest and kaitiakitanga obligations in these areas, and mataawaka. Early and ongoing engagement will help grow relationships with mana whenua and mataawaka, and identify key issues and matters to be considered during the development of the Integrated Area Plan, and review of the Māngere-Ōtāhuhu Area Plan.

Ngā ritenga ā-pūtea
Financial implications

33. The preparation of the Integrated Area Plan, and review of the Māngere-Ōtāhuhu Area Plan will be funded from existing Plans and Places departmental budgets.
Ngā raru tūpono me ngā whakamaurutanga

Risks and mitigations

34. There are risks that the Integrated Area Plan, and review of the Māngere-Ōtāhuhu Area Plan may raise expectations that the council will contribute resources to fund new actions and projects. Funding to support the actions and projects may be sought from:
   - the Annual Plan
   - the Long-term Plan
   - Council-Controlled Organisations
   - central government
   - community groups.

35. There is a reputational risk if the actions and projects in the Integrated Area Plan and reviewed Māngere-Ōtāhuhu Area Plan do not progress, the council may be criticised for raising community expectations. Staff will develop an implementation and monitoring programme for the plans to provide guidance to key council stakeholders, the local boards, and delivery partners.

36. It is also possible that the key moves and actions in the Integrated Area Plan and reviewed Māngere-Ōtāhuhu Area Plan will differ from the key proposals in the UDG’s draft SDS. During the development of the Integrated Area Plan and review of the Māngere-Ōtāhuhu Area Plan, there will be opportunities to discuss these matters with the UDG.

Ngā koringa ā-muri

Next steps

37. Workshops will be held with the Albert-Eden, Māngere-Ōtāhuhu and Puketāpapa Local Boards in August 2019 to progress the development of these plans. A draft Integrated Area Plan for the Mt Roskill redevelopment area, and if necessary draft updated Māngere-Ōtāhuhu Area Plan, will be brought back to the relevant committee for endorsement prior to release for feedback.

Ngā tāpirihanga

Attachments

<table>
<thead>
<tr>
<th>No.</th>
<th>Title</th>
<th>Page</th>
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</thead>
<tbody>
<tr>
<td>A</td>
<td>Mt Roskill Redevelopment Area identified by the Urban Development Group</td>
<td>51</td>
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<tr>
<td>B</td>
<td>Māngere Redevelopment Area identified by the Urban Development Group</td>
<td>53</td>
</tr>
<tr>
<td>C</td>
<td>Draft process for developing the Integrated Area Plan</td>
<td>55</td>
</tr>
<tr>
<td>D</td>
<td>Draft process for reviewing, and if needed updating the Māngere-Ōtāhuhu Area Plan for Māngere</td>
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Ngā kaihaina

Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>David Wong - Principal Planner</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authorisers</td>
<td>John Duguid - General Manager - Plans and Places</td>
</tr>
<tr>
<td></td>
<td>Megan Tyler - Chief of Strategy</td>
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</table>
Developing an Integrated Area Plan for part of the Albert Eden and Puketāpapa local board areas, and reviewing the Māngere-Ōtāhuhu Area Plan for part of Māngere.
Developing an Integrated Area Plan for part of the Albert-Eden and Puketāpapa local board areas, and reviewing the Māngere-Ōtāhuhu Area Plan for part of Māngere
Draft process for developing the Integrated Area Plan

<table>
<thead>
<tr>
<th>Key steps</th>
<th>Indicative dates</th>
</tr>
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<tbody>
<tr>
<td>Review existing relevant information</td>
<td>August 2019 to January 2020</td>
</tr>
<tr>
<td>First community consultation period</td>
<td>February 2020</td>
</tr>
<tr>
<td>Review of feedback and preparation of the draft Integrated Area Plan for part of the Albert-Eden and Puketāpapa local board areas</td>
<td>March to May 2020</td>
</tr>
<tr>
<td>Second community consultation period on the approved draft Integrated Area Plan for part of the Albert-Eden and Puketāpapa local board areas</td>
<td>June to August 2020</td>
</tr>
<tr>
<td>Review of feedback received and plan amendments</td>
<td>September to October 2020</td>
</tr>
<tr>
<td>Preparation and approval of the final Integrated Area Plan by the Albert-Eden and Puketāpapa Local Boards, and adoption of the plan by the relevant committee</td>
<td>November to December 2020</td>
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Draft process for reviewing, and if needed updating the Māngere-Ōtāhuhu Area Plan for part of Māngere

<table>
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<td>Second community consultation period on the approved draft of the Area Plan for part of Māngere</td>
<td>June to August 2020</td>
</tr>
<tr>
<td>Review of feedback received and plan amendments</td>
<td>September to October 2020</td>
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<tr>
<td>Preparation and approval of the final update of the Area Plan for part of Māngere by the Māngere-Ōtāhuhu Local Board, and adoption of the updated plan by the relevant committee</td>
<td>November to December 2020</td>
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Te take mō te pūrongo

Purpose of the report

1. To seek approval to publicly notify a change to Schedule 15 Special Character Schedule, Statements and Maps and the GIS Viewer in the Auckland Unitary Plan (Operative in Part) to include a special character statement for the Howick Business Special Character Area.

Whakarāpopototanga matua

Executive summary

2. The Special Character Areas Overlay – Residential and Business (SCA Overlay) manages development within the overlay so that the identified special character values of each area are maintained and enhanced.

3. Special character values are identified in the Auckland Unitary Plan (Operative in Part) (AUP) in Schedule 15 Special Character Schedule, Statements and Maps (Schedule 15). The Howick Business Special Character Area (Howick Business SCA) is the only special character area in the AUP that does not have a special character statement in the AUP. This is a ‘gap’ in the AUP.

4. Special character statements play an important role in the implementation of the provisions of the SCA Overlay.

5. The council has worked with representatives of the community to draft a proposed special character statement for the Howick Business SCA, identifying the special character values of the area. This will need to be added to the AUP through a plan change.

6. This proposed plan change will:
   - amend Schedule 15 of the AUP to include a special character statement for the Howick Business SCA in the SCA Overlay.
   - amend the GIS Viewer of the AUP to add four new sites to amend the existing extent of the SCA Overlay as part of the Howick Business SCA.
   - make minor consequential amendments to Chapter D18 Special Character Areas Overlay – Residential and Business (Chapter D18) of the AUP.

7. A section 32 evaluation report prepared under the Resource Management Act 1991 (the Act) supports this proposed plan change.

Ngā tūtohunga

Recommendation/s

That the Planning Committee:

a) approve the public notification of the proposed plan change for the Howick Business Special Character Area to the Auckland Unitary Plan (Operative in Part) contained in Attachment A to the agenda report.

b) approve the section 32 evaluation report included as Attachment B to the agenda report.

c) delegate to the Manager Central and South Planning, the authority to approve minor amendments to the proposed plan change prior to public notification.
Horopaki

Context

8. The SCA Overlay manages development within the mapped overlay areas so that identified special character values are maintained and enhanced. The SCA Overlay contains residential and business areas.

9. Special character statements sit in Schedule 15 of the AUP. They identify the special character values of each special character area. For Business special character areas this includes identifying ‘character defining’ and ‘character supporting’ buildings that contribute to these special character values. Special character statements play an important role in the implementation of the provisions of the SCA Overlay, because they assist both applicants and decision makers to understand the special character values of an area and the type and degree to which development and change may be appropriate within the area.

10. The Howick Business SCA is an existing business special character area contained within the SCA Overlay. It is applied to the Howick town centre and does not apply to any residentially zoned sites. The extent of the Howick Business SCA is based on the ‘Howick Special Character Business Area’ that was in the legacy Auckland Council District Plan - Operative Manukau Section 2002.

11. When the Howick Business SCA was translated into the proposed AUP, no special character statement was included. This is because, unlike the legacy Auckland City District Plan, the legacy Manukau District Plan did not include such a statement. It is the only special character area that does not have a special character statement in the AUP. This is a ‘gap’ in the AUP.

12. In its recommendation report to the council on the proposed AUP, the Auckland Unitary Plan Independent Hearings Panel recommended that the council prepare a special character statement for the Howick Business SCA in conjunction with the Howick community.

13. While identifying the special character values of the Howick Business SCA, four buildings were identified as potential ‘character defining’ or ‘character supporting’ buildings, however they are not currently within the extent of the SCA Overlay. Because of the contribution these buildings make to the special character values of the Howick Business SCA, the proposed plan change will include them within the SCA Overlay as part of the Howick Business SCA.

14. The proposed plan change is in Attachment A. In summary it proposes to:

- amend Schedule 15 of the AUP to include a special character statement for the Howick Business SCA. The character statement at pages 9 to 15 of Attachment A identifies the collective special character values of this area, based on historical and physical and visual qualities. It also contains architectural values and a description of urban structure. It also identifies the buildings that contribute to these special character values, as either ‘character defining’ or ‘character supporting’.

- amend the GIS Viewer of the AUP to add four new sites within the extent of the SCA Overlay as part of the Howick Business SCA.

- make minor consequential amendments to Chapter D18. This will remove the existing references that the Howick Business SCA does not have a character statement.
Tātaritanga me ngā tohutohu
Analysis and advice

15. In preparing the proposed plan change a section 32 evaluation report (Attachment B) has been prepared as required by the Resource Management Act 1991. This section 32 evaluation report considered three options and determined that overall Option 3 is the most appropriate way to achieve the purpose of this proposed plan change, and the objectives of the SCA Overlay, having regard to efficiency, effectiveness, costs and benefits. This will fix a ‘gap’ in the AUP and assist the implementation of the SCA Overlay provisions.

16. The three options evaluated are summarised below:

<table>
<thead>
<tr>
<th>Option 1: Status quo – do nothing</th>
<th>Option 2: Amend the AUP to add a special character statement for the Howick Business SCA, with no changes to the physical extent of the SCA Overlay</th>
<th>Option 3: Amend the AUP to add a special character statement for the Howick Business SCA and amend the physical extent of the SCA Overlay to add four new sites that contain ‘character defining’ or ‘character supporting’ buildings.</th>
</tr>
</thead>
<tbody>
<tr>
<td>This option will not fix the ‘gap’ in the AUP and the Howick Business SCA will not have the same level of certainty other special character areas have in the AUP. This creates uncertainty for land owners, developers and the community about what level of development might be appropriate on their site, and the Howick Business SCA. This may result in additional costs to landowner, developers and the council associated with an application for resource consent. Special character values of the Howick Business SCA area may be lost or compromised. Overall this will not appropriately achieve the objectives and policies of the SCA Overlay in relation to the Howick Business SCA in an efficient and effective way.</td>
<td>This option will partially identify the special character values of the Howick Business SCA, however it will not fully articulate these values. This is because it will not fully identify all ‘character defining’ or ‘character supporting’ buildings that contribute to the special character values of the area. Not extending the extent of the SCA Overlay to include all the buildings that contribute to the special character values of the area may result in special character values being lost or compromised. Overall this will not appropriately achieve the objectives and policies of the SCA Overlay in relation to the Howick Business SCA in an efficient and effective way.</td>
<td>This option will identify the special character values of the Howick Business SCA. It will also identify the appropriate buildings that contribute to these special character values as ‘character defining’ or ‘character supporting’ buildings. Overall this will provide greater certainty about the level of development that might be appropriate within the Howick Business SCA. This is less likely to result in a loss or compromise to the special character values identified in the special character statement. Overall this will appropriately achieve the objectives and policies of the SCA Overlay in relation to the Howick Business SCA in an efficient and effective way.</td>
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</table>
17. The four sites that are proposed to be included within the extent of the SCA Overlay are shown in the map below. Two of these sites are council owned and are zoned Open Space – Community. They contain the Howick War Memorial Community Centre and the Uxbridge Arts and Culture Centre. The other two sites are privately owned and contain churches and historic graveyards. Both of these privately-owned sites/buildings are already included within the Historic Heritage Schedule in the AUP.

18. The landowners of these four sites have been informed about the preparation of this proposed plan change. The public notification of this proposed plan change will enable the owners of these sites to become formally involved in the process by way of submissions and further submissions. As directly affected persons they will be notified about the proposed plan change, as will all owners/occupiers within the existing Howick Business SCA.

19. It is considered that including these four sites within the extent of the SCA Overlay and identifying all or some of the buildings on these sites as character defining’ or ‘character supporting’ will not place a significant planning burden on the landowners, especially given the other AUP planning provisions that already apply to these sites.

20. No change is proposed to the SCA Overlay objectives, policies, rules, standards or assessment criteria. It will also not change any other planning provisions that apply to the area such as the maximum permitted building height.

21. The proposed plan change is not affected by Plan Change 26 (clarifying the relationship between the SCA Overlay and the underlying zone provisions), because the Howick Business SCA is a business area, not a residential area. The SCA Overlay provisions for business areas clearly state that the underlying zone standards apply.

Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera Council group impacts and views

22. The council's Community Facilities Department has been informed that two council owned sites are proposed to be included within the extent of the SCA Overlay. Discussion with Community Facilities staff indicated general support for the inclusion of these sites within the SCA Overlay.
Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe

Local impacts and local board views

23. On 25 February 2019 Plans and Places briefed the Howick Local Board Chair on the process proposed to prepare a special character statement for the Howick Business SCA. Several days later the Senior Howick Local Board Advisor briefed the local board on this process at a direction setting workshop. The local board was also invited to provide names to attend a community workshop planned to discuss a draft special character statement for the Howick Business SCA.

24. On 25 March 2019 a community workshop was held in Howick to discuss a draft special character statement. The Howick Local Board and representatives of some community groups identified by the local board were invited to this workshop. Feedback received from these participants informed subsequent versions of the draft special character statement.

25. On 28 May 2019 at a workshop the Howick Local Board was updated on the progress of the proposed plan change and was provided with a revised draft special character statement. At that time the Howick Local Board endorsed the planned way forward.

26. The public notification of this proposed plan change will provide an opportunity for the Howick Local Board to formally provide feedback on this proposed plan change.

Tauākī whakaaweawe Māori

Māori impact statement

27. The proposed plan change is limited in focus and does not result in any policy or rule changes which affect Māori in a greater way than the general public.

28. Schedule 1 of the Act requires councils to provide a copy of a draft proposed plan change to tangata whenua of the area who may be affected (through iwi authorities) prior to public notification and to have particular regard to any advice received from iwi before notifying the plan.

29. A letter/email was sent to the potentially affected iwi authorities on 2 July 2019. This letter provided an explanation of the proposed plan change and included a draft of the proposed plan change. A follow-up letter/email was sent on 16 July with a copy of the draft section 32 evaluation.

30. Ngāti Tamaoho have chosen to defer to Ngāi Tai Ki Tāmaki. At this time no other iwi authority has provided any feedback on this proposed plan change. We will update the Planning Committee at the meeting if any additional feedback is provided.

Ngā ritenga ā-pūtea

Financial implications

31. The financial costs of the plan change process are within the Plans and Places Department’s operating budget.

Ngā raru tūpono me ngā whakamaurutanga

Risks and mitigations

32. There are no risks associated with the recommendations made in this report.

Ngā koringa ā-muri

Next steps

33. If approval is obtained to publicly notify the proposed plan change, the process for public notification will be started.
Ngā tāpirihanga

Attachments

Due to the size and complexity of Attachment B they have been published separately at the following link: [http://infocouncil.aucklandcouncil.govt.nz > Planning Committee > 6 August 2019 > Attachments]

<table>
<thead>
<tr>
<th>No.</th>
<th>Title</th>
<th>Page</th>
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<tbody>
<tr>
<td>A</td>
<td>Howick Business Special Character Area character statement</td>
<td>65</td>
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<tr>
<td>B</td>
<td>Section 32 evaluation report (96 pages) <em>(Under Separate Cover)</em></td>
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</tr>
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</table>

Ngā kaihaina

Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Katrina David - Principal Planner</th>
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<tbody>
<tr>
<td>Authorisers</td>
<td>John Duguid - General Manager - Plans and Places</td>
</tr>
<tr>
<td></td>
<td>Megan Tyler - Chief of Strategy</td>
</tr>
</tbody>
</table>
Auckland Unitary Plan Operative in Part

Proposed Plan Change: Special Character Statement for Special Character Areas Overlay – Howick Business

This is a council-initiated plan change

Explanatory Note – Not part of proposed plan change

This proposed plan change is to introduce a Special Character Statement into Schedule 15 Special Character Areas Overlay – Residential and Business (Schedule 15) of the Auckland Unitary Plan (Operative in Part) (Auckland Unitary Plan) for the Howick Business Area in the Special Character Areas Overlay – Residential and Business (SCA Overlay).

In summary the plan change proposes to:

- Amend Schedule 15 of the Auckland Unitary Plan to add a special character statement for the Howick Business Special Character Area. The character statement identifies the collective special character values of this area, based on historical, and physical and visual qualities. Special character statements are important because any assessment of proposals for development and modifications to buildings within special character areas are considered against the character statement and the special character values identified in those statements.
- Amend the extent of the SCA Overlay in the GIS Viewer (maps) to add four new sites into the Howick Business Special Character Area. These sites are shown on the attached map. For three of these sites all or part of the site will be identified as a site with a ‘character supporting’ building and the remaining site as a site with a ‘character defining’ building. Mapping changes will need to be made to the extent of the Special Character Areas Overlay in the GIS Viewer, and the sites with ‘character defining’ and ‘character supporting’ buildings are shown on the map included in the special character statement.
- Make consequential amendments to Chapter D18 Special Character Areas Overlay – Residential and Business. This will remove the references/wording that the Howick area does not have a character statement. The proposed plan change does not seek to change any objectives, policies or rules for the SCA Overlay.

Proposed Plan Change amendments to text

Note:
1. Amendments proposed by this plan change to the AUP are underlined for new text and strikethrough where existing text is proposed to be deleted.
2. The use of …. Indicates that there is more text, but it is not being changed. These are used when the whole provisions if too long to be included.
3. Some existing text is shown to place the changes in context.
4. For clarity the map in the character statement is proposed to be added.
Proposed amendments to Chapter D18 Special Character Areas Overlay – Residential and Business

D18. Special Character Areas Overlay – Residential and Business

D18.1. Background

The Special Character Areas Overlay – Residential and Business seeks to retain and manage the special character values of specific residential and business areas identified as having collective and cohesive values, importance, relevance and interest to the communities within the locality and wider Auckland region.

Each special character area, other than Howick, is supported by a Special character area statement identifying the key special character values of the area. Assessment of proposals for development and modifications to buildings within special character areas will be considered against the relevant policies and the special character area statements and the special character values that are identified in those statements. These values set out and identify the overall notable or distinctive aesthetic, physical and visual qualities of the area and community associations.

Standards have been placed on the use, development and demolition of buildings to manage change in these areas.

Special character areas are provided for as follows:

1. Special Character Areas - Business; and
2. Special Character Areas – Residential; and
3. Special Character Areas - General (both residential and business).

Areas in the Special Character Areas Overlay - General may contain a mix of sites zoned residential or business. In such cases, for any site/s in a residential zone, the Special Character Areas Overlay - Residential provisions will apply and for any site/s in a business zone, the Special Character Areas Overlay - Business provisions will apply.

The following areas are identified as special character areas:

<table>
<thead>
<tr>
<th>Special Character Areas Overlay - Residential</th>
<th>Special Character Areas Overlay - Business</th>
<th>Special Character Areas Overlay – General (both Residential and Business)</th>
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</thead>
<tbody>
<tr>
<td>Special Character Areas Overlay – Residential : Balmoral Tram Suburb, West</td>
<td>Special Character Areas Overlay – Business : Howick</td>
<td>Special Character Areas Overlay – General : Balmoral Tram Suburb, East</td>
</tr>
<tr>
<td>Special Character Areas Overlay – Residential : Helensville</td>
<td>Special Character Areas Overlay – Business : Balmoral Shopping Centre</td>
<td>Special Character Areas Overlay – General : Foch Avenue and Haig Avenue</td>
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<tr>
<td>Special Character Areas Overlay – Residential: North Shore – Birkenhead Point</td>
<td>Special Character Areas Overlay – Business: Eden Valley</td>
<td>Special Character Areas Overlay – General: Hill Park</td>
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<tr>
<td>Special Character Areas Overlay – Residential: North Shore – Devonport and Stanley Point</td>
<td>Special Character Areas Overlay – Business: Elerslie</td>
<td>Special Character Areas Overlay – General: Puhoi</td>
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<tr>
<td>Special Character Areas Overlay – Residential: North Shore – Northcote Point</td>
<td>Special Character Areas Overlay – Business: Grey Lynn</td>
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<td>Special Character Areas Overlay – Residential: Early Road Links</td>
<td>Special Character Areas Overlay – Business: Helensville Central</td>
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<td>Special Character Areas Overlay – Residential: Kings Road and Princes Avenue</td>
<td>Special Character Areas Overlay – Business: Kingsland</td>
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<td>Special Character Areas Overlay – Residential: Isthmus A</td>
<td>Special Character Areas Overlay – Business: Lower Hinemoa Street</td>
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<td>Special Character Areas Overlay – Residential: Isthmus B - Remuera</td>
<td>Special Character Areas Overlay – Business: Devonport</td>
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<td>Special Character Areas Overlay – Residential: Isthmus B – Remuera / Meadowbank</td>
<td>Special Character Areas Overlay – Business: Mt Eden Village</td>
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<td>Special Character Areas Overlay – Residential: Isthmus B – Mission Bay</td>
<td>Special Character Areas Overlay – Business: Newmarket</td>
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<td>Special Character Areas Overlay – Residential: Isthmus B – St Heliers</td>
<td>Special Character Areas Overlay – Business: Parnell</td>
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<td>Special Character Areas Overlay – Residential: Isthmus B – Herne Bay</td>
<td>Special Character Areas Overlay – Business: Ponsonby Road</td>
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<td>Special Character Areas Overlay – Residential: Isthmus B - Epsom</td>
<td>Special Character Areas Overlay – Business: Upper Symonds Street</td>
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<td>Special Character Areas Overlay – Residential: Isthmus B – Epsom/Greenlane</td>
<td>Special Character Areas Overlay – Business: West Lynn</td>
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<tr>
<td>Special Character Areas Overlay – Residential: Isthmus B – Mount Eden/Epsom (Part A)</td>
<td>Special Character Areas Overlay – Business: Onehunga</td>
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<tr>
<td>Special Character Areas Overlay – Residential: Isthmus B – Mount Eden/Epsom (Part B)</td>
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<td>Special Character Areas Overlay – Residential: Isthmus B - Mount Albert</td>
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<td>Special Character Areas Overlay – Residential:</td>
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### Special Character Areas Overlay - Residential

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<th>Special Character Areas Overlay - Residential</th>
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<tbody>
<tr>
<td>Isthmus C – Remuera/Epsom</td>
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<tr>
<td>Special Character Areas Overlay – Residential: Station Road, Papatoetoe</td>
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<td>Special Character Areas Overlay – Residential: Pukehana Avenue</td>
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</table>

The special character area statements are located in Schedule 15 Special Character Schedule, Statements and Maps.

#### Note 1

There is no special character area statement for Special Character Area Overlay—Business: Howick.

The maps for the following special character areas are located in Schedule 15 Special Character Schedule, Statements and Maps:

<table>
<thead>
<tr>
<th>Special Character Areas Overlay - Residential</th>
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<td>Special Character Areas Overlay – Residential: Station Road, Papatoetoe</td>
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<td>Special Character Areas Overlay – Residential: Pukehana Avenue</td>
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The maps for the following special character areas are only provided in the planning maps:

<table>
<thead>
<tr>
<th>Special Character Areas Overlay - Residential</th>
<th>Special Character Areas Overlay - Business</th>
<th>Special Character Areas Overlay – General (both Residential and Business)</th>
</tr>
</thead>
</table>
### D18.2. Objectives

...
Proposed amendments to Chapter L: Schedule 15 Special Character Areas Overlay – Residential and Business

Schedule 15 Special Character Schedule, Statements and Maps

15.1.1. Background

... 

15.1.2. Special Character Areas Overlay - Business – Character Statements and Maps

15.1.2.1. Special Character Areas Overlay – Business: Howick

15.1.2.1.1. Extent of area

Special Character Area Map:

The extent of the Special Character Areas Overlay – Business: Howick can be found in the planning maps.
Description:
The extent of the overlay area reflects the commercial centre of Howick, located along Picton Street, and includes parts of Fencible Drive, Moore Street, Uxbridge Road, Selwyn Road, Parkhill Road, Wellington Street and Walter MacDonald Street.

Picton Street is the mainstreet of Howick town centre. It is bookended by two historic landmarks: Stockade Hill to the northwest and All Saints Church (the Selwyn Church) at the southeastern end of Picton Street, at the junction of Selwyn Road, Cook and Picton Streets. All Saints Church is one of the most iconic and character-defining buildings of the centre.

15.1.2.1.2. Summary of special character values
No special character statement has been prepared for Howick.

Historical:
The area collectively reflects an important aspect, or is representative, of a significant period and pattern of community development within the region or locality.

The overlay area is of significance as Howick is associated with an early period of European settlement and development in Auckland. Howick was established as a Fencible settlement in 1847. It was the first and largest of four Fencible settlements to the south of Auckland, tasked with guarding the south-eastern approaches to Auckland. The other three were at Onehunga, Panmure and Ōtāhuhu.

The features of the initial military settlement included the redoubt of Stockade Hill overlooking the surrounding landscape and roads radiating from the township along the ridgelines. Howick is named after the Rt Hon. Henry George Grey, 3rd Earl Grey and Viscount Howick, who was secretary for the Colonies in the British Parliament. Howick’s links to Auckland’s colonial and Fencible past are evident in both the street pattern and the naming of streets after British military heroes or battles such as Wellington, Picton, Waterloo and Uxbridge.

Howick was established with key features of a British settlement, including a village green (now Howick Domain, off Howe Street) and an Anglican Church, All Saints Church, erected in 1847 (the oldest surviving intact church in Auckland). This was followed by construction of the original Our Lady Star of the Sea Roman Catholic Church, on the corner of Parkhill Road and Picton Street, in 1854. The two churches with graveyards, located on the main street, and in close proximity to one another are a rare surviving feature amongst all of the south Auckland Fencible settlements.

Originally, the commercial centre of Howick was focused around Howe Street. However, following the opening of the wharf in the late 19th century, Howick evolved into a popular seaside village and the community wanted to be closer to the churches and be able to enjoy the sea views. Therefore, during the early 20th century the main street commercial activity shifted to Picton Street, on the
dominant ridgeline, where it remains today.

Following the initial military period of its history, Howick remained a small rural, seaside village that serviced the surrounding eastern farming areas. There was limited access to Auckland. Picton Street developed in the interwar period, from 1920 – 1930. Many of Howick’s character defining buildings derive from this period. The 1930s saw the construction of a concrete all-weather road connecting Howick to Panmure via Pakuranga.

Following the end of WWII, Howick experienced rapid growth in conjunction with investment in transport infrastructure that connected the area with other settlements, such as Penrose, Greenlane, Panmure and Otahuhu. Growth also occurred because of major post-war subdivisions that were undertaken to help remedy the housing shortage. The opening of the Panmure bridge in 1959 was a catalyst for further development. A number of commercial buildings on Howick’s main street date from the late 1950s to 1970s.

**Physical and visual qualities:**

The area collectively reflects important or representative buildings, types, designs, styles, methods of construction, materials and craftsmanship, urban patterns, landscape, and streetscape qualities.

The overlay area is of significance for its physical and visual qualities as it represents the structure of an early rural village within greater Auckland. The overlay area demonstrates in its structure and built fabric the progressive development of the town centre from the establishment of Howick in the Victorian era through to commercial expansion and consolidation in the latter half of the 20th century through to present day.

15.1.2.1.3 Description of physical and visual qualities

**Built Form**

**Period of development**

The core commercial area, centred on Picton Street, includes a small number of 1920s and 1930s commercial buildings, which are identified as character-defining buildings. However, most of the buildings along Picton Street date from the mid-20th century; late 1950s, 1960s and 1970s, following the opening of Panmure Bridge in 1959.

Fencible Drive was formed after 1959 and buildings along that street date from the second half of the 20th and early 21st centuries. Fencible Drive, itself, does not contribute to the special character of Howick, however 34 Moore Street (former Howick Borough Council Buildings) and 16 Fencible Drive contribute to the sense of place of Howick village.

It is the early street layout of Picton Street and its cross streets, subdivision pattern, open spaces, views on entry into the village towards All Saints Church, views to Stockade Hill and views from Picton Street to the Tamaki Strait that lends Howick its character.

**Scale of development**
While there are only a small number of historic buildings, one of the defining characteristics of Howick town centre is the scale of development. Picton Street possesses an intimate scale of one and two-storey buildings including two solid masonry two storey buildings from the early 20th century, both of which are scheduled historic heritage places (Marine Hotel (former)/Prospect of Howick Hotel and McInness Building). Larger developments, both in height and scale are located behind the main street, fronting Fencible Drive.

This scale of development was further reinforced by height limits of 9m along much of Picton Street the western side of Wellington Street and the southwestern side of Fencible Drive in the legacy Manukau District Plan. This has been carried through to the Auckland Unitary Plan via the height variation control.

A greater height of 12m was provided for in the legacy Manukau District Plan on the northeastern side of Fencible Drive. This has been increased to 13m on the northeastern side of Fencible Drive (to provide greater variety in roof forms) and in Picton Street on some of the scheduled historic heritage buildings (to recognise the greater height of the church spires).

**Form and relationship to street**

Howick town centre includes two distinct urban forms that relate to key stages of development. The first is the Picton Street traditional main street. Buildings have a strong relationship to the street, directly abutting the footpath with continuous verandas over retail shopfronts, with large windows and direct openings to the street.

The roof forms of the churches, the hipped roof of the Prospect of Howick and the many differing roof forms of mid-20th century retail buildings contribute to the diversity of forms and interest along Picton Street.

Exceptions to this continuous built pattern occur at Market Square, which contains the Howick War Memorial Community Centre (information centre) and, with cafés and community facilities opening onto it, is a hub for the village. Other locations with breaks to the built edge include the garden outside the former Prospect of Howick Hotel on the corner of Picton Street and Uxbridge Road. The Our Lady Star of the Sea graveyard, which, dating from the mid-19th century, predates many of the buildings on Picton Street, and affords views to the Tamaki Strait.

In contrast, the blocks behind Picton Street, fronting Wellington Street and Fencible Drive, which relate to later development from 1959 onwards, do not exhibit the same strong relationship to the street and do not contribute to the character of Howick village. On the southwestern side of Fencible Drive, buildings are typically two storeys and built to the street edge, while the northeastern side buildings are of a larger scale and mass and are set back from the street edge with car parking in front.

**Major features and buildings**

Character-defining buildings which make an important contribution to the area are shown on the special character area map. These include:
78 Picton Street – Good Home (Marine Hotel (former)/Prospect of Howick Hotel)
127 Picton Street – McInness Building (Macs Corner)
9 Selwyn Road - All Saints Church (Selwyn Church) and graveyard

Character-supporting buildings which contribute to the character and identity of Howick village are shown on the special character map and include:

28 Picton Street – Our Lady Star of the Sea Roman Catholic Church and graveyard
65 Picton Street – Bell’s Butchery and Rice’s Bakery
115 Picton Street – Howick War Memorial Community Centre (information centre)
35 Uxbridge Road - Uxbridge Arts & Culture Centre

Uxbridge, at the northern edge of the overlay area, is a community hub that includes the old wooden Uxbridge Presbyterian church dating from 1907 as well as the adjoining Garden of Memories. Market square is also of significance as a gathering space and hub of the village.

Other contributing features include the bluestone kerbs, lamp posts, street furniture, the band rotunda, street trees, and the remnants of the old concrete road which add to the distinctive local amenity of Picton Street.

At the edge of the special character overlay area, the WWI and WWII memorial obelisk on the scheduled historic heritage Stockade Hill and the spire and Cypress trees at All Saints Church (Selwyn Church), also a scheduled historic heritage place, act as vertical markers for the entrances to the village.

Density/PATTERN OF DEVELOPMENT

Building frontages are based around an early subdivision pattern with lot widths between 12-30m. Buildings built to the street edge create a high density (although relatively low-rise) pattern of development that is maintained throughout Picton Street.

The lots fronting Fencible Drive are larger and less uniform and dominated by surface carparking. The buildings have large footprints and are up to 3 storeys, on the northeastern side of the street, with lower heights and a finer grain on the southwestern side of the street.

Types

The overlay area includes a range of building types and styles that reflect its development over a long period of time. The varied range of building types contributes to the vibrancy of the streetscape. Rather than a uniform architectural style, Howick village is defined by its street and subdivision pattern, relationship to heritage buildings and places and sea vistas between buildings.

Visual Coherence

Despite stylistic variations, the general consistency along Picton Street of one to two storey relatively continuous buildings built to the street edge with
overhanging verandahs, lamp posts and exotic street trees provides visual coherence to Picton Street as a main street.
There is less visual coherence to Fencible Drive.

15.1.2.1.4 Architectural values

Materials and construction – built fabric

Visual coherence is further strengthened by a limited palette of materials and colours reminiscent of an English village including rendered brick, exposed red brick and white painted weatherboard, with red tile or slate/wooden shingle roofs. The Prospect of Howick and Howick Library with their exposed red bricks and yellow facing dominate the northeastern side of the village. Those colours and materials are repeated in other commercial buildings along Picton Street, including Howick War Memorial Community Centre. Windows are generally set within a solid façade. Some shopfronts exhibit the traditional tiled shopfront detailing.

15.1.2.1.5 Urban Structure

Subdivision

The subdivision pattern of the overlay area reflects the periods of development, as large farm blocks were subdivided for commercial and residential purposes in the mid-20th century. The lot sizes on Picton Street are generally narrower than the surrounding residential lots. The relatively narrow lot widths create a fine-grained character to the centre.

In contrast, the lot sizes on Fencible Drive are predominantly large parcels both in street frontage and depth.

Road pattern

The street pattern in Howick town centre is relatively organic, reflecting the landform. Picton Street follows the dominant ridge, while side streets radiate on spur ridges wending towards Howick Beach/Mellons Bay to the north or Howick domain to the south. This street pattern affords vistas from the town centre to the surrounding landscape, including the Tamaki Strait, which reinforces Howick's sense of place as a seaside village.

Streetscape

The special character of Howick village has evolved from its roots as a traditional British seaside village. It is the interrelationship of seascape, landscape and built form that lends Howick its charm and special character. The form of commercial development within the overlay area is that of a traditional suburban town centre, serving the surrounding residential area. The continuous retail frontage punctuated by open spaces with views to Stockade Hill and the Tamaki Strait, reinforces the connection to the sea. The retail contributes to the streetscape quality by providing active building frontages with a mix of uses.

Parallel parking on both sides of the street and several pedestrian crossing points moderate traffic and lend Picton Street, and the neighbouring cross streets, a pedestrian-orientated character. At some of the intersections the
footpath has been widened to provide amenity areas which contain seating and planting. Uxbridge Road is notable with the garden of Prospect of Howick on one side and the rotunda on the other.

Vegetation and landscape characteristics

Howick has a number of mature exotic and some select native trees, many of them scheduled notable trees in the Auckland Unitary Plan, which lend character to Howick, reinforcing the sense of an English village, and providing seasonal colour and enclosure to Picton Street. These include the oaks and Norfolk Island pines on Stockade Hill, Cypress trees in the ground of All Saint’s Church, English oaks in the ground of Our Lady Star of the Sea Roman Catholic Church and pohutukawa trees and oaks on Cock Street.

15.1.2.2. Special Character Areas Overlay – Business: Balmoral Shopping Centre

...
Proposed amendments to Auckland Unitary Plan GIS Viewer (maps)

Proposed Plan Change amendments to GIS Viewer (maps)

Note:
1. The proposed spatial changes to the GIS Viewer (maps) have not been made yet.
2. Add the Special Character Areas Overlay – Business: Howick to the following sites:

- Add part of 28 Picton Street into extent of Special Character Areas Overlay.
- Add 33, 35 and 37 Ruxbridge Road into extent of Special Character Areas Overlay.
- Add 115 Picton Street into extent of Special Character Areas Overlay.
- Add 9 Selwyn Road into extent of Special Character Areas Overlay.

Four new sites proposed to be added into the Howick Business Special Character Area, Special Character Areas Overlay.
Te take mō te pūrongo
Purpose of the report
1. To make Plan Change 13 – Open Space, to the Auckland Unitary Plan (Operative in Part), operative.

Whakarāpopototanga matua
Executive summary
2. The council undertakes an annual open space plan change to update the Auckland Unitary Plan open space zones. Plan Change 13 was the second such plan change since the Auckland Unitary Plan became operative in part in November 2016.
3. Plan change 13 – Open Space, had three components:
   i) rezoning of land recently vested and/or acquired open space so that the land reflects its purpose, function and intended use
   ii) correcting open space zoning errors/anomalies
   iii) rezoning of 12 land parcels as part of Panuku's land disposal and rationalisation process.
4. Approximately 100 new land parcels were either vested or acquired as reserve/open space during 2017 - 2018 and are required to be rezoned within the Auckland Unitary Plan. In addition, a small number of zoning errors/anomalies associated with open space were identified by the community and council officers. Panuku's land disposal and rationalisation process also requires the rezoning of land (typically open space).
5. To address the above matters efficiently and in a cost-effective manner, these proposed changes were bundled together into one Open Space Plan Change.
6. The proposed plan change was publicly notified on 20 September 2018. Seventy-five submissions and no further submissions were received. A hearing was held on 6 March 2019 where four submitters were heard by the Independent Commissioners.
7. Council released the decision on 23 May 2019. The appeal period has closed and no appeals were received. The plan change can now be made operative. The decision can be found at the following link - PC13 Decision.

Ngā tūtohunga
Recommendation/s
That the Planning Committee:

a) approve Plan Change 13 to the Auckland Unitary Plan (Operative in Part) under Clause 17(2) of Schedule 1 of the Resource Management Act.

b) authorise staff to complete the necessary statutory processes to publicly notify the date on which Plan Change 13 to the Auckland Unitary Plan (Operative in Part) will become operative as soon as practicable, in accordance with the requirements in clause 20 of Schedule 1 of the Resource Management Act 1991.
Horopaki
Context
8. The council undertakes an annual open space plan change to update the Auckland Unitary Plan open space zones.

9. Plan change 13 – Open Space, had three components:
   i) Rezoning of land recently vested and/or acquired open space so that the land reflects its purpose, function and intended use
   ii) Correcting open space zoning errors/anomalies
   iii) Rezoning of 12 land parcels as part of Panuku Development Auckland’s (Panuku) land disposal and rationalisation process.

Rezoning of recently vested or acquired open space
10. The rezoning of recently vested or acquired open space applies an appropriate open space zoning to land acquired as open space, either because of subdivision or purchase during the past year. The proposed zoning reflects the land open space qualities and intended use and development. This is the second update since the Auckland Unitary Plan was publicly notified, with Plan Change 4 updating the zoning of approximately 400 new open spaces.

Open space zoning errors/anomalies
11. The Plan Change also included a small number of zoning errors involving open space zones. These include land that has been zoned open space in error or conversely open space that requires an appropriate zoning. These errors have either been identified by the public or by staff.

Panuku’s Land Disposal and Rationalisation Process
12. Plan Change 13 was the second plan change involving the rezoning of open space zoned land considered surplus to requirements. Plan Change 1 involved the rezoning of eleven land parcels. Panuku in conjunction with Auckland Council’s Stakeholder and Land Advisory team in the Community Facilities department had identified a further twelve council owned land parcels currently zoned open space which are surplus to requirements and have been approved for disposal.

13. The process for determining that land is surplus to requirements involves consultation with other council departments, mana whenua and local boards. Any proposed disposal recommendations must be approved by the Panuku Board before it makes a final recommendation to the Finance and Performance Committee. The Finance and Performance Committee has approved the disposal of these land parcels.

14. Where an open space zone (or the identification of land as a road, as roads are not zoned), is no longer appropriate, an alternative zone is required. The same zoning as the adjoining property has therefore been proposed for the surplus land parcels.

15. The proposed plan change was publicly notified on 20 September 2018. Seventy-five submissions, and no further submissions, were received. A hearing was held on 6 March 2019 where four submitters were heard by the Independent Commissioners.

16. Council released the decision on 23 May 2019. A copy of the decision is available on the Auckland Unitary Plan pages of the council website. The appeal period (30 working days after the notification of the decision) has closed and no appeals were received. The plan change can now be made operative.
Tātaritanga me ngā tohutohu
Analysis and advice

18. Clause 17(2) states that a local authority may approve part of a policy statement or plan, if all submissions or appeals relating to that part have been disposed of. There were no appeals received against Plan Change 13 and Council can therefore now approve all parts of the plan change.

19. Clause 20 of Schedule 1 sets out the process that is required to be undertaken for the notification of the operative date. Plans and Places staff will notify the operative date as soon as possible following the Planning Committee’s resolution.

Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera
Council group impacts and views
20. Plan Change 13 – Open Space was led by the Plans and Places Department. Input to the rezoning of recently acquired and/or vested reserves was provided by Parks and Recreation Policy and Healthy Waters. The Plan Change also contained the rezoning of twelve land parcels that had been deemed surplus to requirements on behalf of Panuku.

Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe
Local impacts and local board views
21. All local boards were engaged with during the preparation of the plan change. In addition, Panuku undertook engagement with the relevant local boards as part of its land disposal processes.

Tauākī whakaaweawe Māori
Māori impact statement
22. All mana whenua entities were consulted during the preparation of the plan change, prior to notification. All mana whenua entities were sent formal notification of the plan change on 20 September 2018. No feedback was received from mana whenua.

23. Panuku also undertook separate consultation with mana whenua with an interest in the areas where land was being considered for disposal. Where land is no longer required by the council for a public work (including recreation), it must be offered back to the original owners, who in some cases are Māori. This process is undertaken by Panuku prior to the commencement of any rezoning.

Ngā ritenga ā-pūtea
Financial implications
24. There are no financial implications associated with making the plan change operative.

Ngā raru tūpono me ngā whakamaurutanga
Risks and mitigations
25. There are no risks associated with making the plan change operative.

Ngā koringa ā-muri
Next steps
26. The final steps to making the plan change operative are publicly notifying the date on which it will become operative and then updating the Auckland Unitary Plan.
Ngā tāpirihanga  
Attachments
There are no attachments for this report.

Ngā kaihaina  
Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Tony Reidy - Team Leader Planning</th>
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<tbody>
<tr>
<td>Authorisers</td>
<td>John Duguid - General Manager - Plans and Places</td>
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<td></td>
<td>Megan Tyler - Chief of Strategy</td>
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Te take mō te pūrongo
Purpose of the report
1. To approve public notification of the Proposed Open Space Plan Change (2019) to the Auckland Unitary Plan (Operative in Part).

Whakarāpopototanga matua
Executive summary
2. This plan change has three components:
   i) rezoning of land recently vested and/or acquired as open space so that the land reflects its purpose, function and intended use
   ii) correcting open space zoning errors and anomalies
   iii) rezoning of nine land parcels as part of Panuku Auckland’s land disposal and rationalisation process.
3. Approximately 200 new land parcels are either vested or acquired as reserve/open space annually and are required to be rezoned within the Auckland Unitary Plan (Operative in Part) (Auckland Unitary Plan). In addition, a small number of zoning errors associated with open space have been identified by the community and council officers. Panuku’s land disposal and rationalisation process also requires the rezoning of land (typically open space) prior to its sale.
4. It is important that land intended as open space is appropriately zoned to provide for its intended use and development or protection. Conversely, land that is no longer required as open space requires an alternative zoning.
5. To address the above matters efficiently and in a cost-effective manner, these proposed changes have been bundled together into one Proposed Open Space Plan Change.

Ngā tūtohunga
Recommendation/s
That the Planning Committee:

a) note that staff will not be able to complete the engagement with iwi and local boards for the proposed plan change in time to present it to the Committee prior to the October 2019 Local Government elections.

b) delegate to the Chair and Deputy Chair of the Planning Committee, and a member of the Independent Māori Statutory Board, the authority to approve the notification of proposed Open Space Plan Change (2019) to the Auckland Unitary Plan (Operative in Part) as outlined in Attachments A, B and C of the agenda report, subject to addressing any changes required in response to feedback from local boards and iwi authorities.
Horopaki
Context

Background
6. The council undertakes an annual open space plan change to update the Auckland Unitary Plan’s open space zones.

7. Since the Auckland Unitary Plan became operative in part in November 2016, Auckland Council has initiated two plan changes to update the zoning of recently vested or acquired land as open space and to correct zoning errors and anomalies associated with open space.

Rezoning of recently vested or acquired open space
8. The rezoning of recently vested or acquired open space applies an appropriate open space zoning, either because of subdivision or purchase during the past year. The proposed zoning reflects the land’s open space qualities and intended use and development. This is the third update since the Auckland Unitary Plan was publicly notified, with Plan Changes 4 and 13 updating the zoning of approximately 500 land parcels. The vast majority (95%) of these involved applying an open space zoning to recently acquired or vested land.

Open space zoning errors or anomalies
9. The Plan Change also includes a small number of zoning errors or anomalies (16 land parcels) involving open space zones. These include land that has been zoned open space in error or conversely open space that requires an appropriate zoning. These errors have been identified by either the public or by staff.

Panuku’s Land Disposal and Rationalisation Process
10. This is the third proposed plan change involving the rezoning of open space zoned land considered surplus to requirements. Plan Change 1 involved the rezoning of eleven land parcels and Plan Change 13 ten land parcels respectively. Panuku in conjunction with Auckland Council’s Stakeholder and Land Advisory team in the Community Facilities department have identified a further nine council owned land parcels currently zoned open space which are surplus to requirements and have been approved for disposal.

11. The process for determining that land is surplus to requirements involves consultation with other council departments, mana whenua and local boards. Any proposed disposal recommendations must be approved by the Panuku Board before it makes final recommendation to the Finance and Performance Committee. The Finance and Performance Committee has approved the disposal of these land parcels.

12. The Parks and Recreation Policy team is consulted during the rationalisation process. The team assesses the open space in the light of current parks policy to determine whether there is a service requirement. This all takes place before the land parcels are put before the Finance and Performance Committee for a resolution to dispose.

13. Where an open space zone or the identification of land as a road, is no longer appropriate (as roads are not zoned), an alternative zone is required. The same zoning as the adjoining property has therefore been proposed for the surplus land parcels.

Proposed Open Space Plan Change
14. The land parcels that are the subject of this proposed plan change are identified in Attachment A – Recently Vested or Acquired Land, Attachment B – Open Space Zoning Errors and Anomalies and Attachment C – Panuku’s Land Disposal and Rationalisation Land Parcels. The land parcels identified in these spreadsheets will be mapped for the purposes of both consultation and the plan change notification documents.
Tātaritanga me ngā tohutohu
Analysis and advice

Rezoning of Recently Vested or Acquired Open Space

15. The process for capturing newly vested land is:
   i) Potential open space land parcels are identified using the Land Information New Zealand (LINZ) NZ parcel statutory actions list.
   ii) LINZ produces a table with the current statutory actions (actions authorised by a specific part or section of the Resource Management Act), recorded against those land parcels. The information contained within this table includes the action taken against the parcel including its purpose (e.g. local purpose reserve) and a gazette reference.
   iii) The statutory actions are filtered to show those land parcels with a purpose of either reserve or local purpose reserve not currently zoned open space in the Auckland Unitary Plan.

16. To determine the zoning of newly vested or acquired land, the open space zone descriptions, objectives and policies and the criteria/guidelines used during the Auckland Unitary Plan hearings and developed by the Parks and Recreation Policy and Unitary Plan team were used. All proposed changes are reviewed by the Parks and Recreation Policy team and Healthy Waters (in the case of stormwater reserves).

Errors or anomalies

17. Errors or anomalies have been identified by the public or council staff. Errors typically involve privately owned land with an incorrect open space zoning. For each potential error, the ownership was checked along with the legacy District Plan zoning. Errors also relate to Council-owned land which should be but is not zoned open space. Where privately owned land is incorrectly zoned as open space, the zoning of the land in the surrounding area is typically used to determine the correct zoning.

Panuku’s Land Disposal and Rationalisation Process

18. Panuku has requested that a further nine lots be rezoned from open space zone or road to either residential or business zones. The land disposal and rationalisation process involves consultation with council departments, mana whenua, local boards and the Finance and Performance Committee.

19. Rezoning the land is the final step in the process before it is sold. The Planning Committee’s approval is required to commence the plan change process.

Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera
Council group impacts and views

20. Council departments and Council-Controlled Organisations involved in open space acquisition and disposal (e.g. Community and Social Policy (Parks and Recreation Policy), Healthy Waters, Panuku) have identified either land purchased for open space that has not gone through a vesting or gazetting process or land to be disposed of or swapped that requires an alternative zoning.

21. Both Parks and Recreation Policy and Healthy Waters (in the case of stormwater reserves) will review the zoning proposed.
Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe
Local impacts and local board views

22. Rezoning of recently acquired and vested land as open space will have positive effects for local communities. It will enable land to be used and developed (where appropriate) for its intended purpose.

23. A memo will be sent to all local boards providing a summary of the plan change in early August 2019. It is proposed that feedback received from any local board will be discussed with the Chair and Deputy Chair of the Planning Committee and a member of the Independent Māori Statutory Board prior to finalising the plan change for notification.

24. In relation to Panuku’s land disposal process, local board feedback was considered as part of the disposal process and covered in the disposal recommendation reports to the Finance and Performance Committee.

Tauākī whakaaweawe Māori
Māori impact statement

25. Rezoning of recently acquired and vested land as open space will have positive effects for Aucklanders.

26. A draft copy of the plan change will be sent to all Auckland’s 19 mana whenua entities in early August 2019, as required under the Resource Management Act. Results of any feedback received will be discussed with the Chair and Deputy Chair of the Planning Committee and a member of the Independent Māori Statutory Board prior to finalising the plan change for notification.

27. Panuku’s property rationalisation process involves consultation with mana whenua. Responses from mana whenua are considered as part of the disposal process and addressed in the disposal recommendation reports to the Finance and Performance Committee.

28. Under section 41 of the Public Works Act 1981, where land is not required for a public work, it must be offered back to the former owner(s). In some cases the former owners are Māori. This process has been completed.

Ngā ritenga ā-pūtea
Financial implications

29. The costs of the plan change process are within the Plans and Places department’s operating budget. Cost associated with the plan change hearing are from the Democracy Services budget.

30. Delays in the rezoning of land associated with Panuku’s land disposal and rationalisation process would delay the sale of the land parcels, with associated financial implications.

Ngā raru tūpono me ngā whakamaurutanga
Risks and mitigations

31. There are risks associated with any delay in notifying the plan change. This may hold up Panuku’s land rationalisation process. Inappropriately zoned land may trigger the need for resource consents for basic parks infrastructure and recreational activities.

32. The above risks will be mitigated by initiating the plan change process in a timely manner.
Ngā koringa ā-muri

Next steps

33. If approval is obtained to delegate the approval to notify the plan change to the Chair and Deputy Chair of the Planning Committee and an Independent Māori Statutory Board member, notification will likely occur around mid-September 2019, after feedback has been received and considered from local boards and iwi.

34. The normal plan change process will then follow: notification; preparation of a summary of submissions and notification of that; receipt of further submissions; preparation of the section 42A Hearing Report; appointment of commissioners (by the Regulatory Committee); plan change hearing; notification of the decision, and appeal period.

Ngā tāpirihanga

Attachments

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Ngā kaihaina

Signatories

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<tr>
<th>Author</th>
<th>Tony Reidy - Team Leader Planning</th>
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<tr>
<td>Authorisers</td>
<td>John Duguid - General Manager - Plans and Places</td>
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<td></td>
<td>Megan Tyler - Chief of Strategy</td>
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**Note:** The above table lists the properties that have been recently vested or are currently vested for open space.
Auckland Unitary Plan (Operative in Part) - Proposed Open Space Plan Change (2019)
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**Attachment A**

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**Auckland Unitary Plan (Operative in Part) - Proposed Open Space Plan Change (2019)**

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<tr>
<th>Reference</th>
<th>Title</th>
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Attachment A

Item 13

Planning Committee
06 August 2019

Auckland Unitary Plan (Operative in Part) - Proposed Open Space Plan Change (2019)

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2019 Lot 1099 DP 509880
[Reference] Visiting on Deposit for Local Purpose Reserve
Vested on DP 509880
Auckland Council
20 KAROKARO ROAD TAKANINI 2122
Takanini
Residential - Mixed Housing Suburban Zone
Open Space - Informal Recreation Zone

2019 Lot 402 DP 523461
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Auckland Council
2 COOPERAGE AVENUE WAIKARI 0892
Huapai
Residential - Mixed Housing Suburban Zone
Open Space - Informal Recreation Zone

2019 Lot 307 DP 513099
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Auckland Council
119 ARMARK POOL PARADISE SILVERDALE 0931
Upper Harbour
Residential - Single House Zone
Open Space - Conservation

2019 Lot 300 DP 502769
[Reference] Visiting on Deposit for Local Purpose Reserve
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Auckland Council
5171 OTOKITI DRIVE RIVERHEAD 0620
Riverhead
Residential - Single House Zone
Open Space - Informal Recreation

2019 Lot 3 DP 523139
[Reference] Visiting on Deposit for Local Purpose Reserve
Vested on DP 523139
Auckland Council
TALJORI ROAD TAIKUPU 0782
Taupaki
Residential - Mixed Housing Suburban Zone
Open Space - Informal Recreation

2019 Lot 103 DP 594294
[Reference] Visiting on Deposit for Local Purpose Reserve
Vested on DP 594294
Auckland Council
4 KAROKARO ROAD TAKANINI 2122
Takanini
Residential - Mixed Housing Suburban Zone
Open Space - Informal Recreation

2019 Lot 303 DP 520820
[Reference] Visiting on Deposit for Local Purpose Reserve
Vested on DP 520820
Auckland Council
38 TE NAPI DRIVE CONIFER GROVE 2132
Conifer Grove
Residential - Mixed Housing Suburban Zone
Open Space - Informal Recreation

2019 Lot 500 DP 515543
Open Space - Informal Recreation

Section 2.3 DP 552189
Vest in Auckland Council
200A HOBSONVILLE ROAD HOBSONVILLE 0628
Hobsonville
Mixed Use Urban Zone
Open Space - Informal Recreation

2019 Lot 200 DP 519331
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Auckland Council
81 BAIRFIELD WAY IRONGATE 2380
Hinemoa
Residential - Mixed Housing Suburban Zone
Open Space - Informal Recreation

2019 Lot 5 DP 526742
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Auckland Council
2557 NIKON ROAD TAIKUPU 0782
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Residential - Countryside Living Zone
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2019 Lot 12 DP 521498
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Open Space - Conservation

2019 Lot 700 DP 510615
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329 GREAT SOUTH ROAD CONIFER GROVE 2132
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Residential - Mixed Housing Suburban Zone
Open Space - Informal Recreation

2019 Lot 601 DP 515606
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Residential - Mixed Housing Suburban Zone
Open Space - Informal Recreation

2019 Lot 703 DP 519920
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30 TE NAPI DRIVE CONIFER GROVE 2132
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Residential - Mixed Housing Suburban Zone
Open Space - Informal Recreation

2019 Lot 4060 DP 531307
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Auckland Council
30 LONGMORE LANE SILVEGALDE 0932
Long Bay
Residential - Single House Zone
Open Space - Informal Recreation

2019 Lot 801 DP 525442
[Reference] Visiting on Deposit for Local Purpose Reserve
Vested on DP 525442
Auckland Council
24 AUKIOTE ROAD PINE VALLEY 0922
Pine Valley
Residential - Mixed Housing Suburban Zone
Open Space - Informal Recreation

2019 Lot 300 DP 520838
[Reference] Visiting on Deposit for Local Purpose Reserve
Vested on DP 520838
Auckland Council
302 BELMONT ROAD PUEHOKOMO 2120
Pukekohe
Residential - Mixed Housing Suburban Zone
Open Space - Informal Recreation

2019 Lot 13 DP 527338
[Reference] Visiting on Deposit for Local Purpose Reserve
Vested on DP 527338
Auckland Council
NOLA ROAD ORATA 0864
Oratia
Residential - Mixed Housing Urban Zone
Open Space - Conservation

2019 Lot 3 DP 526702
[Reference] Visiting on Deposit for Local Purpose Reserve
Vested on DP 526702
Auckland Council
1531 KAHUTARE FLAT ROAD KAIWARAMATA 0871
Kawakawa
Residential - Mixed Housing Suburban Zone
Open Space - Informal Recreation

2019 Lot 31 DP 507941
[Reference] Visiting on Deposit for Local Purpose Reserve
Vested on DP 507941
Auckland Council
7 MANTCHEL PLACE BIRKBRIDGE 0839
Birkenhead
Residential - Mixed Housing Urban Zone
Open Space - Conservation

2019 Lot 4 DP 486387
[Reference] Visiting on Deposit for Local Purpose Reserve
Vested on DP 486387
Auckland Council
5A SQUADRON DRIVE HOBSONVILLE 0626
Hobsonville
Residential - Mixed Housing Urban Zone
Open Space - Conservation

2019 Lot 202 DP 509909
[Reference] Visiting on Deposit for Local Purpose Reserve
Vested on DP 509909
Auckland Council
71 GREYVILLE ROAD PINEMILL 0892
Pinehill
Residential - Mixed Housing Suburban Zone
Open Space - Conservation

2019 Lot 614 DP 517012
[Reference] Visiting on Deposit for Local Purpose Reserve
Vested on DP 517012
Auckland Council
26 ANGANGA CRESCENT BECHAMELIA 2571
Beachlands
Residential - Mixed Housing Suburban Zone
Open Space - Informal Recreation

2019 Lot 300 DP 506688
[Reference] Visiting on Deposit for Local Purpose Reserve
Vested on DP 506688
Auckland Council
54 PATRICK RICE DRIVE SWANSON 0634
Swanson
Residential - Mixed Housing Suburban Zone
Open Space - Informal Recreation

2019 Lot 690 DP 513055
[Reference] Visiting on Deposit for Local Purpose Reserve
Vested on DP 513055
Auckland Council
2 TE NAPI DRIVE CONIFER GROVE 2132
Conifer Grove
Residential - Mixed Housing Suburban Zone
Open Space - Informal Recreation

2019 Lot 300 DP 519479
[Reference] Visiting on Deposit for Local Purpose Reserve
Vested on DP 519479
Auckland Council
8 KANGAROO ROAD FLAT BUSH 2016
Kapiti Coast
Residential - Mixed Housing Urban Zone
Open Space - Conservation

2019 Lot 200 DP 509556
[Reference] Visiting on Deposit for Local Purpose Reserve
Vested on DP 509556
Auckland Council
69 RIVERGATE POINT DRIVE VEREHAVI 0892
Rivergate
Residential - Mixed Housing Suburban Zone
Open Space - Informal Recreation

2019 Lot 101 DP 518824
[Reference] Visiting on Deposit for Local Purpose Reserve
Vested on DP 518824
Auckland Council
4 MOKIKI CRESCENT TEAURU,MATARI 2571
Te Atatu Peninsula
Residential - Mixed Housing Suburban Zone
Open Space - Informal Recreation

2019 Lot 503 DP 520436
[Reference] Visiting on Deposit for Local Purpose Reserve
Vested on DP 520436
Auckland Council
10 OLIVER CHAPMAN DRIVE RED BEACH 0932
Red Beach
Residential - Mixed Housing Suburban Zone
Open Space - Informal Recreation

2019 Lot 300 DP 305573
[Reference] Acquisition
Acquisition Council
1 Observation Green Hobsonville DE15 155A Park Estate Road HENGAIA 2015
Hobsonville
Residential - Mixed Housing Suburban Zone
Open Space - Informal Recreation
<table>
<thead>
<tr>
<th>Prop</th>
<th>Lot/Lot AUC/Lot/Lot RP</th>
<th>Description / Lot/Lot RP</th>
<th>Use</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>2019 SCCT 1 90/522467</td>
<td>Acquisition</td>
<td>Auckland Council</td>
<td>199 Murphy's Road WATAMU 2088 (part of)</td>
<td>Flat Bush</td>
</tr>
<tr>
<td>2019 SCCT 1 90/526831</td>
<td>Acquisition</td>
<td>Auckland Council</td>
<td>364 Derbyshire Lane HINGAIA 2560</td>
<td>Hingaia</td>
</tr>
<tr>
<td>2019 LOT 2 DP 118027</td>
<td>Acquisition</td>
<td>Auckland Council</td>
<td>1014 Maroata Road Clovedon Auckland 2582</td>
<td>Clovedon</td>
</tr>
<tr>
<td>2019 LOT 9002 DP 508890</td>
<td>Acquisition</td>
<td>Auckland Council</td>
<td>27 Kapiti Heights Drive BEAKS HILL Auckland 2571</td>
<td>Takapini</td>
</tr>
<tr>
<td>2019 LOT 9002 DP 407794</td>
<td>Acquisition</td>
<td>Auckland Council</td>
<td>30 Waikanae Hill Road BEAKS HILL Auckland 2571</td>
<td>Takapini</td>
</tr>
<tr>
<td>2019 LOT 9009 DP 909518</td>
<td>Acquisition</td>
<td>Auckland Council</td>
<td>32 Schoolside Road Huia OR 09</td>
<td>Huia</td>
</tr>
<tr>
<td>2019 9109</td>
<td>Acquisition</td>
<td>Auckland Council</td>
<td>42 Seaview Road PRea 0772</td>
<td>PRea</td>
</tr>
<tr>
<td>2019 LOT 50 DP 925715</td>
<td>Acquisition</td>
<td>Auckland Council</td>
<td>46 Cuadrille Drive FLOWERBUSH 0992</td>
<td>Flowerbush</td>
</tr>
<tr>
<td>2019 LOT 100 DP 518284</td>
<td>Acquisition</td>
<td>Auckland Council</td>
<td>6 Angiangi Crescent BEACHLANDS 2071</td>
<td>Beachlands</td>
</tr>
<tr>
<td>2019 LOT 500 DP 513754</td>
<td>Acquisition</td>
<td>Auckland Council</td>
<td>49 Taloula Avenue RED BEACH 0932</td>
<td>Red Beach</td>
</tr>
<tr>
<td>2019 LOT 800 DP 522382</td>
<td>Acquisition</td>
<td>Auckland Council</td>
<td>71 Twin Ponds Road ARDMORE 2562</td>
<td>Ardmore</td>
</tr>
<tr>
<td>2019 LOT 10095 DP 910557</td>
<td>Acquisition</td>
<td>Auckland Council</td>
<td>1 Airfield Road TAKAPUNA 2010</td>
<td>Takapuni</td>
</tr>
<tr>
<td>2019 LOT 1 DP 28563</td>
<td>Acquisition</td>
<td>Auckland Council</td>
<td>Martins Bay Road Martins Bay 2582</td>
<td>Martins Bay</td>
</tr>
</tbody>
</table>
## Attachment B

**Open Space Zoning Errors/Anomalies**

<table>
<thead>
<tr>
<th>Map No.</th>
<th>Address</th>
<th>Legal Description</th>
<th>Current Zone</th>
<th>Required Zone</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>24 Mercur Street, Drury</td>
<td>Sect 1 SD 510041</td>
<td>Open Space – Informal Recreation</td>
<td>Future urban</td>
<td>Private land zoned as Open Space (ceased being a recreation reserve in 2016, sold by the Crown in 2017)</td>
<td></td>
</tr>
<tr>
<td>99 Te Henga Road, Te Henga</td>
<td>Lot 1 DP 193044, Pt Lot 1 DP 31641</td>
<td>Special Purpose - Quarry</td>
<td>Open Space – Conservation</td>
<td>Former Te Henga Quarry</td>
<td></td>
</tr>
<tr>
<td>North of 135 Churchill Road</td>
<td>“Road”</td>
<td>Residential – Single House</td>
<td>Open Space – Conservation</td>
<td>Pedestrian access to adjacent esplanade reserve</td>
<td></td>
</tr>
<tr>
<td>160R Murphys Road, Flatbush</td>
<td>Pt Lot 1 DP 69592</td>
<td>Open Space – Community Residential – Mixed Housing Suburban Open Space - Conservation</td>
<td>Open Space – Informal Recreation</td>
<td>Auckland council is landowner</td>
<td></td>
</tr>
<tr>
<td>18 Lapihi Lane, Stonefields</td>
<td>Lot 39 DP 492947</td>
<td>Open Space – Informal Recreation Residential – Terrace Housing and Apartment Building</td>
<td>Residential – Terrace Housing and Apartment Building</td>
<td>Privately owned land, contains an apartment</td>
<td></td>
</tr>
<tr>
<td>34E Portage Road, New Lynn</td>
<td>Crown SD 22631, Lot 10 DP 327645</td>
<td>Business – Light Industry</td>
<td>Open Space – Conservation</td>
<td>Owned by DOC Part of the the Whau pathway</td>
<td></td>
</tr>
<tr>
<td>159 Murphys Road, Flatbush</td>
<td>Sect 1 SO 521347</td>
<td>Open Space – Sport &amp; Active Recreation</td>
<td>Open Space – Sport &amp; Active Recreation</td>
<td>Portion of the park – Ostrich Farms Sport Fields incorrectly zoned</td>
<td></td>
</tr>
<tr>
<td>1W Puriri Road</td>
<td>Lot 183 DP 19523</td>
<td>Shown as “road”</td>
<td>Open Space – Informal Recreation</td>
<td>Incorrectly shown as road</td>
<td></td>
</tr>
<tr>
<td>17W Hawke Crescent, Beachlands</td>
<td>Lot 11 DP 19523</td>
<td>Shown as “road”</td>
<td>Open Space – Informal Recreation</td>
<td>Incorrectly shown as road</td>
<td></td>
</tr>
<tr>
<td>619 Onyarangi Road, Mangere</td>
<td>Allot 177 Parish of Manurewa</td>
<td>Future Urban</td>
<td>Open Space Conservation</td>
<td>Extension to Ambury Regional Park</td>
<td></td>
</tr>
<tr>
<td>Part of 131 Clark Road</td>
<td>Lot 55 DP 495850</td>
<td>Open Space – Conservation</td>
<td>Part of the Open Space – Conservation zone rezoned to Mixed Housing Urban</td>
<td>Zone rationalisation requested by Panuku</td>
<td></td>
</tr>
<tr>
<td>West of 69 Redwood Drive, Massey</td>
<td>Pt Lot 6 DP 1468</td>
<td>Open Space – Informal Recreation</td>
<td>Residential – Mixed Housing Urban</td>
<td>Privately owned LINZ’s record have recently been corrected to show that Pt Lot 6 DP 1468 is not reserve</td>
<td></td>
</tr>
<tr>
<td>67 Caribbean Drive, Unsworth Heights</td>
<td>Sec 1 SO 66536</td>
<td>Residential – Mixed Housing Suburban zone</td>
<td>Open Space – Sport &amp; Active Recreation</td>
<td>Incorrect zoning Formerly a school site, now Council owned sports fields</td>
<td></td>
</tr>
<tr>
<td>214 Buckley Ave, Hobsonville</td>
<td>Sec 1 SO 490900</td>
<td>Residential – Mixed Housing Urban</td>
<td>Open Space – Community</td>
<td>Headquarters Hobsonville – community facility</td>
<td></td>
</tr>
<tr>
<td>-----------------------------</td>
<td>-----------------</td>
<td>----------------------------------</td>
<td>------------------------</td>
<td>-----------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>290 Hobsonville Point Road, Hobsonville</td>
<td>Sec 3 SO 490900</td>
<td>Residential – Mixed Housing Urban</td>
<td>Open Space – Community</td>
<td>Sunderland lounge – community facility</td>
<td></td>
</tr>
<tr>
<td>2A North Piha Road, Piha (Les Waygood park)</td>
<td>Part of Lot 2 DP 173980, Lot 1 DP 51205 &amp; Pt Lot 1 DP 32999</td>
<td>Open Space - Conservation</td>
<td>Open Space – Informal Recreation</td>
<td>More appropriate zoning for a portion of the reserve</td>
<td></td>
</tr>
</tbody>
</table>
## Attachment C

### Panuku Rezoning – Land Deemed Surplus to Council Requirements

<table>
<thead>
<tr>
<th>Map No.</th>
<th>Address</th>
<th>Legal Description</th>
<th>Area (m²)</th>
<th>Current Zone</th>
<th>Proposed Zone</th>
</tr>
</thead>
<tbody>
<tr>
<td>5Z Butler Avenue, Papatoetoe</td>
<td>LOT 2 DP 108654</td>
<td>246</td>
<td>Road</td>
<td>Business – Town Centre</td>
<td></td>
</tr>
<tr>
<td>22R Clyde Road, Ōtara</td>
<td>Lot 183 DP 50724</td>
<td>328</td>
<td>Open Space – Informal Recreation</td>
<td>Business – Neighbourhood Centre</td>
<td></td>
</tr>
<tr>
<td>Adjacent to 155 Bombay Road, Bombay</td>
<td>Part Allotment 13 Parish Mangatawhiri District</td>
<td>465</td>
<td>Open Space – Informal Recreation</td>
<td>Residential – Rural and Coastal Settlement</td>
<td></td>
</tr>
<tr>
<td>Adjacent to 18 Edwin Freeman Place, Ranui</td>
<td>Lot 95 DP 104330</td>
<td>583</td>
<td>Open Space – Informal Recreation</td>
<td>Residential – Mixed Housing Suburban</td>
<td></td>
</tr>
<tr>
<td>30R Birmingham Road, Ōtara</td>
<td>Lot 31 DP 57902</td>
<td>1072</td>
<td>Open Space – Informal Recreation</td>
<td>Business – Light Industry</td>
<td></td>
</tr>
<tr>
<td>28-30 Pilkington Road, Mount Wellington</td>
<td>Lot 31 DP 52157, Part Lot 30 DP 52157</td>
<td>1200</td>
<td>Open Space – Informal Recreation</td>
<td>Business – Town Centre</td>
<td></td>
</tr>
<tr>
<td>Part 3 Kings Road, Panmure</td>
<td>Lot 2 DP 120243, Part Lot 1 DP 120243</td>
<td>2455</td>
<td>Open Space – Informal Recreation</td>
<td>Residential – Mixed Housing Urban</td>
<td></td>
</tr>
<tr>
<td>Part 303 Te Irirangi Drive, Flat Bush</td>
<td>Section 6 SO 70224</td>
<td>681</td>
<td>Open Space – Informal Recreation</td>
<td>Residential – Terrace Housing &amp; Apartment Buildings</td>
<td></td>
</tr>
<tr>
<td>131 Clark Road, Hobsonville</td>
<td>LOT 55 DP 495850</td>
<td></td>
<td>Open Space– Conservation</td>
<td>Residential – Mixed Housing Urban</td>
<td></td>
</tr>
</tbody>
</table>
Auckland Unitary Plan (Operative in Part) - Proposed Plan Change - Chapter L: Schedule 14 - Addition of six historic heritage places (including one historic heritage area)

File No.: CP2019/12366

Te take mō te pūrongo
Purpose of the report

1. To seek approval to publicly notify a proposed plan change to the Auckland Unitary Plan (Operative in Part) Chapter L, Schedule 14 Historic Heritage Schedule, Statements and Maps to add six historic heritage places, including one historic heritage area. The historic heritage area comprises 12 allotments.

Whakarāpopototanga matua
Executive summary

2. A plan change is proposed to Chapter L Schedules, Schedule 14 Historic Heritage Schedule, Statements and Maps (Schedule 14) of the Auckland Unitary Plan (Operative in Part) (AUP).

3. The proposed plan change seeks to recognise the values of six historic heritage places, including one historic heritage area, by adding them to Schedule 14 and the GIS viewer/planning maps. The historic heritage area comprises 12 allotments.

4. The places were identified as part of heritage evaluations funded by the Ōrākei Local Board, and Auckland Council-led surveys and evaluations, including the heritage evaluation undertaken as part of the Warkworth Structure Plan.

5. The places subject to the proposed plan change are recognised primarily for their built heritage values.

6. A Section 32 assessment of five options has been undertaken. The assessment has concluded that Option 5 for a proposed plan to add the six historic heritage places, including the one historic heritage area, is the most effective and efficient option to achieve both the purpose of the plan change and of the Act.

7. The Resource Management Act 1991 (the Act) provides for a rule to have legal effect in certain circumstances, including if the rule protects historic heritage (Section 86B(3)(d)). It is recommended that this proposed plan change has immediate legal effect from the date of public notification.

8. Staff have contacted the landowners of properties affected by the proposed plan change. Owners and occupiers will also receive a letter at the point the proposed plan is notified. This letter will inform them of the proposed plan change and of the opportunity to lodge a submission should they choose to.

Ngā tūtohunga
Recommendation/s

That the Planning Committee:

a) approve the public notification of the proposed plan change to add six historic heritage places, including one historic heritage area, to Schedule 14, as included in Attachment A to the agenda report.
b) endorse the section 32 evaluation report included as Attachment B to the agenda report.

c) agree that the proposed plan change should have immediate effect from the date of public notification.

d) delegate to the Manager Heritage the authority to approve minor amendments to the proposed plan change, if required, prior to public notification.

Horopaki Context

9. The AUP contains objectives, policies and rules to protect significant historic heritage from inappropriate subdivision, use and development. The AUP method to achieve this protection is primarily through Schedule 14. Schedule 14 identifies and recognises historic heritage places and includes these places in the Historic Heritage Overlay. Historic Heritage places are also mapped in the GIS viewer/planning maps.

10. Additional places that have potential significant historic heritage values, that are not within the Historic Heritage Overlay, have been identified over the last two years. These places were identified as part of:
   - heritage evaluations funded by the Ōrākei Local Board
   - Auckland Council-led heritage surveys and evaluations, including the heritage evaluation undertaken as part of the Warkworth Structure Plan
   - evaluations of heritage places nominated by the public.

Proposed Plan Change

11. The proposed plan change seeks to recognise the values of six historic heritage places, including one historic heritage area, by adding them to Schedule 14 and the GIS viewer/planning maps. This will have the effect of making them subject to the planning provisions of the Historic Heritage Overlay.

12. The six historic heritage places proposed to be included are as follows:
   - Glenholm, 37 Portland Road, Remuera
   - Remuera Primary School War Memorial Gates, 25-33 Dromorne Road, Remuera
   - Remuera Post Office, 358-364 Remuera Road, Remuera
   - Upland Village (historic heritage area) parts of Remuera Road, Upland Road and Minto Road
   - Riverina, 46 Wilson Road, Warkworth
   - Colonial Ammunition Company Bulk Store, 26 Normanby Road, Mt Eden.

13. Each historic heritage place included in this proposed plan change has been evaluated for its historic heritage significance in accordance with Regional Policy Statement (RPS) Policy B5.2.2, and the Methodology for Evaluating Heritage Significance. The evaluations were undertaken in 2018 and 2019. The evaluations were subject to a peer review process and approved for release by the Manager Heritage.

14. The historic heritage evaluations concluded that each historic heritage place had considerable or outstanding significance to its locality or a greater geographic region (AUP Policy B5.2.2 (3)). Of the five individual places, one place is proposed as a category A and the remainder are category B. Historic Heritage Areas are not allocated a category.
15. The physical extent of place for each of the six historic heritage places will be mapped on the GIS viewer/planning maps. The proposed amendments to the Auckland Unitary Plan schedule and aerial maps, showing the proposed extent of place, of the six historic heritage places are included as Attachments A and C.

16. Consultation with several of the affected landowners within the proposed historic heritage area resulted in a further review of the classification of buildings as to whether these were contributing or non-contributing in regard to historic heritage value. This resulted in several amendments within the evaluation for the proposed historic heritage area.

17. The section 32 report for the proposed plan change concluded that, of the five options identified for the protection and management of significant historic heritage places, a plan change to the AUP to add the six historic heritage places to Schedule 14 is the most appropriate method.

**Consultation on the draft plan change**

**Consultation with landowners**

18. Four of the five historic heritage places, including the historic heritage area proposed to be included within the plan change, are within the Ōrākei Local Board area. The Ōrākei Local Board funded the evaluations of these places and requested that the landowners be contacted prior to notification. This is a different approach to previous historic heritage plan changes where public notice has been given at the time of public notification as required by Section 5A (Schedule 1 of the RMA). As this approach is different, it was considered appropriate, for consistency, that the landowners of the two other historic heritage places proposed to be included in the plan change, in the Rodney Local Board and Albert-Eden Local Board areas, should also be notified prior to notification.

19. Landowner letters were sent on 17 May 2019 to inform them of the historic heritage evaluations and the eligibility status of their places to be included in Schedule 14.1. A summary of the evaluation and a frequently asked questions document (FAQ) was provided to the landowners. Emails, with letter and FAQ attachment, were also sent to the Ministry of Education and Vector Limited, as landowners of affected properties within the proposed historic heritage area. An email, with an attached memo, was also sent to Auckland Transport on 17 May 2019, as being directly affected by the inclusion of road reserve within the proposed historic heritage area.

20. Landowners were invited to provide their views on the potential additions of the places and had the opportunity to advise the council of any information that should be added to, or which may have affected, the evaluation. Landowners were also invited to contact the council for an on-site visit and discussion. A full copy of the evaluation was also available where requested. As of 17 July 2019, six landowners (of two individual places and four within the proposed historic heritage area) have contacted the council. Council staff have visited several properties, at the request of the landowner, to discuss the heritage evaluation and the proposed inclusion of their places in Schedule 14.1. As stated above, this resulted in a review of the evaluation of the proposed historic heritage area in regard to the classification of buildings as to whether these were contributing or non-contributing in regard to historic heritage value.

**Schedule 1 Consultation**

21. Clause 3(1)(d) of Schedule 1 of the Act states that local authorities shall consult, through iwi authorities, with tangata whenua of the area who may be affected during the preparation of a proposed policy statement or plan. The historic heritage places included in the plan change are located in the Ōrākei, Rodney and Albert-Eden local board areas. Due to this, all iwi authorities associated with these areas have been consulted.
22. On 4 July 2019, council staff informed iwi about the proposed plan change and sent a copy of the draft section 32 report for feedback. As at 17 July 2019, there has been one response from one out of the 19 iwi authorities. This was from Te Rūnanga o Ngāti Whātua who advised that they had an interest in the area and deferred those interests to Ngāti Whātua o Ōrākei in the anticipation that they would provide an appropriate response. Te Rūnanga o Ngāti Whātua anticipated that their future involvement would be determined following Ngāti Whātua o Ōrākei’s due consideration. To date, there has been no response received from Ngāti Whātua o Ōrākei.

23. Heritage New Zealand Pouhere Taonga (Heritage NZ) is identified as an interested party for the proposed plan change. Their interest is in protecting New Zealand’s significant heritage places with a particular interest in the protection of places on the New Zealand Heritage List/Rārangi Kōrero (NZHL/RK). For the purpose of notification, Heritage NZ is considered directly affected by the proposed change as there is one place within the proposed historic heritage area which is listed on the NZHL/RK. Heritage NZ was consulted on the proposed plan change on 4 July 2019. Heritage NZ responded, on 19 July 2019, to advise of their interest in the proposed plan change and an initial view of support.

24. An email and letter has also been sent to the Minister for the Environment, Minister of Education and several other interested parties. A letter will also be forwarded to local heritage groups, such as Remuera Heritage and the Mount Albert Historical Society prior to notification.

Other parties

25. The Heritage Advisory Panel was advised of the proposed plan change at its meeting on 25 June 2019.

Notification of the proposed plan change and legal effect of rules

26. Clause 5 of Schedule 1 of the Act requires local authorities to publicly notify a proposed policy statement or plan or provide limited notification (Clause 5A), where all persons directly affected by a proposed plan change are able to be identified. Given the public interest in heritage, full public notification is considered the most appropriate pathway.

27. Schedule 14 is a rule in the AUP that protects historic heritage. Unless the council resolves otherwise, rules in a proposed plan change have immediate legal effect from the date of notification of the plan change where the rule protects historic heritage, under section 86B(3)(d) of the Act.

28. Landowners have been contacted prior to notification in this case. There has been general support from several landowners of individual places once they had been given further information of how the proposed plan change affects their property.

29. Several landowners had concerns on how the proposed historic heritage area would affect the development opportunities provided for by the underlying zoning. Discussions with these landowners of the effects has resulted in a review of the evaluation in regard to contributing and non-contributing buildings within the proposed historic heritage area. These discussions are ongoing and will assist in determining any outstanding issues.

30. The Planning Committee holds the delegation to approve the notification of proposed plan changes to the AUP. Staff also seek delegated authority to the Manager Heritage to enable minor editorial changes prior to notification. The form, content, intent and scope of the plan change will remain unchanged.

31. In accordance with Schedule 1 of the Act, the submission period will be 20 working days, followed by a further submissions period. A hearing on the proposed plan change will be held with a panel of independent commissioners. The timetable for a hearing will depend on the submissions received. Following the hearing and deliberations, the panel will make the council’s decision on the proposed plan change.
Tātaritanga me ngā tohutohu
Analysis and advice

Section 32 evaluation

32. Section 32 of the Act requires that an evaluation report is prepared and published. An evaluation report must:

- examine the extent to which the proposed plan change is the most appropriate way to achieve the purpose of the Act
- examine whether the provisions of the proposed plan change are the most appropriate to achieve the objectives by:
  - identifying other reasonably practicable options for achieving the objectives
  - assess the efficiency and effectiveness of the provisions in achieving the objectives
  - summarise the reasons for deciding on the provisions
- identify and assess the benefits and costs
- assess the risk of action or not acting if there is uncertain or insufficient information about the subject matter of the provisions.

33. An evaluation was undertaken of the following five options:

- Option 1 - Adopt a ‘do nothing’ approach/retain the status quo
- Option 2 – Non-regulatory methods e.g. education/information, non-statutory plan and strategies (spatial plans), Memoranda of Understanding, interagency agreements, funding and assistance (heritage incentives and grants)
- Option 3 – other regulatory methods e.g. heritage orders, covenants
- Option 4 – plan change to add five historic heritage places to Schedule 14.1 (Historic Heritage Schedule) and one area to Schedule 15 (Special Character Areas Schedule, Statements and Maps)
- Option 5 – plan change to add the six historic heritage places, including one historic heritage area to Schedule 14.1.

34. Discussion of the five options is included in the draft section 32 evaluation report (refer to Attachment B).

35. The preferred option, Option 5, considers a plan change to add the six historic heritage places to Schedule 14.1 and the AUP maps. The plan change is the most appropriate method for achieving the purpose of the Act. The proposed addition of the six historic heritage places will provide for the use, development, and protection of these physical resources while managing them in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being, and for their health and safety.

36. The management and protection of historic heritage is a core responsibility of the council’s role in exercising its powers and functions under the Act. The scheduling of historic heritage places is an appropriate method for assisting the management of significant historic heritage resources in Auckland. Through their identification, evaluation and addition to Schedule 14.1, historic heritage places are subject to appropriate objectives, policies and rules. Schedule 14.1 is therefore an important tool to assist in avoiding,remedying and mitigating adverse effects on historic heritage places to protect them from inappropriate subdivision, use and development.
Risk of acting or not acting
37. Section 32(2)(c) of the Act requires the evaluation of the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions. It is considered that there is sufficient information about the six historic heritage places for the proposed plan change to proceed.

Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera Council group impacts and views
38. Auckland Transport is considered to be directly affected by the inclusion of the road reserve within the proposed historic heritage area. The appropriate staff at Auckland Transport have been advised about the proposed plan change and have not raised any concerns.

Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe Local impacts and local board views
39. The proposed plan change involves places within three local board areas; Ōrākei Local Board, Rodney Local Board and Albert-Eden Local Board.
40. Four of the six historic heritage places, including the historic heritage area, proposed to be included in the plan change are within the Ōrākei Local Board area and the board funded the historic heritage evaluation of these places.
41. An information memo was sent to the Ōrākei and Rodney Local Board members and local board advisors on 17 May 2019 to inform them of the proposed plan change. This correspondence provided an explanation of the proposed plan change and included a list of the historic heritage places to be added. A summary document of each of the proposed heritage places was also provided.
42. Council staff attended a workshop at the Ōrākei Local Board on 30 May 2019. This was an omnibus workshop on a number of planning matters occurring within the local board area. This included informing the local board of the responses to the landowner letters, which were sent out on 17 May 2019, for the proposed heritage plan change. At that time, only two responses had been received. The local board had no comments to add other than that they were satisfied with the approach taken.
43. As at 30 July 2019, there has been no response received from the Rodney Local Board.
44. The Albert-Eden Local Board was not advised of the proposed plan change at the same time as the other two local boards as a revision to the historic heritage evaluation was required. The Albert-Eden Local Board was advised about the proposed plan change on 19 July 2019. Any feedback received from the Albert-Eden Local Board will be discussed at the Planning Committee meeting.
45. The three local boards will have a further opportunity to provide their views on the plan change once it is notified. Any views provided by the local boards will considered alongside submissions as part of hearing and decision process on the plan change.

Tauākī whakaaweawe Māori Māori impact statement
46. The Resource Legislation Amendment Act 2017 made changes to Māori participation within the Act. Schedule 1 of the Act was amended to insert Clause 4A which requires councils to provide a copy of a draft proposed plan change to iwi authorities prior to public notification. Clause 4A also requires that council has particular regard to any advice received from iwi before notifying proposed plan changes.
47. All of the historic heritage places proposed to be included in the plan change were identified primarily for their built heritage values. None of the places are identified as being places of interest or significance to Māori.
48. The draft plan change, along with the draft section 32 evaluation report, was provided to iwi authorities on 4 July 2019. As at 17 July 2019, there has been a response from one of the 19 iwi authorities. This was from Te Rūnanga o Ngāti Whātua who advised they had an interest in the area and deferred those interests to Ngāti Whātua o Ōrākei in the anticipation that they would provide an appropriate response. Te Rūnanga o Ngāti Whātua anticipated that their future involvement would be determined following Ngāti Whātua o Ōrākei’s due consideration.

49. As at 22 July 2019, there has been no response received from Ngāti Whātua o Ōrākei. Council staff sent an email, on 22 July 2019, to Te Rūnanga o Ngāti Whātua to advise that there has been no response to date from Ngāti Whātua o Ōrākei.

50. Any feedback received from iwi authorities will be discussed at the Planning Committee meeting.

Ngā ritenga ā-pūtea

Financial implications

51. The preparation of a plan change to add historic heritage places to Schedule 14 is provided for in the Plans and Places Department budget. The recommendations made in this report do not give rise to any major financial risks.

Ngā raru tūpono me ngā whakamaaurutanga

Risks and mitigations

52. There are no significant risks associated with the recommendations made in this report.

Ngā koringa ā-muri

Next steps

53. If approved for notification, the plan change will be assigned a plan change number and be publicly notified in late August 2019, in line with the processes in the Act. A period of at least 20 working days will be provided for submissions to be lodged on the plan change. Decisions requested in submissions will be summarised and publicly notified for further submissions.

Ngā tāpirihanga

Attachments

<table>
<thead>
<tr>
<th>No.</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Photos and aerial maps (showing extent of place)</td>
<td>115</td>
</tr>
<tr>
<td>B</td>
<td>Draft section 32 evaluation report</td>
<td>119</td>
</tr>
<tr>
<td>C</td>
<td>Proposed amendments to Schedule 14.1 and 14.2</td>
<td>155</td>
</tr>
</tbody>
</table>

Ngā kaihaina

Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Planners - Planning North/West</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authorisers</td>
<td>John Duguid - General Manager - Plans and Places</td>
</tr>
<tr>
<td></td>
<td>Megan Tyler - Chief of Strategy</td>
</tr>
</tbody>
</table>
Proposed Historic Heritage Places to be included in Plan Change XX (showing proposed extent of place as purple-cross hatch)

Glenholm, 37 Portland Road, Remuera

<table>
<thead>
<tr>
<th>SUMMARY OF SCHEDULING</th>
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<tbody>
<tr>
<td>Legal description</td>
<td>Part Lot 5 DP 18802</td>
</tr>
<tr>
<td>Category</td>
<td>B</td>
</tr>
<tr>
<td>Primary feature(s)</td>
<td>Principal residence (Glenholm)</td>
</tr>
<tr>
<td>Known Heritage Values</td>
<td>A, F, G</td>
</tr>
<tr>
<td>Exclusions</td>
<td>Garage, pool and the interior of the residence</td>
</tr>
</tbody>
</table>

Remuera Primary School War Memorial Gates, 25-33 Dromorne Road, Remuera
### SUMMARY OF SCHEDULING

<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
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<tbody>
<tr>
<td>Category</td>
<td>B</td>
</tr>
<tr>
<td>Primary feature(s)</td>
<td>War Memorial Gates</td>
</tr>
<tr>
<td>Known Heritage Values</td>
<td>A, B, F, G, H</td>
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<tr>
<td>Exclusions</td>
<td></td>
</tr>
</tbody>
</table>

Remuera Post Office, 358-364 Remuera Road, Remuera

Note: red outline is proposed exclusion of 1990s ground floor verandah. Blue line denotes parcel boundary.

### SUMMARY OF SCHEDULING

<table>
<thead>
<tr>
<th>Legal description</th>
<th>Lot 1 DP 131981, Pt Lot 9 DP 3384, ALLOT 256 SEC 16 Suburbs AUCKLAND, ALLOT 255 SEC 16 Suburbs</th>
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<tbody>
<tr>
<td>Category</td>
<td>B</td>
</tr>
<tr>
<td>Primary feature(s)</td>
<td>Post office building (1914)</td>
</tr>
<tr>
<td>Known Heritage Values</td>
<td>A, F, H</td>
</tr>
<tr>
<td>Exclusions</td>
<td>Interior of building(s); 1990s partially enclosed ground floor verandah</td>
</tr>
</tbody>
</table>
### SUMMARY OF SCHEDULING

**Location**
The historic heritage area incorporates parts of Remuera Road, Upland Road and Minto Road as follows:
541-545, 547-549, 551-553, 561, 563, 565, 571, 573, 575, 579-585, 586-592, 594-600 and 602-608 Remuera Road and 2-4 Minto Road, Remuera.

**Known Heritage Values**
A, F, H

**Exclusions**
Interiors of all buildings contained within the extent of the area unless other identified in another scheduled historic heritage place; fences and boundary walls on contributing sites built after 1938; and stand-alone accessory buildings or garages on contributing sites built after 1938.

---

### SUMMARY OF SCHEDULING

**Location**
46 Wilson Road, Warkworth

**Known Heritage Values**
A, B, C, D, E, F, G, H

**Exclusions**
The bathrooms and the kitchen of the interior.
<table>
<thead>
<tr>
<th>Legal Description</th>
<th>Lot 2 DP 312430</th>
</tr>
</thead>
<tbody>
<tr>
<td>Known Heritage Values</td>
<td>A, F, H</td>
</tr>
<tr>
<td>Exclusions</td>
<td>Interior apart from timber roof structure and sarking and the basalt walls; exterior seating area hood; entry hood and glazed entry door; bamboo attachment to exterior front wall.</td>
</tr>
</tbody>
</table>

**Known Heritage Values Key:**

A – Historical  
B – Social  
C – Mana Whenua  
D – Knowledge  
E – Technology  
F – Physical Attributes  
G – Aesthetic  
H – Context
Proposed Plan Change XX

Addition of six historic heritage places, including one historic heritage area, to Schedule 14 Historic Heritage Schedule, Statements and Maps in the Auckland Unitary Plan (Operative in part)

SECTION 32
EVALUATION REPORT

22 JULY 2019
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1 Introduction

1.1 Scope and purpose of this report

This report is prepared by Auckland Council (Council) to fulfil the statutory requirements of section 32 of the Resource Management Act 1991 (the Act) for proposed Plan Change XX (Proposed PCXX) to the Auckland Unitary Plan (Operative in Part) (AUP).

Proposed PCXX introduces changes to Chapter L Schedules, Schedule 14.1 Historic Heritage Schedule (Schedule 14) and the planning maps of the AUP. Schedule 14 is made up of three parts: Schedule 14.1 Schedule of Historic Heritage (Schedule 14.1), Schedule 14.2 Historic Heritage Areas – Maps and statements of significance (Schedule 14.2), and Schedule 14.3 Historic Heritage Place maps (Schedule 14.3). The changes proposed in PCXX are the addition of six historic heritage places, including one historic heritage area, to Schedule 14.1. The addition of the Historic Heritage Area (HHA) will require information to be added to Schedule 14.2. No changes are proposed to Schedule 14.3.

The plan change seeks to recognise the values of the six identified historic heritage places by adding them to the AUP’s Historic Heritage Overlay\(^1\), as identified in Schedule 14.1 and the Plan maps. The addition of these historic heritage places to Schedule 14.1 ensure the provisions of the AUP apply, including the Historic Heritage Overlay provisions. This will assist in the management and protection of these historic heritage places.

Section 32 of the Act requires that before adopting any objective, policy, and rule or other method, the Council shall have regard to the extent to which each objective is the most appropriate way to achieve the purpose of the Act, and whether the policies and rules or other methods are the most appropriate way of achieving the objectives. A report must be prepared summarising the evaluation and giving reasons for the evaluation.

In accordance with section 32(8) of the Act and for the purposes of this report:

- the ‘proposal’ means proposed PCXX,
- the ‘objectives’ means the purpose of the proposal/proposed PCXX, and
- the ‘provisions’ means the policies and rules or other methods that implement, or give effect to the objectives of the proposal.

The AUP contains existing objectives, policies, and rules or other methods for the purpose of managing historic heritage places\(^2\). Proposed PCXX is not altering or re-litigating any of these provisions. This evaluation report on proposed PCXX relates to the addition of the six historic heritage places, including one historic heritage area, in Schedule 14.1 and Schedule 14.2 within the existing policy framework of the AUP. The policy approach remains unchanged, and this report will not evaluate it in any more detail.

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\(^1\) AUP Chapter D17 Historic Heritage

\(^2\) AUP B5 Nga rawa tuku iho me te ahua - Historic heritage and special character and D17 Historic Heritage Overlay
1.2 Background to the proposed plan change

The AUP contains objectives, policies and rules to protect significant historic heritage from inappropriate subdivision, use, and development. The AUP methods to achieve this protection are primarily focused on the Historic Heritage Overlay. Schedule 14.1 identifies the historic heritage places that are subject to the Historic Heritage Overlay.

The six historic heritage places, including the one historic heritage area, were identified as having potential significant historic heritage values. These places were identified as part of:

- heritage evaluations funded by the Ōrākei Local Board
- recommendations and outcomes from other planning processes
- the heritage topic report for the Warkworth Structure Plan.

Proposed PCXX is the second dedicated plan change to add historic heritage places to Schedule 14, since the AUP became operative in part. The Council notified Proposed Plan Change 7: Additions to Schedule 14 Historic Heritage Schedule, Statements and Maps in the Auckland Unitary Plan (Operative in part) (Proposed PC7) to the AUP on 16 November 2017. Proposed PC7 proposed the addition of 49 historic heritage places (including three heritage areas). The decision on PC7 was notified on 21 March 2019.

The six historic heritage places proposed to be included are as follows:

- Glenholm, 37 Portland Road, Remuera
- Remuera Primary School War Memorial Gates, 25-33 Dromorne Road, Remuera
- Remuera Post Office, 358-364 Remuera Road, Remuera
- Upland Village Historic Heritage Area, parts of Remuera Road, Upland Road and Minto Road, Remuera
- Riverina, 46 Wilson Road, Warkworth
- Colonial Ammunition Company Bulk Store, 26 Normanby Road, Mt Eden.

All places proposed to be included in proposed PCXX have been identified primarily for their built heritage values.

2 The proposed plan change

Proposed PCXX introduces changes to Schedule 14.1, Schedule 14.2 and to the Plan maps of the AUP. The proposed changes are to add the six historic heritage places to Schedule 14.1, and to add this information to the GIS viewer. The proposed additions of the historic
heritage area also requires information to be added to Schedule 14.2; this information comprises a statement of significance for the proposed historic heritage area and a map showing its extent.

The proposed plan change affects 20 properties in the Ōrākei Local Board area, one property in the Albert-Eden Local Board area, and one property in the Rodney Local Board area. The plan change documents for proposed PCXX show:

- proposed text amendments to Table 1: Places and Table 2: Areas of Schedule 14.1 including the addresses and legal descriptions of all properties affected by the plan change,
- the proposed text and maps to be included in Schedule 14.2, and
- maps illustrating the proposed amendments to the GIS viewer/planning maps, showing the scheduled extent of place for each historic heritage place and historic heritage area included in proposed PCXX.

3 Reasons for the proposed plan change

An evaluation under section 32 of the Act must examine the extent to which the objectives of proposed PCXX are the most appropriate way to achieve the purpose of the Act. The objective of proposed PCXX, or the purpose of the plan change, are to protect and manage the significant heritage values of the places identified by adding them to the Historic Heritage Overlay. In order to add these places to the overlay, they have been added to Schedule 14.1 and the Plan maps of the AUP.

The proposed plan change will assist the Council to carry out its functions in order to achieve the purpose of the Act, being to promote the sustainable management of natural and physical resources.

Built heritage and character is identified as an issue of regional significance in the AUP’s RPS\(^4\), Chapter B5.1 of the RPS states following issues:

1. Auckland’s distinctive historic heritage is integral to the region’s identity and important for economic, social, and cultural well-being.

2. Historic heritage needs active stewardship to protect it from inappropriate subdivision, use and development.

The approach of the AUP is to protect significant historic heritage from inappropriate subdivision, use, and development, in the context of the identified values of each historic heritage place. The AUP methods to achieve this protection are primarily focused on Schedule 14.1, which identifies and recognises historic heritage places and applies the provisions of the AUP’s Historic Heritage Overlay to those places, as shown on the Plan maps. The provisions

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\(^3\) RMA s32(1)(a)

\(^4\) AUP B1.4 Issues of regional significance (Note: the name of this issue has been amended in AUP B5 to Historic heritage and special character but the name of the issue in B1.4 has not yet been updated)
of the Historic Heritage Overlay apply to scheduled historic heritage places on land and in the coastal marine area.

The provisions of the Historic Heritage Overlay manage the protection, maintenance, modification, relocation, and use and development of the historic heritage places included in Schedule 14.1. The inclusion of historic heritage places in Schedule 14.1 means activities involving demolition and destruction, relocation, modification, and new buildings and structure may require a resource consent beyond that already required by AUP provisions of the underlying zoning of a property.

The evaluation of the six historic heritage places identified as part of proposed PCXX concludes that these places are of significance and should be included in Schedule 14.1. Due to the significance of these places, and the importance of protecting them from inappropriate subdivision, use and development, this is considered the most appropriate way to achieve the purpose of the Act, as outlined in the evaluation of options below.

3.1 Development of options

In the preparation of proposed PCXX, the following options have been identified:

Option 1 – do nothing/retain the status quo

Option 2 – non-regulatory methods

Option 3 – other regulatory methods

Option 4 – a plan change to add the five historic heritage places to Schedule 14 and one special character area to Schedule 15.

Option 5 – a plan change to add the five historic heritage places and one historic heritage area to Schedule 14.

3.2 Evaluation of options

In accordance with Section 32(1)(b) and (2) of the Act, the options have been assessed on their appropriateness, efficiency, effectiveness, costs, benefits and risks. The results of this evaluation are included in this section and in Table 1: Summary of analysis under Section 32(2) below.

Option 1 – Adopt a ‘do nothing’ approach/retain the status quo

The ‘do nothing’ option means the six historic heritage places, including the one historic heritage area, that have been evaluated as having significant historic heritage values are not managed in any way. This includes not being identified in Schedule 14.1, and therefore not subject to the provisions of the AUP, including the Historic Heritage Overlay. By doing nothing, the values of these places will not be protected which may lead to the loss of their
significant historic heritage values through inappropriate subdivision, use and development which is inconsistent with RPS provisions of the AUP and section 6(f) of the RMA.

Option 2 – Non-regulatory methods

Non-regulatory methods for the protection and management of historic heritage places include advocacy, education, and the provision of information. This option is an alternative to including places in Schedule 14.1.

Heritage information held by Council includes GIS-based archaeological alert layers identifying recorded sites and areas where there is a high likelihood of unrecorded or unidentified sites. Council also holds information on land and project information memoranda (LIMS and PIMS), which is provided as advice notes on resource consents. Advice about places on the New Zealand Heritage List/Rārangi Kōrero (NZHL/RK) and the National Historic Landmarks/Nga Manawhenua o Aotearoa me Ōna Korero Tūturu is also available. All of this information can be useful in assisting landowners to become more aware of any historic heritage values their property may contain.

Non-regulatory methods to manage and protect places with significant historic heritage values include non-statutory plans and strategies (e.g. spatial plans), and the use of Memoranda of Understanding (MOU) and interagency agreements with, for example, other regulatory agencies such as government departments and agencies, Council Controlled Organisations (CCOs), and/or with other entities including Mana Whenua groups.

Funding and assistance such as heritage incentives and grants can also encourage the non-regulatory management and protection of historic heritage places. However, it should be noted that the investment of funding usually requires some manner of legal or statutory protection over a place, such as a historic heritage place being identified in Schedule 14.1.

Option 3 – Other regulatory methods

Scheduling historic heritage places is not the only approach for providing regulatory protection and management. The AUP recognises the use of heritage orders under the Act and covenants under the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA) as other methods to protect historic heritage places. Various statutory requirements under the HNZPTA are also available, and the use of the Reserves Act 1977 to create historic heritage reserves, where applicable, is another method for protection of historic heritage places.

A heritage order can only be undertaken by a ‘heritage protection authority’ which is limited to the Minister of Conservation, the Minister of Maori Affairs, a local authority or Heritage New Zealand Pouhere Taonga. The effect of a heritage order, under s193 of the Act, is that prior written consent of the heritage protection authority is required for any works on the land subject to the heritage order. This places a stricter legal regime on a landowner compared to
including places on Schedule 14, where demolition and destruction requires a resource consent but maintenance and repair is a permitted activity (if it complies with the standards).

In regard to covenants, there are costs associated with the preparation and registration of these on each certificate of title. The financial burden usually falls on the council, and therefore ratepayers, if the covenant is in favour of council. There may also be a cost to remove the covenant from the certificate of title if required at a future date and this would need agreement from all parties to the covenant.

Option 4 – Plan change to add a new area to Schedule 15 (Special Character Area Schedule, Statements and Maps) and five historic heritage places to Schedule 14 (Historic Heritage Schedule, Statements and Maps)

Option 4 is similar to Option 5 below in that it considers a plan change to still add five of the six heritage places to Schedule 14. However, Option 4 differs in that it considers whether the the Special Character Areas (SCA) Overlay – Residential and Business should instead be applied to an area, known as Upland Village, instead of being scheduled as an historic heritage area in Schedule 14.

The introduction to D18 Special Character Areas (SCA) Overlay – Residential and Business states that this overlay ‘seeks to retain and manage the special character values of specific residential and business areas identified as having collective and cohesive values, importance, relevance and interest to the communities within the locality and wider Auckland region’.

The objectives and policies of D18.2 Special Character Areas Overlay – Residential and Business (SCA) provide for the special character values of an area to be maintained and enhanced. The provisions also discourage the removal or substantial demolition of buildings that contribute to the continuity or coherence of the special character area as identified in the special character statement of each area listed in Schedule 15.

The special character values for any given SCA can, and often are, derived from historical patterns of development. However, the policies focus on the maintenance and enhancement of the quality of the environment and the amenity created by those values irrespective of their origin. While special character area statements can include historical values, the special character of an area also includes other values such as visual amenity, built form, streetscape, vegetation and open space that may define, add to or support the character of the area.

The purposes of SCA – Residential and Business Overlay (the maintenance and enhancement of identified special character) and the Historic Heritage Overlay (the protection of historic heritage from inappropriate subdivision, use, and development) overlap to some degree in practice and similar outcomes can be achieved by both. However, the SCA – Residential and Business Overlay is not a method for protecting historic heritage.
This issue was discussed in regard to council’s intention to strengthen the ‘historic heritage’ values of the SCA Overlay during the Auckland Unitary Plan hearing process. A recommendation of the Independent Hearing Panel (IHP)\(^2\) on this matter stated:

‘In Section 32 and section 32AA terms it is more appropriate that those identified special character areas remain as special character, where there is a focus on streetscape character amenity values rather than the protection of historic heritage’.

The IHP recommended that council should undertake a plan change if it wished to change the basis for the controls on use and development from special character to historic heritage. The IHP also recommended that if the council wanted to protect currently unscheduled items, places and areas, then these should be identified, evaluated against the criteria, and then scheduled if meet the criteria through a future plan change.

This issue of whether the SCA Overlay was a method to protect historic heritage was further discussed as part of an appeal to, and within the decision of, the Environment Court\(^6\). The Environment Court decision determined that ‘the objectives and policies in the Unitary Plan refer to the ‘maintenance and enhancement’ of character and amenity values or identified special character values and not the ‘protection of historic heritage’. Paragraph 168 of the decision also states that while special character statements ‘contain references to historic values (in the sense of historical context), there are no references to historic heritage values’.

In the case of this proposed plan change, Upland Village has been evaluated under the criteria and thresholds of B5.2.2 (Policies) for significant historic heritage. This evaluation has determined that the area is eligible for scheduling as an Historic Heritage Area. Therefore, the most appropriate method provided to protect its historic heritage values in the Auckland Unitary Plan is to propose its inclusion in Schedule 14.1 as a historic heritage area.

**Option 5 – Plan change to add the six historic heritage places, including the one historic heritage area, to Schedule 14**

The AUP provides for the protection and management of historic heritage places by their inclusion in the Historic Heritage Overlay, as identified in Schedule 14.1 and in the AUP maps.

The objectives of the Historic Heritage Overlay are:

- to support and enhance the protection, maintenance, restoration and conservation of historic heritage places included in Schedule 14.1
- to protect these places from inappropriate subdivision, use and development, and
- to enable the appropriate subdivision, use and development (including adaptation), of these places.

\(^2\) Auckland Unitary Plan Independent Hearings Panel. (July 2016). Report to Auckland Council Hearing Topics 010, 029, 030, 079 Special Character and pre-1844. Page 10

The Historic Heritage Overlay policies seek to manage the use and development in a way which avoids significant adverse effects on these historic heritage places. The rules of the Historic Heritage Overlay are triggered when a proposed development has the potential to affect the values of a historic heritage place. Maintenance and repair of these places, for example, is permitted (where comply with the standards), while demolition and destruction is either a prohibited activity or a non-complying or discretionary activity. In these cases, this is dependent on the category (significance) of the historic heritage place.

The addition of historic heritage places will provide for the identification and protection of these places, and will ensure that their historic heritage values are considered when the use and development of these places is proposed.
<table>
<thead>
<tr>
<th>Options</th>
<th>Efficiency and effectiveness of provisions in achieving the objectives(^2)</th>
<th>Benefits</th>
<th>Costs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Option 1</td>
<td>The ‘do nothing’ option is not an efficient or effective option. This is because there is no mechanism that will protect the significant heritage values which have been identified through the evaluations. This option will also not achieve the objectives of proposed PCXX to manage and protect the significant historic heritage values of these five places and one area. Potentially, these places could wait for a future plan change with more places being added to Schedule 14.1 to be more efficient. However, this would not be effective in protecting the historic heritage values of these places which could be lost before a future plan change is undertaken.</td>
<td>No cost to Council to undertake a public plan change; an economic benefit. The historic heritage values of the identified properties would not need to be taken into account if the landowners wanted to develop their land. In addition, a landowner may not require a resource consent for certain activities which are permitted activities within an underlying zoning (depending on whether comply with all relevant standards of that zone). These may be perceived as benefits to the landowner.</td>
<td>Potential cost to the environment through possible loss of significant historic heritage values due to inappropriate subdivision, use and development. Any loss would be contrary to both the provisions of the AUP and the purpose of the Act. This loss would be to both current and future generations. The historic heritage values of the identified places would not need to be taken into account in relation to any growth and development opportunities – this loss of heritage could be perceived as a cost to society.</td>
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<td>Option 2 - Non-regulatory methods</td>
<td>Advocating for and provision of education and information to landowners may help their understanding of the values and significance of historic heritage places, and how these places are managed. However, consideration of these matters is at the discretion of the landowners as this option is non-regulatory. This could lead to inefficiency if effort is put into the provision of information, education and advocacy, but such effort does not result in any additional protection of significant historic heritage values. Funding, such as grants, is a non-regulatory method of assisting with the protection of historic heritage values. However, such funding usually first requires a regulatory</td>
<td>Potentially no cost at present to Council to undertake a public plan change; an economic benefit. The historic heritage values of the identified properties would not need to be taken into account if the landowners wanted to develop their land. In addition, a landowner may not require a resource consent for certain activities which are permitted activities within an underlying zoning (depending on whether comply with all relevant standards of that zone). These may be perceived as benefits to the landowner.</td>
<td>Potential cost to Council to advocate for and provide education and information to landowners where this does not lead to any additional protection of the significant historic heritage value of a place or area. Potential cost to the environment through possible loss of significant historic heritage values due to inappropriate subdivision, use and development. Any loss would be contrary to both the provisions of the AUP and the purpose of the Act. This loss would be to both current and future generations. The historic heritage values of the identified places would not need to be taken into account in relation to any growth and development opportunities – this loss of heritage could be perceived as a cost to society.</td>
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\(^2\) RMA s32(1)(b)(ii)
## Options

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<tr>
<th>Options</th>
<th>Efficiency and effectiveness of provisions in achieving the objectives</th>
<th>Benefits</th>
<th>Costs</th>
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<td>Method, such as scheduling, to ensure a place receives priority consideration for a grant and to justify the investment of public funding. In summary, non-regulatory methods are not considered an efficient or effective option to achieve the objectives of proposed PCXX on their own. These methods are unlikely to protect the significant historic heritage values that have been identified in the evaluations of these places.</td>
<td>and willingness of the landowner to protect the historic heritage values of a place. Funding may be seen as a potential benefit as this means less cost is borne by the landowner.</td>
<td>Potential cost of a plan change, in addition to funding, as funding usually first requires a regulatory method, such as scheduling, to receive priority consideration for a grant.</td>
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### Option 3 – Other Regulatory Methods

- Covenants and heritage orders are effective options to protect the values of significant historic heritage places.

  However, the protection and management of each historic heritage place, and area, included in proposed PCXX by methods such as covenants and heritage orders is likely to be a time consuming and costly administrative process, as each place would require a separate regulatory process.

  In summary, other regulatory methods may be effective in achieving the objectives of proposed PCXX but are not the most efficient option to achieve the objectives of the plan change.

- The significant values of historic heritage places will be protected from inappropriate subdivision, use and development. This environmental benefit will be an ongoing basis, for current and future generations.

  Other regulatory options for protecting historic heritage do provide certainty to landowners as the regulatory controls are clearly set out, and relate to the significance of a historic heritage place.

  There are costs associated with the preparation and registration of a covenant on each certificate of title. The financial burden usually falls on the Council, and therefore ratepayers, if the covenant is in favour of Council. There may also be a cost to remove the covenant from the certificate of title if required at a future date and this would need agreement from all parties to the covenant.

  There are costs associated with the preparation of a Heritage Order. Each order requires a notice of requirement and submissions process, and similar to decisions on a plan change, the local authorities recommendation on a heritage order may be appealed to the Environment Court. In addition, the Environment Court can order that the land subject to a heritage order is purchased by the heritage protection authority.

  Cost to the landowner as prior written consent of the heritage protection authority is required for any works on land subject to a heritage order. This may result in time delays, and other costs, where the works are for maintenance or repair which is a permitted activity.
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<th>Options</th>
<th>Efficiency and effectiveness of provisions in achieving the objectives</th>
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<tr>
<td>Option 4 – Plan Change to add five historic heritage places to Schedule 14 and special character area to Schedule 15</td>
<td>The historic heritage values of the Upland Village have been identified and evaluated against the criteria of B9.2.2. The evaluation shows that it meets the criteria and thresholds of a historic heritage place. The most efficient and effective method of protecting significant historic heritage values in the AUP is to apply the Historic Heritage Overlay. The SCA – Residential and Business Overlay is for the purpose of maintaining and enhancing the identified special character of an area rather than the ‘protection of historic heritage from inappropriate subdivision, use and development. This option would therefore not achieve the purpose of the proposed plan change.</td>
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<th>Benefits</th>
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<tr>
<td>The significant historic heritage values of the five historic heritage places will be protected from inappropriate subdivision, use and development. This environmental benefit will be on an ongoing basis, for current and future generations. The identification of a place on Schedule 14.1 provides an opportunity to increase landowner awareness of historic heritage values, and may lead to beneficial outcomes to the place in terms of the protections of these values. The addition of places to Schedule 14.1 provides certainty to landowners as the regulatory controls are clearly set out and clearly related to the significance of a historic heritage place. Protection is provided to priority places so that heritage values are retained. This provides social and cultural benefits through the recognition, protection and appropriate management of historic heritage places. Support is offered to landowners of scheduled historic heritage places through provisions relating to the use of scheduled places, including reducing or waiving consent application costs, provision of free expert advice, and transferable development rights (in some areas). The identification of a historic heritage place in Schedule 14.1 is likely to afford a landowner a higher priority for grants and other financial assistance as this method of support usually relies on some manner of legal or statutory control over a place. The inclusion of a special character area means that the historical context of that area would be identified when compared to the requirements of the underlying zone. There are also demolition controls which are similar those of the Historic Heritage Overlay.</td>
<td>Potential cost to the environment through possible loss of significant historic heritage values identified in the evaluation of Upland Village due to inappropriate subdivision, use and development. The use of the SCA – Residential and Business Overlay is not a method to protect historic heritage. Any loss would be contrary to both the provisions of the AUP and the purpose of the Act. This loss would be to both current and future generations. While the historical values of Upland Village would need to be considered in relation to any growth and development opportunities, this would be considered and balanced amongst other values, such as streetscape and visual amenity. The historic heritage values identified in the evaluation would not need to be taken into account – a potential loss of historic heritage could be perceived as a cost to society. Landowners of properties within a Special Character Area are not offered the same support, such as reduced or waived application costs, free expert advice, or priority for grants, than if the property was subject to the Historic Heritage Overlay. Financial cost relating to a Council-initiated plan change, which extend to an appeal to the Environment Court. Potential cost related to development opportunity of the addition of a place to Schedule 14.1 (and application of the Historic Heritage Overlay) and the area to Schedule 15. Costs to Council relating to the provision of heritage advice on the additional historic heritage places and for processing any resource consents received that relate to these places.</td>
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<td>Options</td>
<td>Efficiency and effectiveness of provisions in achieving the objectives</td>
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<tr>
<td>Option 5 Plan change to add six historic heritage places (including one historic heritage area) to Schedule 14</td>
<td>The addition of the five historic heritage places, and one historic heritage area, to Schedule 14.1 means that their values, and significance are clearly identified. The management regime applying to those places (e.g. Historic Heritage Overlay) is clearly established as an effective method of protecting significant historic heritage values. One plan change to add these five places, and one area, is a more efficient way to meet the objectives of proposed PCXX, compared to the separate regulatory processes of Option 3 that would be required to effectively protect their historic heritage values. The inclusion of the identified places, and area, in Schedule 14.1 will help ensure the objectives of the AUP and purpose of the Act are achieved, as well as the Council’s statutory requirements for the AUP to give effect to its RPS section. The five historic heritage places and one historic heritage area proposed to be included in PCXX will be clearly identified in Schedule 14.1 and the planning maps. The management regime applying to them is efficient and effective as it is clearly established for Council, landowners and interested parties. Policies provide a framework for the appropriate use and development of historic heritage places. Rules are an effective way to enable</td>
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Auckland Unitary Plan (Operative in Part) - Proposed Plan Change - Chapter L: Schedule 14 - Attachment B - Item 14
## Attachment B
### Item 14

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<th>Options</th>
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<td>protection, maintenance and adaptation of scheduled places. Permitted activity statuses allow maintenance and repair to be undertaken without the need for resource consent. The identification and management of historic heritage places by including them in Schedule 14.1 is considered the most efficient and effective means to achieve the objectives of proposed PCXX and the purpose of the Act.</td>
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<td>Benefits</td>
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<td>Costs</td>
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3.3 Risk of acting or not acting

Section 32(2)(c) of the Act requires this evaluation to assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions. There is considered to be sufficient information about the historic heritage places included in proposed PCXX for the plan change to proceed.

The section 32 evaluation will continue to be refined in relation to any new information that may arise following notification, including information arising from submissions on proposed PCXX and during hearings on the plan change.

3.4 Reasons for the preferred option

The five historic heritage places and one historic heritage area proposed to be included in proposed PCXX have been evaluated against the AUP factors and thresholds and have been determined to be eligible for inclusion in Schedule 14.1 (refer to Section 5 in relation to the development of proposed PCXX). The five places and one area have been determined to be of such historic heritage significance that if they were destroyed or modified in an inappropriate way significant values of Auckland’s historic heritage will be lost. Therefore the ‘do nothing’ approach is not considered to be an appropriate option for the management of these places.

Non-regulatory methods used in isolation are not an appropriate way to meet the objectives of proposed PCXX as they are unlikely to effectively protect the values of historic heritage places where pressure for development and redevelopment is high, or where the historic heritage values of a place are not clearly understood or appreciated as being part of Auckland’s heritage. It is considered that non-regulatory methods are more appropriately used in conjunction with Schedule 14.1, rather than being the only approach taken.

Other regulatory methods, such as heritage orders and covenants, may provide effective protection to historic heritage places, but this is not considered the most efficient way to protect the places subject to proposed PCXX. The individual statutory processes required to introduce such regulation is not efficient. In addition, if heritage orders and/or covenants were undertaken for each property affected by proposed PCXX these may have different conditions attached to each of them which varies, and may weaken, the effectiveness of protecting historic heritage values of places in a consistent way. Regulatory methods are more appropriately used in conjunction with Schedule 14.1, rather than in isolation.

The addition of the five historic heritage places and one historic heritage area to Schedule 14.1 is considered to be the most efficient and effective option to meet the objectives of proposed PCXX. This option protects and manages their historic heritage values as part of proposed PCXX in a clear manner. The five historic heritage places and one historic heritage area proposed to be included in PCXX have been identified as being significant historic heritage places locally with two places also being recognised as being of regional and national importance (Colonial Ammunition Company Bulk Store and Riverina). Their identification in Schedule 14.1 provides benefits to landowners in terms of advice and assistance to manage the values of these historic heritage places.
The evaluation of options in section 3.2 of this report shows that the preferred option for meeting the objectives of the proposal, and the most efficient and effective option, is a plan change to the AUP to add the five historic heritage places and one historic heritage area to Schedule 14.1.

In accordance with section 32(1)(a) of the Act, the objectives of the proposal are the most appropriate way to achieve the purpose of the Act. No new objective or policy is proposed in proposed PCXX. Proposed PCXX uses the existing objectives, policies and rule framework for the recognition and protection of historic heritage.

4 Resource Management Framework

4.1 Part 2 of the Act

The purpose of the Act is to promote the sustainable management of natural and physical resources, as defined in section 5(2) of the Act. Part 2 matters in the Act relevant to significant historic heritage as provided for in the AUP include:

- Section 6(f) the protection of historic heritage from inappropriate subdivision, use and development.

Sections 7 and 8 of the Act are also relevant to historic heritage:

- section 7(aa) the ethic of stewardship,
- section 7(c) the maintenance and enhancement of amenity values,
- section 7(f) the maintenance and enhancement of the quality of the environment,
- section 7(g) finite characteristics of natural and physical resources, and
- section 8 the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

Proposed PCXX is consistent with Part 2 of the Act, and in particular with the purpose of the Act, as it seeks to provide for the sustainable management of Auckland’s historic heritage resources.

The proposed addition of the five historic heritage places and one historic heritage area in Schedule 14.1 and the Plan maps will provide for the use, development, and protection of these physical resources and for them to be managed in a way, or at a rate which enables people and communities to provide for their social, economic, and cultural well-being, and for their health and safety.

The management and protection of historic heritage is a core responsibility of the Council’s role in exercising its powers and functions under the Act. The scheduling of historic heritage places is an appropriate method for assisting the management of significant historic heritage resources in Auckland. Through their identification, evaluation and addition to Schedule 14.1, historic heritage places are subject to appropriate objectives, policies and rules. Schedule 14.1 is therefore an important tool to assist in avoiding, remedying and mitigating adverse effects on historic heritage places in order to protect them from inappropriate subdivision, use and development.
4.2 Other relevant sections of the Act

Section 31(1)(a) of the Act states that a function of the Council is: the establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district. It is considered that proposed PCXX assists the Council to carry out its functions as set out in section 31 of the Act. Proposed PCXX is an appropriate method to manage the effects of use and development on Auckland’s historic heritage resources.

Section 74 of the Act sets out the matters to be considered by a territorial authority when preparing or changing its district plan. These matters include any proposed RPS, proposed regional plan, and management plans or strategies prepared under other legislation, relevant entries in the New Zealand Heritage List/Rārangi Kōrero (NZHL/RK), to the extent that these are relevant to the resource management issues of the district. The authority must take into account any relevant planning document recognised by an iwi authority to the extent that its content has a bearing on the resource management issues of the district, but must not have regard to trade competition.

When determining the date on which a plan change takes effect the Act provides in section 86B(3) that:

A rule in a proposed plan has legal effect only once a decision on submissions relating to the rule is made and publicly notified.

Exceptions are provided in section 86B(3) of the Act, where a rule in a proposed plan has immediate legal effect if the rule:

(d) protects historic heritage.

Schedule 14.1 is a rule in the AUP, and the proposed addition of historic heritage places to that schedule is a rule that protects historic heritage. In accordance with section 86B(3) of the Act, proposed PCXX should have immediate legal effect.

4.3 National Policy Statements

National policy statements are instruments issued under section 52(2) of the Act and state objectives and policies for matters of national significance. The AUP is required to give effect to any national policy statements. The only national policy statement that is relevant to the proposed plan change is the National Policy Statement on Urban Development Capacity 2016.

National Policy Statement on Urban Development Capacity 2016

This policy statement sets out the objectives and policies for providing development capacity under the Act. It recognises the national significance of urban environments and the need to enable them to develop and change and to provide sufficient development capacity to meet

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6 RMA s67(3) and s75(3)
the needs of people and communities and for future generations. However, the policy statement does not anticipate development occurring with disregard to its effects. Planning decisions need to meet, amongst other objectives and policies, Objective A – Outcomes for planning decisions. Objective A1 states the following:

**OA1:** Effective and efficient urban environments that enable people and communities and future generations to provide for their social, economic, cultural and environmental wellbeing.

As stated above in Section 4.1, proposed PCXX is consistent with Part 2 of the Act, and in particular with the purpose of the Act, as it seeks to provide for the sustainable management of Auckland’s historic heritage resources.

The proposed addition of the five historic heritage places and one historic heritage area in Schedule 14.1 and the Plan maps will provide for the use, development, and protection of these physical resources and for them to be managed in a way, or at a rate which enables people and communities to provide for their social, economic, and cultural well-being, and for their health and safety.

As part of this section 32 evaluation, development potential of the properties proposed to be scheduled has been considered. It is considered that the significant historic heritage values identified in the evaluations outweighs the development capacity of the underlying zones. The matter of historic heritage and loss of development capacity was discussed in the decision of Plan Change 7 where the independent commissioners stated the following:

> "if a place clearly meets and exceeds the criteria for listing, then it is reasonable to assume that the place has high heritage values, and on the face of it, these values are likely to outweigh other factors. To do otherwise would be to undermine the direction of section 6 of the RMA that heritage be protected from inappropriate development."

The decision also states that:

> "the protection of historic heritage is a matter of national importance under the RMA. If there are concerns about lost development opportunity from historic heritage protection, then that may be addressed by adjustments to the general zoning patterns and envelopes, rather than not affording protection to recognised features and places."

The effect of scheduling, and reasonable use, of these places proposed to be included in the plan change has been discussed below in Section 6.

### 4.4 National Environmental Standards

There are currently five National Environmental Standards in force as regulations, but none of these relate to the management and protection of historic heritage.

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4.5 National Planning Standards

The purpose of the National Planning Standards (Standards) is to improve consistency in plan and policy statement structure, format and content so they are easier to prepare, understand, compare, and comply with. The Standards will also support implementation of national policy statements and help people observe the procedural principles of the Act.

The Standards were introduced as part of the 2017 amendments to the Act and have been under development since that time. The Minister for the Environment and the Minister of Conservation approved the first set of Standards on 5 April 2019. The Standards must be implemented within the specified timeframes. Unitary councils have ten years to adopt the Standards, unless a full plan review is undertaken within this timeframe (in this case the new plan must meet the Standards when it is notified for submissions). As the first set of Standards has only recently been approved, this plan change is not required to implement them.
4.6 Other Acts

Heritage New Zealand Pouhere Taonga Act 2014

Heritage New Zealand Pouhere Taonga (Heritage NZ) is the principal agency operating under the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA). Heritage NZ maintains the NZHL/RK\(^{11}\) for the purposes of providing information to the public and landowners, and to promote and assist in the protection of these places. The NZHL/RK is primarily an advocacy tool and the inclusion of a place on the NZHL/RK does not in itself protect the place.

Protection of some heritage places is also achieved through the regulatory provisions of the HNZPTA. Part 3 of the HNZPTA requires any person wishing to undertake work that may damage, modify or destroy an archaeological site to obtain an authority from Heritage NZ for that work.

There are two properties, affected by the proposed plan change, which are listed on the New Zealand Heritage List/Rārangi Kōrero:

- ID No. 7656 – McLaren Garage (Former), 586-592 Remuera Road, Remuera) which is located within the proposed historic heritage area. This property is also already scheduled in the Auckland Unitary Plan (AUP ID 1828).
- ID No. 489 – Riverina, 46 Wilson Road, Warkworth.

As outlined above, the RPS sets out the factors and thresholds against which historic heritage places are to be evaluated to determine whether they warrant inclusion in Schedule 14.1 of the AUP. The threshold for inclusion for scheduling is generally aligned with criteria outlined in the HNZPTA for inclusion in the NZHL/RK.\(^{12}\) Including these places on the Schedule within the AUP is generally complementary to, and compatible with, the NZHL/RK and the HNZPTA.

Hauraki Gulf Marine Park Act 2000

The Hauraki Gulf Marine Park Act 2000 (HGMPA) was established to promote the integrated management and the protection and enhancement of the Hauraki Gulf, its islands, and its catchments. In order to achieve the purpose of the HGMPA, all persons exercising powers or carrying out functions for the Hauraki Gulf under any Act specified in Schedule 1 must, in addition to any other requirement specified in those Acts for the exercise of that power or the carrying out of that function, have particular regard to the provisions of sections 7 and 8.

Section 7 of the HGMPA recognises the national significance of the Hauraki Gulf. Section 8 of the HGMPA seeks to protect and enhance the Hauraki Gulf’s resources, including its historic resources.

The Hauraki Gulf Marine Park includes all the coast and coastal marine area from Mangawhai in the north and to an area beyond the Auckland region in the south. The catchment area of

\(^{11}\) The NZHL/RK includes historic places, historic areas, waahi tapu and waahi tapu areas

\(^{12}\)
the park extends inland to the first ridgeline. Some of the historic heritage places proposed to be included in proposed PCXX are therefore within the boundaries of the HGMPA area.

The addition of the historic heritage places within the Hauraki Gulf Island Marine Park Act area has particular regard to sections 7 and 8 of the HGMPA as it will assist in the protection and enhancement of these places and is therefore compatible with the HGMPA.

4.7 The Auckland Plan 2050

Recognition of the value of Auckland’s cultural heritage and the importance of its protection is a core component of the Environment and Cultural outcome that ‘Australians preserve, protect and care for the natural environment as our shared cultural heritage, for its intrinsic value and for the benefit of present and future generations. ‘Natural environment’, as defined by the Auckland Plan, is part of Auckland’s shared cultural heritage\textsuperscript{13}. Cultural heritage includes:

- Tangible culture such as buildings, monuments, landscapes, books, works of art and artefacts
- Intangible culture such as folklore, traditions, language, and knowledge
- Natural heritage including culturally significant landscapes and biodiversity.

The Auckland Plan 2050 includes the following direction ‘Ensure Auckland’s natural environment and cultural heritage is valued and cared for’\textsuperscript{14}. The Auckland Plan states that council must actively seek opportunities to protect and enhance these values (including cultural heritage values) through our short and long-term decisions.

Proposed PCXX will assist with the protection and conservation of Auckland’s historic heritage for the benefit and enjoyment of present and future generations.

4.8 The Auckland Unitary Plan

When preparing or changing a district plan, Council must give effect to any RPS and have regard to any proposed RPS\textsuperscript{15}. The RPS identifies a number of issues of regional significance, including:

B2: Tāhuwha whakaruruhau ā- taone – Urban growth and form

Chapter B2 sets out the objectives and policies for urban growth and form in the region. The chapter states that ‘a quality built environment is one which enhances opportunities for people’s wellbeing by ensuring that new buildings respond to the existing built and natural environment in ways that promote the plan’s objectives and maintain and enhance the amenity values of an area’. The objectives and policies of Chapter B2 provide direction on urban growth and form, a quality built environment, residential growth, and commercial and industrial growth.

\textsuperscript{13} Cultural Heritage is the term used to describe the ways of living developed by a community and passed on from generation to generation.

\textsuperscript{14} Auckland Plan, Environment and Cultural Heritage: Direction 1

\textsuperscript{15} RMA s74(2) and s75(3)
Objective B2.3.1 requires that, amongst other matters, a quality built environment is where subdivision, use and development ‘responds to the intrinsic qualities and physical characteristics of the site and area, including its setting’. This objective is supported by Policy B2.3.2(1) which requires that the form and design of subdivision, use and development is managed so that, amongst other matters, it ‘supports the planned future environment, including its shape, landform, outlook, location and relationship to its surroundings, including landscape and heritage’.

Proposed PCXX aligns with the objectives and policies of B2, including Objective B2.3.1 and Policy B2.3.2(1). While some of the historic heritage places proposed to be included in PCXX have an underlying zone, such as business or THAB, that provides capacity for growth and density, the plan change does not necessarily constrain urban growth or impact on land capacity.

As discussed further below in Section 6, the inclusion of a place in Schedule 14.1, and the associated application of the Historic Heritage Overlay, has the potential to affect the development of a place. For example, subdivision of a historic heritage place is a discretionary activity in all parts of the overlay (apart from the non-contributing sites in an historic heritage area), and new buildings or structures are a discretionary or restricted discretionary activities. However, it is important to recognise that maximum development potential under the provisions of the AUP is affected by a range of factors, not just the Historic Heritage Overlay. The underlying zoning of a property, and any relevant precinct, other overlays, or AUP provisions that apply to a property may result in other objectives, policies and rules to apply that may also affect the development potential of a property.

By protecting specific places, proposed PCXX recognises their significant historic heritage values and applies a management regime that requires consideration of those values when development, including subdivision, is proposed.

B3 Ngā pūnaha hanganga, kawekawe me ngā pūngeo – Infrastructure, transport and energy

Chapter B3 emphasises the importance of infrastructure, transport and energy to the Auckland region, and sets out objectives and policies to recognise this importance. Development, operation, maintenance and upgrading of infrastructure is enabled while managing the adverse effects on the quality of the environment and, in particular, natural and physical resources that have been scheduled in the AUP, including historic heritage. This is supported by Policy B3.1.2.6, while enabling development, operation, maintenance and upgrades to infrastructure, directs that adverse effects are avoided, where practicable, or otherwise remedied or mitigated.

One of the historic heritage places (Remuera School Memorial Gates) and two properties within the historic heritage area (Vector substation and AT car park) proposed to be included

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AUP B3.2.1 Objective 3(a)
Planning Committee
06 August 2019

Auckland Unitary Plan (Operative in Part) - Proposed Plan Change - Chapter L: Schedule 14 -

Addition of six historic heritage places (including one historic heritage area)

in PCXX are part of Auckland’s infrastructure. All of these are subject to designations under the AUP. Designations are discussed below in Section 6.3.

B5 Ngā rawa tuku iho te āhua - Historic heritage and special character

Chapter B5 sets out the objectives and policies for historic heritage and special character. The chapter states that significant historic heritage places should be identified and protected from inappropriate subdivision, use and development. The chapter also supports the use of historic heritage places, where this use will support the retention of, or will not detract from, the historic heritage values of the place. These two objectives are as below:

1. Significant historic heritage places are identified and protected from inappropriate subdivision, use and development.
2. Significant historic heritage places are used appropriately and their protection, management and conservation are encouraged, including retention, maintenance and adaptation.

These objectives are supported by policies B5.2.2 (1) to (9). The objective of Proposed PCXX aligns with these objectives and policies as the plan change seeks to identify and protect historic heritage places by adding them to Schedule 14.1 of the AUP.

B6 Mana Whenua

The objectives and policies in B6.3 Recognising Mana Whenua values are relevant to Proposed PCXX. The draft plan change, along with the draft s32 evaluation report, was provided to iwi authorities on 4 July 2019. As at 17 July 2019, there has been one response from 1 out of the 19 iwi authorities. This was from Te Rūnanga o Ngāti Whātuia who advised that they had an interest in the area, deferred those interests to Ngāti Whātuia o Ōrākei in the anticipation that they would provide an appropriate response, and anticipated that their future involvement would be determined following Ngāti Whātuia o Ōrākei’s due consideration. As at 22 July 2019, there has been no response received from Ngāti Whātuia o Ōrākei.

B8 Toitū te taiwhenua – Coastal environment

This chapter contains objectives and policies relating to the natural character of the coastal environment; subdivision, use and development of the coastal environment; public access and open space; and managing the Hauraki Gulf. Objectives and policies relevant to proposed PCXX include:

- Objective B8.5.1, which seeks that the management of the Hauraki Gulf gives effect to Sections 7 and 8 of the HGMPA (refer to analysis in Section 4.6 above)
- Policy B8.3.2(2)(b), which seeks the avoidance of urban activities in areas with natural and physical resources that have been scheduled in the AUP for historic heritage, amongst other values.

While none of the proposed historic heritage places, or the historic heritage area, is directly located within the coastal environment, in the wider context they are located within the Hauraki Gulf catchment boundaries as defined by the HGMPA. The objective of the plan change aligns...
5 Development of the Proposed Plan Change

This section outlines the development of proposed PCXX and the consultation undertaken in preparing the plan change.

5.1 Methodology

Background

Each historic heritage place included in proposed PCXX has been evaluated for its historic heritage significance in accordance with the Council’s Methodology for Evaluating Historic Heritage Significance (Methodology). The evaluations were undertaken between 2018 and 2019.

The methodology is a non-regulatory method of achieving the objectives and policies of the AUP. It provides guidance on the process of evaluating the significance of historic heritage places against the factors set out in the RPS. The methodology outlines the process of evaluating historic heritage significance, which is based on the following steps in the RPS:

1. identify and evaluate heritage values against the historic heritage significance factors set out in Policy B.5.2.2(1) of the AUP, being (a) historical, (b) social, (c) Mana whenua, (d) knowledge, (e) technological, (f) physical attributes, (g) aesthetic, and (h) context
2. prepare a statement of significance
3. State whether the place meets the threshold for scheduling as a historic heritage place (Category A or Category B), or an historic heritage area
4. recommend whether the place should be scheduled and if so define the extent of the area recommended for scheduling.

The five historic heritage places, and one heritage area, proposed to be included in PCXX has been recommended for scheduling as they have been evaluated as having considerable or outstanding value in relation to one or more the RPS evaluation factors. In addition, they also have considerable or outstanding overall significance to their locality or a greater geographic area (AUP Policy B5.2.2.(3)).

Proposed PCXX includes one Category A historic heritage place, four Category B places, and one historic heritage area. Policy B5.2.2.(4) outlines the classification of historic heritage places into categories:

- **Category A**: historic heritage places that are of outstanding significance well beyond their immediate environs
- **Category B**: historic heritage places that are of considerable significance to a locality or beyond
- **Historic heritage areas**: groupings of interrelated but not necessarily contiguous historic heritage places or feature that collectively meet the criteria for inclusion in
Schedule 14.1 Schedule of Historic Heritage in Category A or B and may include both contributing and non-contributing places or features, places individually scheduled as Category A or B, and notable trees.

Policy B5.2.2.(2) of the RPS requires the location and physical extent of each historic heritage place to be identified. This area, known as the ‘extent of place’, is the area that contains the historic heritage values of the place. Where appropriate, this may include any area that is relevant to an understanding of the function, meaning and relationships of the historic heritage values of the place.

The known heritage values, the primary feature(s), and the exclusions from protection of each historic heritage place, are identified in the historic heritage evaluation and this information is shown in Schedule 14.1 (RPS Policy B5.2.2.(5)).

Each evaluation was peer reviewed and approved for release by Council’s Heritage Manager. The peer review process ensures that there is consistency with the AUP and that there is consistent application of the methodology amongst different reviewers. Where an evaluation preceded the AUP being operative in part, the primary feature of Category B places were not required to be identified. For these evaluations, the peer reviewer has identified the primary feature and added it to the evaluation.17

5.2 Consultation undertaken

In accordance with clause 3 of Schedule 1 of the Act, during the preparation of a proposed policy statement or plan, the local authority shall consult with:

- the Minister for the Environment; and
- those other Ministers of the Crown who may be affected by the policy statement or plan; and
- local authorities who may be so affected; and
- the tangata whenua of the area who may be so affected, through iwi authorities; and
- any customary marine title group in the area.

A local authority may consult anyone else during the preparation of a proposed policy statement or plan.

Letters were sent on 4 July 2019 to the Minister for the Environment, Minister of Conservation and Heritage New Zealand, advising the organisations about proposed PCXX. Heritage NZ responded, on 19 July 2019, to advise of their interest in the proposed plan change and an initial view of support. To date, no other responses have been received.

Consultation with iwi authorities

In accordance with clause 3B of Schedule 1 of the Act, for the purposes of clause 3(1)(d), a local authority is to be treated as having consulted with iwi authorities in relation to those whose details are entered in the record kept under section 35A, if the local authority—

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17 Note: Where this has occurred, it is clearly marked in the evaluation.
(a) considers ways in which it may foster the development of their capacity to respond to an invitation to consult; and
(b) establishes and maintains processes to provide opportunities for those iwi authorities to consult it; and
(c) consults with those iwi authorities; and
(d) enables those iwi authorities to identify resource management issues of concern to them; and
(e) indicates how those issues have been or are to be addressed.

In addition to the above, recent legislation changes to the Act introduced the following sections in relation to iwi authorities:

Section 32(4A):

(4A) If the proposal is a proposed policy statement, plan, or change prepared in accordance with any of the processes provided for in Schedule 1, the evaluation report must—

(a) summarise all advice concerning the proposal received from iwi authorities under the relevant provisions of Schedule 1; and
(b) summarise the response to the advice, including any provisions of the proposal that are intended to give effect to the advice.

Schedule 1

4A Further pre-notification requirements concerning iwi authorities

(1) Before notifying a proposed policy statement or plan, a local authority must—

(a) provide a copy of the relevant draft proposed policy statement or plan to the iwi authorities consulted under clause 3(1)(d); and
(b) have particular regard to any advice received on a draft proposed policy statement or plan from those iwi authorities.

(2) When a local authority provides a copy of the relevant draft proposed policy statement or plan in accordance with subclause (1), it must allow adequate time and opportunity for the iwi authorities to consider the draft and provide advice on it.

In accordance with Schedule 1 clause 4A, copies of the draft plan change, and draft section 32 report were sent to all iwi authorities of the Auckland region on 4 July 2019. As at 17 July 2019, there has been one response from 1 out of the 19 iwi authorities. This was from Te Rūnanga o Ngāti Whātua who advised that they had an interest in the area, deferred those interests to Ngāti Whātua o Ōrākei in the anticipation that they would provide an appropriate response, and anticipated that their future involvement would be determined following Ngāti Whātua o Ōrākei's due consideration. As at 22 July 2019, there has been no response received from Ngāti Whātua o Ōrākei.

Consultation with elected members and Local Boards

Four of the six historic heritage places, including the one historic heritage area proposed to be included in PCXX are within the Ōrākei Local Board area. The Ōrākei Local Board funded
the evaluations of these places and requested that the landowners be contacted prior to notification; this was agreed to by Council’s Heritage Unit. This is a different approach compared to previous historic heritage plan changes where public notice has been given as required by Section 5A (Schedule 1 of the RMA). As this approach is different, it was considered appropriate, for consistency, that landowners of the two other historic heritage places, in the Rodney Local Board and Albert-Eden Local Board areas, proposed to be included in PCXX should also be contacted prior to notification.

Information was sent to the Ōrākei, Rodney and Albert-Eden local board members and local board advisors on 17 May 2019 to inform them of proposed PCXX. This correspondence provided an explanation of the proposed plan change and included a list of historic heritage places proposed to be added by the plan change relevant to each local board area. A summary document of each of the five places and the area was also provided. As at 13 June 2019, there has been no feedback received from either the Rodney Local Board.

The Albert-Eden Local Board was not advised at the same time as the other two local boards of the proposed plan change as a revision of the historic heritage evaluation was required. An email was sent on 23 July 2019. This report will be updated to incorporate any responses.

Council staff attended a workshop at the Ōrākei Local Board on 30 May 2019. This was an omnibus workshop on a number of planning matters occurring within the local board area, including to inform the local board of the responses to the landowner letters for the proposed historic heritage plan change. At that time, only two responses had been received. The local board had no comments to add other than that they were satisfied with the approach taken.

The Planning Committee approved the public notification of the plan change at its XXXX 2019 meeting\[18\]. [Note that an update will be required]

**Consultation with landowners affected by proposed PCXX**

Landowner letters were sent on 17 May 2019 to inform them of the historic heritage evaluations and the eligibility status of their places to be included in Schedule 14.1. As stated above, the Albert-Eden Local Board was not advised, until 23 July 2019, of the property within their area due to the review of the evaluation. A letter was sent to the landowner of the Colonial Ammunition Bulk Store Building on 23 July 2019. A summary of the evaluation and a frequently asked questions information sheet was provided to the landowners. Emails, with letter and FAQ attachment, were also sent to Ministry of Education and Vector Limited, as landowners with affected properties within proposed PCXX. Landowners were invited to provide their views on the potential additions of their places and had the opportunity to advise Council of any information that should be added to, or which may have affected, the evaluation. Landowners were also invited to contact Council for an on-site visit and discussion. A full copy of the evaluation was also available to be provided, where requested.

As of 13 June 2019, six landowners have contacted Council. Council staff visited several properties, at the request of the landowner, to discuss the heritage evaluation and the proposed inclusion of their places in Schedule 14.1. In regard to the proposed historic heritage

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\[18\] Planning Committee resolution PLA/2019/XX
area, several landowners had concerns about the effect of the proposed plan on the development capacity provided for in the underlying zoning of their properties. These discussions have resulted in a review of the evaluation of the proposed historic heritage area in regard to the classification of buildings as to whether these were contributing or non-contributing. These discussions are ongoing and will assist in determining any outstanding issues.

Consultation with other parties

The Heritage Advisory Panel was advised of the proposed plan change at its 25 June 2019 meeting.

On 17 May 2019, an email was sent to Auckland Transport. The correspondence advised them of the proposed plan change, and identified places subject to proposed PCXX that are in their ownership or management. As at 13 June 2019, no response has been received.

6 Evaluation of provisions

This part of the report evaluates the provisions contained within proposed PCXX. The evaluation that follows relates to the key themes arising from the proposed addition of five historic heritage places and one historic heritage area to Schedule 14.1. A change will also need to be made to Schedule 14.2 to include the HHA.

6.1 Effect of scheduling

The inclusion of a historic heritage place in Schedule 14.1 means the provisions of the Historic Heritage Overlay apply to that place. This is also known as the scheduling of a place.

The Historic Heritage Overlay is based on a management approach where activities anticipated to have a greater effect on the values of a historic heritage place in Schedule 14.1 are subject to more rigorous management. The identification of an extent of place, primary feature(s), and exclusions is the basis of this management approach, ensuring the management of a historic heritage place is specific to its features, and therefore to the values and significance of that particular place.

Exclusions are identified for each historic heritage place, if appropriate, and listed in Schedule 14.1. Activities affecting features identified as exclusions are permitted or controlled.

The intent of the AUP is to ensure that unnecessary consent activity is not generated, while protecting historic heritage places from inappropriate subdivision, use and development. The scheduling of historic heritage places is a method by which more than minor works to a scheduled place will require resource consent. The requirement for consent ensures that the heritage values and significance of a place will be taken into account by both landowners and decision makers.

6.2 Reasonable use

All places included in PCXX have been evaluated as having sufficient historic heritage value and significance to warrant ongoing protection and appropriate management under the AUP.
All of the historic heritage places are in private ownership and the historic heritage area is largely in private ownership other than within the road corridor managed by Auckland Transport. The scheduling of a place in the AUP imposes restrictions on the use of that land. These restrictions can cause tension between the need to protect significant historic heritage and the public benefits of this, and the ability of landowners, both private and public, to use their land.

The Act recognises that a rule or other provision can have an effect on how landowners use their land. Section 85 of the Act allows landowners to challenge a provision on the basis that it would render the land incapable of reasonable use and that it would place an unfair or unreasonable burden on the landowner. Section 85 states that 'reasonable use:

includes the use or potential use of land for any activity whose actual or potential effects on any aspect of the environment or any person other than the applicant would not be significant.'

The AUP recognises that continued use of scheduled places is integral to their survival. The AUP provisions seek to recognise and provide for the reasonable use of historic heritage places. As previously discussed above, a flexible management regime is used, based on the values and significance of the place, and whether the proposed use and/or development will assist with the ongoing management and protection of the place. The RPS seeks to provide for the occupation, use, seismic strengthening, development, restoration and adaption of historic heritage places, where this will support the retention of, and will not detract from, the historic heritage values of the place. This policy is supported by Objective D17.3(3) in the Historic Heritage Overlay.

Policies in D17 also support the use and development of scheduled historic heritage places, where it does not detract from the heritage values of the place and will not have significant adverse effects. Policy D17.3(5) provides mechanisms to support use, development and adaptation appropriate to scheduled historic heritage places. These mechanisms include grants and other incentives, reducing or waiving consent application cost, providing transferable development rights (in certain areas), and the provision of expert advice.

As previously mentioned, the repair and maintenance of scheduled historic heritage places is a permitted activity (subject to standards).

At a place specific level, each place and the one area included in PCXX has been considered as part of this evaluation to determine the best method of management, as detailed in Section 3.2. The specifics of what could be considered reasonable use of the individual historic heritage places and the historic heritage area proposed to be included in PCXX have been considered.

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19 RMA s85(2)
20 RMA s85(3)
21 RMA s85(6)
22 AUP RPS Objective B4.2.2(9)
23 AUP Policies D17.3(3), D17.3(4)
Some scheduled places included in proposed PCXX have established uses that are integral to their historic heritage values and significance. In most cases, the original historic use continues, and in other instances the place is now used for a different purpose. In all cases, the question of reasonable use and how the AUP allows for effective and efficient use of a place needs to be carefully considered. This has been done by the identification of the extent of place and primary feature(s) of each of the five historic heritage places and the one historic heritage area, and the use of exclusions, where appropriate.

6.3 Designations

One of the historic heritage places, Remuera War Memorial Gates, and one parcel of land within the historic heritage area, that are affected by proposed PCXX are subject to designations. Works undertaken in accordance with a designation are not subject to the district plan provisions of the AUP, including the Historic Heritage Overlay. The scheduling of a place or area can contribute to a more robust argument to retain the scheduled item and advocate for positive heritage outcomes within the outline plan of works and other designation processes. Scheduling of these places also ensures that if the designation is uplifted, or works occur that are not in accordance with the designation, the historic heritage place is subject to the provisions of the AUP.

6.4 Interiors

One of the historic heritage places to be included in proposed PCXX has the interior of the buildings to be included in the scheduling. Interiors include the interior layout, spatial arrangement, and significant features and materials. The Methodology provides guidance for determining when to include the interior of a building in the scheduling of a historic heritage place.

It is best practice to regard a historic heritage place as a whole and to avoid itemising its features within the regulatory framework. However, in some circumstances, it may be appropriate to include portions of an interior, particularly if significant features remain but other parts have been modified. The section 32 evaluation resulted in this approach being applied to one place, Riverina, where key interior features, and exclusions, were itemised within the historic heritage evaluation.

The methodology acknowledges several reasons why it may not be appropriate to include the interior of a building in Schedule 14.1, particularly if it has not been viewed, or if the interior has been modified to an extent that its contribution to the identified values of the place has been lost. The interior of buildings are not considered for historic heritage areas.

6.5 Category A place

Only one historic heritage place in the plan change is proposed to be Category A – Riverina (Warkworth). This Category A place is of outstanding significance well beyond its immediate environs. The evaluation of Riverina concluded that the place had exceptional national,
regional and local significance for its historical and context values, considerable local significance for its social, knowledge, technology and physical attributes values and exceptional local significance for its aesthetic values.

Category A historic heritage places are subject to a slightly different management regime, as is fitting for these places of outstanding historic heritage value. The main difference is that the demolition or destruction of 70 per cent or more of these places, or the relocation of their features beyond the scheduled extent of place, is a prohibited activity. Other demolition or destruction (greater than 30 per cent but less than 70 per cent) and relocations outside of the scheduled extent of place are non-complying activities. As with other scheduled historic heritage places, minor works that are not anticipated to detract from the values of the place, such as maintenance and repair, are a permitted activity.

6.6 Modifications to a place

Many of the historic heritage places proposed to be included in PCXX have been modified over time. This is expected particularly given the age of some of the places proposed. Modifications to buildings and features of places proposed to be included in PCXX are described in the evaluation for each place, which also describes whether the modifications are complementary to, neutral, do not contribute, or detract from the values of the historic heritage place.

In most cases, modifications that have identified as non-contributing or detracting have been recommended by the evaluator to be identified as an exclusion in Schedule 14.1. This Section 32 evaluation does not identify any further exclusions other than those recommended by the evaluator.

6.7 Historic heritage areas

One historic heritage area, the Upland Village Historic Heritage Area, is proposed in the plan change.

The process of evaluating the historic heritage significance of an HHA is the same as for individually scheduled historic heritage places. However, the Methodology provides additional guidance for HHA’s, including defining the boundary of the area and identification of exclusions.

The emphasis of an HHA is on the collective values of the area, rather than the significance of individual places. This is reflected in the management of an HHA where there is generally a less onerous resource consent regime for the demolition of buildings and new buildings than for individually scheduled historic heritage places. In addition, the HHA provisions provide for the development and use of non-contributing sites and features, where these are compatible with the historic heritage values of the area.

The land included in the Upland Village Historic Heritage Area is primarily zoned Business-Neighbourhood Centre with a small portion of Terrace Housing and Apartment Building zone at 2/4 Minto Road (currently owned by Vector Limited). The Business-Neighbourhood Centre
zone applies to single or small shopping strips located in residential neighbourhoods with the provisions typically enabling buildings of up to 3 storeys. Development is expected to be in keeping with surrounding residential environment. Two-thirds of the buildings identified within the proposed historic heritage area are two-storey with a small number of one-storey buildings situated on or near the Minto Road intersection.

The Business – Neighbourhood Centre zone provisions require resource consent for the construction of new buildings and some modification to existing buildings. The HHA provisions require a resource consent to demolish an existing building, modify an existing building or to build a new building. The requirement to obtain a resource consent for works in the Upland Village Historic Heritage Area is therefore not an additionally onerous constraint. A range of commercial and residential uses can continue as the HHA provisions do not control the use of a building.

The Terrace Housing and Apartment Building Zone provides for the greatest density, height and scale of development of all the residential zones. Buildings are enabled up to five, six or seven storeys in identified height variation control areas, depending on the scale of the adjoining centre, to achieve a transition in height from the centre to lower scale residential zones. The parcel of land at 2-4 Minto Road is currently owned by Vector Limited and is designated for the purpose of ‘Electricity Works (Substation)’. As discussed above in Section 6.3, the designation takes precedence over the district plan provisions of the AUP. The inclusion of this property within the historic heritage area does not create an onerous constraint as works being undertaken in accordance with the purpose of the designation are not subject to the HHA provisions. Currently where works are not in accordance with the designation a resource consent would be required for, amongst other activities, dwellings, integrated residential developments, and new buildings in certain circumstances within the THAB zone. The HHA provisions require a resource consent to demolish an existing building, modify an existing building or to build a new building. As above, the HHA provisions would not create an additionally onerous constraint to that of the underlying THAB zone.

7 Conclusion

Proposed PCXX seeks to add six historic heritage places, including one historic heritage area, to Schedule 14.1. A change will also need to be made to Schedule 14.2 to include the significance statement of the HHA. The purpose of the proposed plan change is to recognise the values of identified historic heritage places by adding them to Schedule 14.1 and ensure the provisions of the AUP Historic Heritage Overlay apply and therefore assist in managing and protecting them.

The main conclusions of the evaluation under Part 2 and Section 32 of the Act are summarised below:

1. Proposed PCXX is consistent with the purpose of sustainable management in Section 5 and the principles within Sections 6, 7, and 8, and within Part 2 of the Act.

3. Pursuant to Section 75(3)(c) of the Act, Proposed PCXX is consistent with the objectives and policies of the Auckland Regional Policy Statement.

4. The evaluation undertaken in accordance with Section 32 concluded:

i. The use of the existing objectives of the AUP would be the most appropriate way to achieve the purpose of the Act.

ii. The addition of six historic heritage places, including one historic heritage area to Schedule 14.1 and addition of a significance statement for the historic heritage area to Schedule 14.2 is the most appropriate means of achieving the objectives identified in section 3 of this report.

| Conclusion       | This part of the report concludes that the proposed plan change is the most efficient, effective and appropriate means of addressing the resource management issues identified. |

Draft
Proposed amendments to Chapter L: Schedule 14.1 Historic Heritage

Notes:
1. New text is shown as **underlined** and deleted text as strikethrough.
2. Only the entries into the schedule proposed to be amended are shown.

<table>
<thead>
<tr>
<th>Chapter L: Schedules</th>
<th>Schedule 14.1 Historic Heritage</th>
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<td>Proposed change/s:</td>
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<td>Place Name and/or Description</td>
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<tr>
<td>XXXX</td>
<td>Glenholm</td>
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<tr>
<td>XXXX</td>
<td>Remuera Post Office (Former)</td>
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<tr>
<td>XXXX</td>
<td>Colonial Ammunition Company, Bulk Store</td>
</tr>
<tr>
<td>XXXX</td>
<td>Riverina</td>
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### SCHEDULE 14.1 SCHEDULE OF HISTORIC HERITAGE - TABLE 2 AREAS

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<th>Area Name and/or Description</th>
<th>Verified Location</th>
<th>Known Heritage</th>
<th>Extent of Place</th>
<th>Exclusions</th>
<th>Additional Controls for Archaeological Sites or Features</th>
<th>Place of Maori Interest or Significance</th>
<th>Contributing Sites/Features</th>
<th>Non-contributing Sites/Features</th>
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<tbody>
<tr>
<td>XXXX</td>
<td>Upland Village Historic Heritage Area</td>
<td>Refer to planning maps; area includes parts of Rémuera Road, Upland Road and Minto Road</td>
<td>A.F.H</td>
<td>Refer to planning maps</td>
<td>Interiors of all buildings contained within the extent of place unless otherwise identified in another scheduled historic heritage place, stand-alone accessory buildings or garages built after 1940</td>
<td>Refer to Schedule 14.2.XX</td>
<td>Refer to Schedule 14.2.XX</td>
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Proposed amendments to Chapter L: Schedule 14.2 Historic Heritage Areas – Maps and statements of significance

**Notes:**

1. New text is shown as underlined and deleted text as strikethrough.
2. Only the amendments to the schedule proposed to be amended are shown.

<table>
<thead>
<tr>
<th>Chapter L: Schedules</th>
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<td>Schedule 14.2 Historic Heritage Areas – Maps and statements of significance</td>
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<tr>
<td>Proposed change/s:</td>
</tr>
<tr>
<td>14.2.XX Upland Village Historic Heritage Area</td>
</tr>
</tbody>
</table>
Schedule 14.2 XX Upland Village Historic Heritage Area (Schedule ID XXXX)

Statement of significance [to be updated with an expanded statement]

Upland Village HHA has considerable historical value for reflecting important development patterns and representative aspects of Auckland’s transport and commercial history in the locality and region. The area is important for demonstrating the emergence of commercial development in the neighbourhood and is particularly significant as the only known interwar shopping centre in the isthmus to develop in direct response to the arrival of the electric tram and location of its terminus. Upland Village HHA has considerable physical attributes value as a good representative example of a traditional suburban shopping centre that developed swiftly during the interwar period in Auckland. Its largely intact group of single and two storey masonry buildings are of particular value for their strong sense of cohesion, continuity and permanence and for collectively reflecting important architectural styles and trends in commercial architecture during that time. Value is also gained from the association of almost half of the buildings in the area with an architect who made an important contribution to the architecture of the locality, region or nation. Occupying a relatively prominent location along Remuera’s ridgeline and on the intersection of three roads, Upland Village HHA has moderate aesthetic value as a conspicuous landmark within the locality. The area also has considerable context value as a historic townscape that has value for its cohesive built form, its strong associations with a key period in Remuera’s history, and as one of only a small number of authentic interwar town centres in Auckland.

The period of significance for Upland Village HHA is 1915-1938, a 23-year period that captures its early commercial development following the extension of the electric tram to Upland Road, its most prolific period of construction during the 1920s and the erection of its last building during the interwar period.
Map 14.2 XX.X Historic Heritage Area: Upland Village [to be updated]

[Next page following]
Auckland Unitary Plan (Operative in Part) - Request to make Plan Change 12 Hobsonville Corridor Precinct operative

File No.: CP2019/13195

Te take mō te pūrongo
Purpose of the report
1. To make operative Plan Change 12 to the Auckland Unitary Plan (Operative in Part).

Whakarāpopototanga matua
Executive summary
2. Plan Change 12 relates to I603 Hobsonville Corridor Precinct in the Auckland Unitary Plan (Operative in Part) (Auckland Unitary Plan). A map of its location is included in Attachment A.
3. The plan change extends the Hobsonville Corridor Precinct to include the land zoned Light Industry south of the operative precinct area. It includes text and diagram amendments to address transport, urban design and stormwater issues within the precinct. It also includes zone changes to reflect areas of council owned open space and designation boundaries. The plan change also applies the Stormwater Management Area: Flow 1 control to parts of the precinct.
4. The proposed plan change was publicly notified on 24 May 2018. A total of 19 submissions and five further submissions were received. A hearing was held on 29 and 30 November 2018. The submissions were heard by Independent Commissioners and the council released its decision on 23 May 2019. No appeals were received, and the plan change can now be made operative.
5. All mana whenua entities that were identified to have an interest in the area were consulted prior to public notification of Plan Change 12. Pre-notification meetings were attended by representatives from Te Kawerau ā Maki and Ngāti Whātua o Kaipara. Comments from these meetings helped to inform the draft proposed plan change. All mana whenua with an interest were sent formal notification of the plan change on 24 May 2018. No submissions were received from mana whenua.
6. The Upper Harbour Local Board was consulted during the preparation of the draft plan change. The local board was advised of the public notification of the plan change on 24 May 2018.
7. The plan change can now be made operative.

Ngā tūtohunga
Recommendation/s
That the Planning Committee:


b) request staff to complete the necessary statutory processes to publicly notify the date on which the plan change becomes operative as soon as practicable, in accordance with the requirements in clause 20(2) of Schedule 1 of the Resource Management Act 1991.
Horopaki

Context

8. Plan Change 12 expands the existing boundary of the I603 Hobsonville Corridor Precinct in the Auckland Unitary Plan (Operative in Part). It adds a new Sub-precinct C on land adjacent to the existing precinct. This sub-precinct addresses urban design and transport issues for this area, which is zoned Light Industry in the Auckland Unitary Plan (Operative in Part). The plan change also includes a number of technical changes to the text and diagrams for the existing precinct area. A map of its location is included at Attachment A.

9. Plan Change 12 also includes a small amount of rezoning, affecting land in both the operative precinct and the new proposed sub-precinct. This rezoning updates zone boundaries to align with land ownership and designation boundaries. It also applies the Stormwater Management Area Flow Control-1 to parts of the precinct, including in the new proposed sub-precinct.

10. The proposed plan change was publicly notified on 24 May 2018. A total of 19 submissions and five further submissions were received. A hearing was held on 29 and 30 November 2018 where 12 submitters were heard by Independent Commissioners.

11. Following the hearing, the Commissioners requested that further work be undertaken by submitters and staff from the Plans and Places Department. This work was provided to the Hearings Commissioners in December 2018 and January 2019 for their consideration.

12. Council released the decision on 23 May 2019. The decision, which contains the text, diagram and map changes for Plan Change 12 can be read on the Council website at PC 12. The decision confirms the addition of a new Sub-precinct C on land adjacent to the existing precinct. The decision confirms the provisions that address urban design, storm water and transport issues for this area. The decision also confirms a number of technical changes to the text and diagrams for the existing precinct area.

13. No appeals were received, and the plan change can now be made operative.

Tātaritanga me ngā tohutohu

Analysis and advice


15. Clause 17(2) states that ‘a local authority may approve part of a policy statement or plan, if all submissions or appeals relating to that part have been disposed of’. There were no appeals received and council can now approve the plan change.

16. Clause 20 of Schedule 1 sets out the process that is required to be undertaken for the notification of the operative date. Plans and Places staff will notify the operative date as soon as possible following the Planning Committee’s resolution.

Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera

Council group impacts and views

17. The plan change was led by the Plans and Places Department. Specialist advice was received from staff in the Auckland Design Office, Healthy Waters and Auckland Transport. These specialists provided advice during the preparation of the proposed plan change and its supporting section 32 report and to inform the response to the submissions at the hearing.
Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe
Local impacts and local board views
18. The Upper Harbour Local Board was engaged during the preparation of the plan change. The local board was briefed in November 2017 when consultation was undertaken on the draft plan change.
19. The Upper Harbour Local Board was also advised of the public notification of the proposed plan change on 24 May 2018. The local board supported the plan change.

Tauākī whakaaweawe Māori
Māori impact statement
20. All mana whenua entities that were identified to have an interest in the area were consulted prior to public notification of Plan Change 12. Pre-notification meetings were attended by representatives from Te Kawerau ā Maki and Ngāti Whātua o Kaipara. Comments from these meetings helped to inform provisions relating to the protection of the Rawiri Stream environment and the inclusion of assessment criteria relating to native eco-sourced tree species within the draft proposed plan change.
21. All mana whenua with an interest were sent formal notification of the plan change on 24 May 2018. No submissions were received from mana whenua.

Ngā ritenga ā-pūtea
Financial implications
22. There are no financial implications associated with making the plan change operative.

Ngā raru tūpono me ngā whakamaurutanga
Risks and mitigations
23. There are no risks associated with making the plan change operative.

Ngā koringa ā-muri
Next steps
24. The final step in making the plan change operative is to publicly notify the date on which it will become operative, and to update the Auckland Unitary Plan.

Ngā tāpirihanga
Attachments

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Ngā kaihaina
Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Lisa Roberts - Planner</th>
</tr>
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<tbody>
<tr>
<td>Authorisers</td>
<td>John Duguid - General Manager - Plans and Places</td>
</tr>
<tr>
<td></td>
<td>Megan Tyler - Chief of Strategy</td>
</tr>
</tbody>
</table>
Attachment A – Plan Change Location

Plan Change Location
Te take mō te pūrongo
Purpose of the report
1. To make the Redhills Precinct operative in the Auckland Unitary Plan (Operative in Part).

Whakarāpopototanga matua
Executive summary
2. The Environment Court has resolved three appeals to the Auckland Unitary Plan (Operative in Part) by consent order. The consent order has been provided by the Court following an extensive mediation process with the three appellants (Bunnings Limited, the National Trading Company of New Zealand Limited, and the C N Barbour Family Trust) and several other parties to the appeals.

3. The consent order confirms new locations for arterial road intersections on the edge of the Redhills Precinct at Fred Taylor Drive, Don Buck Road and Henwood Road (refer Attachment A). These new intersection locations have been analysed by traffic modelling to assess their effects on the wider transport network, and the modelling results indicate that any effects can be mitigated. The new intersection locations satisfy the three appellants, and all the other parties to the appeals.

Ngā tūtohunga
Recommendation/s
That the Planning Committee:

a) note that section 152 of the Local Government (Auckland Transitional Provisions) Act 2010 deems those parts of the proposed Auckland Unitary Plan no longer under appeal to have been approved by the council under clause 17(1) of Schedule 1 of the Resource Management Act.

b) request staff to publicly notify the Redhills Precinct of the Auckland Unitary Plan as operative in accordance with clause 20(1) of Schedule 1 of the Resource Management Act.

Horopaki
Context
4. In September 2016, Auckland Council received 108 appeals (67 Environment Court, 41 High Court, and eight judicial reviews) against the council’s decisions on the Proposed Auckland Unitary Plan. Of these, three appeals to the Environment Court were lodged against a decision of council that included provisions for the development of the Redhills Precinct in the Auckland Unitary Plan (Operative in Part). These appeals were from Bunnings Limited, the National Trading Company of New Zealand Limited, and the C N Barbour Family Trust.

5. The decision that was appealed was council’s acceptance of an out of scope recommendation made by the Independent Hearing Panel. That decision related to the location of indicative intersections for arterial road alignments within the Redhills Precinct. The appellants considered that the intersection locations adversely affected them.
6. Environment Court mediation was held on 1 and 19 February, 5 March and 11 April 2018. Auckland Transport assessed several possible arterial road alignments for the whole of the Redhills Precinct.

7. These assessments (including traffic modelling) identified that the arterial road that was to join to the existing Don Buck Road roundabout should be shifted to intersect with both Baker Lane and Dunlop Road. This means that where there was one arterial there will now be two arterial roads. The Baker Lane arterial is anticipated to be the vehicle arterial route to the motorway system at Westgate. The Dunlop Road arterial is anticipated to be the public transport route into Westgate Metropolitan Centre and the public transport facilities that the Centre contains. In the west, the intersection of an arterial with Henwood Road has been relocated to avoid several residential buildings. These alignments are illustrated on Attachment A. These revised intersection locations are supported by the three appellants. All other parties to these appeals also support the revised intersection locations. This means that the consent order settles the three appeals in full.

8. Section 152 of the Local Government (Auckland Transitional Provisions) Act 2010 (LGATPA) deems those parts of the proposed Auckland Unitary Plan that are no longer under appeal to have been approved by the council under clause 17(1) of Schedule 1 of the Resource Management Act. All that remains is for council to publicly notify (under Section 160 of the LGATPA) the date on which the Redhills Precinct becomes operative.

Tātaritanga me ngā tohutohu
Analysis and advice

9. The revised intersection locations that have been agreed mean that the two arterial roads follow the route of both Dunlop Road and Baker Lane. They both intersect with Fred Taylor Drive north of the Don Buck Road roundabout. The previous alignment (where the one arterial road would join directly to Don Buck Road roundabout) is no longer supported.

10. The revised intersection locations will mean that (in the east) Te Oranui Way will not need to be closed, which addresses the concerns of Bunnings and the National Trading Company. The revised intersections and arterial alignments for Baker Lane and Dunlop Road are both located on Universal Homes’ land, and it supports these alignments. The revised intersection location on Henwood Road satisfies the appeal by Barbour, and it is supported by the parties to the Barbour appeal as their residences will no longer be adversely affected.

Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera
Council group impacts and views

11. The Environment Court appeals were resolved by council in conjunction with specialist advice from both Auckland Transport and Watercare Services Limited. Both support the Redhills Precinct provisions that are contained within the consent order.

Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe
Local impacts and local board views

12. The Henderson Massey Local Board was engaged during the preparation of the Proposed Auckland Unitary Plan. The local board was briefed on these three appeals in 2017, when the resolution of the appeals was commencing. Local board views were not sought for this report as this process is a procedural matter.

Tauākī whakaaweawe Māori
Māori impact statement

13. Impacts on Māori have been considered throughout the process of developing and hearing the Auckland Unitary Plan (Operative in Part). The final step in making the Redhills Precinct operative in the Auckland Unitary Plan (Operative in Part) is a procedural matter and therefore does not have any impact on Māori.
Ngā ritenga ā-pūtea  
Financial implications
14. There are no financial implications associated with making the Redhills Precinct operative.

Ngā raru tūpono me ngā whakamaurutanga  
Risks and mitigations
15. There are no risks associated with making the Redhills Precinct operative. The Precinct provisions are now beyond challenge, and the Environment Court has disposed of all appeals relating to these provisions.

Ngā koringa ā-muri  
Next steps
16. The final step in making the Redhills Precinct operative is to publicly notify the date on which it will become operative, and to update the Auckland Unitary Plan (Operative in Part).

Ngā tāpirihanga  
Attachments

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<td>John Duguid - General Manager - Plans and Places</td>
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</tr>
<tr>
<td>Megan Tyler - Chief of Strategy</td>
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Redhills Precinct: Precinct plan 1 - Overlaid on Auckland Unitary Plan (Operative in Part) Zoning. For information only. This does not form part of the Auckland Unitary Plan.
Auckland Unitary Plan (Operative in Part) - Request to make Plan Change 7 operative in part: Additions to Schedule 14 Historic Heritage

File No.: CP2019/11077

Te take mō te pūrongo
Purpose of the report

1. To make operative in part Plan Change 7: Additions to Schedule 14 Historic Heritage to the Auckland Unitary Plan (Operative in Part).

Whakarāpopototanga matua
Executive summary

2. In November 2017 the Planning Committee approved the public notification of a proposed plan change to add new historic heritage places to Schedule 14 Historic Heritage Schedule, Statements and Maps of the Auckland Unitary Plan (operative in part) (the Unitary Plan), known as Plan Change 7 (PLA/2017/149).

3. Plan Change 7 sought to recognise the values of 49 significant historic heritage places by adding them to Schedule 14 and the Unitary Plan maps. Plan Change 7 was notified on 16 November 2017, submissions were heard in September 2018, and the decision on the plan change was notified on 12 April 2019. The decision was to add 44 historic heritage places to Schedule 14.

4. It is recommended that Plan Change 7 be made operative in part and that the 41 historic heritage places proposed to be added to Schedule 14 by Plan Change 7 that are not subject to either an appeal, or to the provisions of the regional coastal plan, are made operative. These places are listed in Attachment A to this report.

5. The period for lodging appeals to Plan Change 7 has closed and two appeals have been received. The appeals are from Housing New Zealand Corporation (in relation to the First State Pensioner Housing at 6-12 Pelham Avenue, Point Chevalier) and WL Property Investment Limited (in relation to the Bridgens and Company shoe factory (former) at 326 New North Road, Kingsland).

6. There is one historic heritage place in Plan Change 7 that is located partly in the Coastal Marine Area (CMA), being the Richmond Yacht Club (former)/Herne Bay Cruising Club at Sloanes Beach in Herne Bay. This place is shown in Attachment B. The addition of this place to Schedule 14 means it is subject to the regional coastal plan provisions of the Unitary Plan. Section 28 of the Resource Management Act 1991 (the Act) requires the Minister of Conservation to approve regional coastal plans before such plans can be made operative.

7. The Planning Committee can adopt the proposed addition of the historic heritage place that is located in the CMA to Schedule 14 and refer this to the Minister of Conservation for approval.

8. The appeals on Plan Change 7 and the addition of the historic heritage place located in the CMA are discrete issues. Approval to make these parts of Plan Change 7 operative will be sought separately, at a later date.
Ngā tūtohunga
Recommendation/s

That the Planning Committee:

a) approve the proposed amendments to the Auckland Unitary Plan (Operative in Part) under Plan Change 7: Additions to Schedule 14 Historic Heritage that are not subject to an appeal or subject to the provisions of the regional coastal plan, being the addition of 41 places set out in Attachment A to the agenda report.

b) adopt the proposed addition of the Richmond Yacht Club (former)/Herne Bay Cruising Club to Schedule 14 of the Auckland Unitary Plan (Operative in Part), subject to the provisions of the regional coastal plan, and refer to the Minister of Conservation for approval.

c) request staff to undertake the steps in Schedule 1 of the Resource Management Act 1991 to make operative in part Plan Change 7 to the Auckland Unitary Plan (Operative in Part).

d) request staff to undertake the steps in Schedule 1 of the Resource Management Act 1991 to make the parts of Plan Change 7 to the Auckland Unitary Plan (Operative in Part) subject to the provisions of the regional coastal plan operative once they are approved by the Minister of Conservation.

Horopaki
Context

9. Plan Change 7 seeks to recognise the values of several significant historic heritage places by adding them to Schedule 14 and the plan maps.

10. In November 2017 the Planning Committee approved Plan Change 7 for public notification (Resolution number PLA/2017/149). Schedule 1 of the Act sets out the process for a change to a policy statement or plan. Following Schedule 1 of the Act, Plan Change 7 was:

- publicly notified on 16 November 2017
- open for public submissions until 9 February 2018
- open for further submissions until 4 May 2018
- heard by independent commissioners for three days in September 2018
- decision was publicly notified on 12 April 2019.

11. Independent commissioners were delegated the authority to make decisions on Plan Change 7 by the Regulatory Committee in June 2018 (Resolution number REG/2018/45).

12. The Plan Change 7 decision is available on the council’s website. The decision was to add 44 historic heritage places to Schedule 14 of the Unitary Plan. This number reflects:

- the withdrawal of that part of Plan Change 7 that sought to add the Waiuku Town Centre Historic Heritage Area to Schedule 14
- the decision supporting the council officers’ recommendations that three historic heritage places were not added to Schedule 14, being Auckland’s First State House at 146 Coates Avenue, Orakei, Goldsbro’ residence (former) at 66-68 Gillies Avenue, Epsom, and St Cuthbert’s College at 130 Market Road, Epsom
- the decision supporting the submissions from the owners of two historic heritage places (the Auckland Savings Bank – Greenlane branch (former) at 366 Great South Road, Greenlane and the former Wiseman residence at 89 Ranfurly Road, Epsom) that the places be deleted from the plan change and not be identified in the Unitary Plan’s historic heritage schedule
• the decision supporting the submission from the owner of the former Butler House at 3 Otahuri Crescent, Remuera, who sought this place be added to the historic heritage schedule. This place was not included in Plan Change 7 as notified but the independent commissioners decided the submission was within the scope of Plan Change 7 and that the house was worthy of incorporation into Schedule 14.

13. The period for lodging appeals to Plan Change 7 in the Environment Court has closed and two appeals have been received. These appeals relate to two historic heritage places included in Plan Change 7, as outlined below.

14. There is one historic heritage place subject to Plan Change 7 that is located partly in the CMA and therefore subject to the provisions of the regional coastal plan section of the Unitary Plan. This place is shown in Attachment B. Amendments to regional coastal plan provisions cannot be made operative until they are approved by the Minister of Conservation.

15. It is recommended that the 41 historic heritage places proposed to be added to Schedule 14 by Plan Change 7 that are not subject to an appeal or to the provisions of the regional coastal plan are made operative. These places are listed in Attachment A to this report.

16. The following parts of Plan Change 7 should not be made operative at this time:
   • proposed amendments subject to appeal (outlined below), and
   • the proposed amendment related to the historic heritage place subject to the provisions of the regional coastal plan as identified in Attachment B.

17. The proposed addition of the remaining 41 places subject to Plan Change 7 is submitted to the Committee for approval, and to be made operative.

18. The appeals and the proposed addition of the Richmond Yacht Club (former)/Herne Bay Cruising Club, which is located in the CMA, to Schedule 14 are discrete issues. These parts of Plan Change 7 will be reported to the Planning Committee to be made operative separately, at a later date.

Appeal from WL Property Investment Limited

19. WL Property Investment Limited lodged an appeal to relating to the addition of the Bridgens and Company shoe factory (former) at 325 New North Road, Kingsland (ID 02808) as a category B place to Schedule 14.1 Schedule of Historic Heritage of the Unitary Plan (Schedule 14.1). The appeal seeks a reduction in the Historic Heritage Overlay Extent of Place and/or to identify the windows and window frames in the existing window openings along the western façade of the building as exclusions to the scheduling of the former shoe factory.

Appeal from Housing New Zealand Corporation

20. The appeal from the Housing New Zealand Corporation (Housing NZ) relates to the addition of the First State Pensioner Housing at 6-12 Pelham Avenue, Point Chevalier (ID 02812) as a category B place to Schedule 14.1. Housing NZ seeks that the First State Pensioner Housing be deleted from Schedule 14.1 and the plan maps.

Regional coastal plan amendments require approval by the Minister of Conservation

21. There is one historic heritage place subject to Plan Change 7 that is located in the CMA and is therefore subject to the regional coastal plan provisions. This place is identified in Attachment B.

22. As per section 28 of the Act, any amendments to the regional coastal plan require the approval of the Minister of Conservation before the amendments can be made operative.
23. The committee can adopt the regional coastal plan amendments and refer these to the Minister of Conservation for final approval.

**Tātaritanga me ngā tohutohu**

**Analysis and advice**

24. As this report is procedural in nature, no further analysis and advice is given.

**Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera**

**Council group impacts and views**

25. As part of the development of Plan Change 7, organisations within the council group were advised prior to public notification of the plan change where the proposed addition of historic heritage places affected properties within their management and/or ownership. The organisations were invited to provide feedback on the plan change. Formal feedback was received from Auckland Transport and Watercare.

26. Auckland Transport made a submission on Plan Change 7. Amendments to the plan change were recommended by the reporting officer in response to Auckland Transport’s submission and were included in the decisions on the plan change.

**Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe**

**Local impacts and local board views**

27. As part of the development of Plan Change 7, local boards were advised of the public notification of the plan change and were invited to provide feedback. Formal feedback was received from three local boards: Franklin, Ōrākei, and Waitematā.

28. Part of the plan change was withdrawn in response to the concerns raised by the Franklin Local Board.

**Tauākī whakaaweawe Māori**

**Māori impact statement**

29. All the historic heritage places included in Plan Change 7 were identified primarily for their built heritage values. None of the places are identified as being places of interest or significance to Maori.

30. As part of the development of Plan Change 7 staff:
   - sent a letter to all 19 iwi authorities on 24 July 2017 to signal the proposed plan change was being developed and to determine interest in consulting on the plan change, and
   - sent the draft proposed plan change to iwi authorities in September 2017 for feedback in accordance with Clause 4 of Schedule 1 of the Act.

31. Four iwi authorities (Ngāti Whātau o Orākei, Manuhiri Kaitiaki Charitable Trust, Waiohua – Te Ahiwaru – Makaurau, and Te Kawerau Iwi Tribal Authority and Settlement Trust) responded and sought further information on the plan change, which was provided. Council staff met representatives from Waiohua – Te Ahiwaru – Makaurau and Te Kawerau Iwi Tribal Authority and Settlement Trust to discuss the draft proposed plan change. No amendments were sought to the draft proposed plan change during these discussions.

32. No submissions were received from iwi authorities during the public notification process.

**Ngā ritenga ā-pūtea**

**Financial implications**

33. There are no financial implications associated with making this plan change operative in part.
Ngā raru tūpono me ngā whakamaurutanga

Risks and mitigations

34. There are no risks associated with making this plan change operative in part.

Ngā koringa ā-muri

Next steps

35. The amendments proposed by Plan Change 7 are currently annotated as such in the Unitary Plan (both in the text and plan maps). Staff will incorporate amendments from the decision on Plan Change 7 into the Unitary Plan (text and maps) and remove and/or amend annotations by 16 August 2019. The proposed amendments subject to appeal and the regional coastal plan provisions awaiting ministerial approval will remain annotated until these are resolved and approved, respectively.

36. The part of Plan Change 7 that is subject to the regional coastal plan will be sent to the Minister of Conservation for approval.

Ngā tāpirihanga

Attachments

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<td>B</td>
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Ngā kaihaina

Signatories

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<tr>
<th>Author</th>
<th>Emma Rush - Senior Advisor Special Projects</th>
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<tr>
<td>Authorisers</td>
<td>John Duguid - General Manager - Plans and Places</td>
</tr>
<tr>
<td></td>
<td>Megan Tyler - Chief of Strategy</td>
</tr>
</tbody>
</table>
Attachment A

Historic heritage places subject to Plan Change 7 to the Auckland Unitary Plan (operative in part)

Amendments to Chapter L: Schedule 14.1 Historic Heritage decisions version

Notes:
1. Only the entries in Plan Change 7 are shown
2. The historic heritage places that are subject to appeals and to the provisions of the Auckland Unitary Plan (operative in part) regional coastal plan are not shown
## Table 1 Historic Heritage Places

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<th>Heritage Values</th>
<th>Extent of Place</th>
<th>Exclusions</th>
<th>Additional Rules for Archaeological Sites or Features</th>
<th>Place of Māori Interest or Significance</th>
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<tr>
<td>02785</td>
<td>Gyzren Hannah Building (former) Armishaws Building</td>
<td>98-102 Albert Street, Auckland Central</td>
<td>Pt Lot 9 DP 4267; road reserve</td>
<td>B</td>
<td>Building</td>
<td>A,F,G,H</td>
<td>Refer to planning maps</td>
<td>Interior of building(s)</td>
<td>reheated by planning maps</td>
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<td>02786</td>
<td>St Paul’s Anglican Church</td>
<td>581-583 Buckland Road, Buckland</td>
<td>Pt Allot 9 Parish Pukakaka District</td>
<td>B</td>
<td>Church</td>
<td>A,B,F,G</td>
<td>Refer to planning maps</td>
<td>Rear accessory building</td>
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<td>02787</td>
<td>Royal New Zealand Air Force Hobsonville Headquarters and Parade Ground (former)</td>
<td>135 and 214 Buckley Avenue, Hobsonville</td>
<td>Lot 11 DP 484575; Section 1 SO 490900; road reserve</td>
<td>B</td>
<td>1939 headquarters building</td>
<td>A,B,F,H</td>
<td>Refer to planning maps</td>
<td>Interior of building(s); corrugated iron awning; wooden steps; sculptures in Parade Ground</td>
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<td>02788</td>
<td>Papakura Centennial Restrooms and Plunket Rooms (former)</td>
<td>Village Green, 35 Coles Crescent, Papakura</td>
<td>Allot 4A Sec 2 Village Papakura</td>
<td>B</td>
<td>Restroom building</td>
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<td>W H Murray shoe factory (former)</td>
<td>28 Crammer Road, Grey Lynn</td>
<td>Lot 18 Sec 4 DP 242; road reserve</td>
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<td>Factory building</td>
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<td>02791</td>
<td>Ponsonby Primary School Senior Block</td>
<td>Ponsonby Primary School, 50 Curran Street, Herne Bay</td>
<td>Pt Allot 9 Sec 8 Suburbs Auckland</td>
<td>B</td>
<td>1922 school building</td>
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<td>8-18 Darby Street, Auckland Central</td>
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<td>The Church of Ascension (former)</td>
<td>11 Dignan Street, Point Chevalier</td>
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<td>Church building</td>
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<td>Former residence</td>
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<td>Pasadena Buildings</td>
<td>1041 and 1043-1049 Great North Road, Point Chevalier</td>
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<td>Pasadena Buildings</td>
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<td>1210 Great North Road, Point Chevalier</td>
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<td>1930 building footprint</td>
<td>A,F,G,H</td>
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<td>A,B,F,H</td>
<td>Refer to planning maps</td>
<td>Interior of building(s); aluminium roller door; Rosebank Road verandah; corrugated iron lean-to</td>
<td></td>
<td></td>
</tr>
<tr>
<td>02800</td>
<td>Papakura Presbyterian Church complex</td>
<td>67 Great South Road and 2 Coles Crescent, Papakura</td>
<td>Pt Allot 14 DP 22333, Lot 1 DP 22626, Lot 2 DP 22625</td>
<td>B</td>
<td>1859 church; 1926 church</td>
<td>A,B,F,G</td>
<td>Refer to planning maps</td>
<td>Additions to the 1926 church, including ramps; buildings and structures other than the primary features</td>
<td></td>
<td></td>
</tr>
<tr>
<td>02801</td>
<td>Papakura-Karaka War Memorial</td>
<td>278 Great South Road, Papakura</td>
<td>Allot 115 Sec 11 Village Papakura; road reserve</td>
<td>B</td>
<td>World War I memorial structure</td>
<td>A,B,F,G,H</td>
<td>Refer to planning maps</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>02803</td>
<td>Royal New Zealand Air Force Institute Building (former)</td>
<td>137 Hudson Bay Road, Hobsonville</td>
<td>Sec 3 GO 480000</td>
<td>B</td>
<td>Building</td>
<td>A,B</td>
<td>Refer to planning maps</td>
<td>Interior of building(s)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>02804</td>
<td>St David’s Presbyterian Church</td>
<td>70 Khyber Pass Road, Grafton</td>
<td>Pt Allot 7 Sec 3 Suburbs Auckland</td>
<td>A</td>
<td>Church</td>
<td>A,B,D,E,F,G,H</td>
<td>Refer to planning maps</td>
<td>Interior of lower floor, except the chapel (at north of church); the stairs connecting the ground floor to the upper floor; and the ground floor lobby</td>
<td></td>
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<tr>
<td>02805</td>
<td>Olesen’s Buildings</td>
<td>237-241 Manukau Road, Epsom</td>
<td>Lot 2 DP 53250; road reserve</td>
<td>B</td>
<td>Olesen’s Buildings</td>
<td>A,F,G</td>
<td>Refer to planning maps</td>
<td>Interior of building(s); rear timber stairs and railings</td>
<td></td>
<td></td>
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<tr>
<td>02807</td>
<td>Franklin County Council Chambers (former)</td>
<td>13 Massey Avenue, Pukekohe</td>
<td>Lot 1 DP 49316; road reserve</td>
<td>B</td>
<td>Council chambers</td>
<td>A,F,H</td>
<td>Refer to planning maps</td>
<td>Interior of building(s)</td>
<td></td>
<td></td>
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<tr>
<td>ID</td>
<td>Place Name and/or Description</td>
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<td>Verified Legal Description</td>
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<tr>
<td>02809</td>
<td>Mount Albert Borough Council Chambers (former)</td>
<td>615 New North Road, Kingsland</td>
<td>Lot 1 DP 72255</td>
<td>B</td>
<td>Original building</td>
<td>A,B</td>
<td>Refer to planning maps</td>
<td>Interior of building(s); north-west addition; front porch addition; front access ramp including railings</td>
<td></td>
<td></td>
</tr>
<tr>
<td>02810</td>
<td>Mount Albert War Memorial Hall</td>
<td>Mount Albert War Memorial Reserva, 773 New North Road, St Lukes</td>
<td>Pt Allot 171 Sec 10 Sbrs of Auckland</td>
<td>B</td>
<td>Memorial hall</td>
<td>A,B,F,G</td>
<td>Refer to planning maps</td>
<td>Interior of basement; kitchen and toilets; park infrastructure and furniture</td>
<td></td>
<td></td>
</tr>
<tr>
<td>02813</td>
<td>Residence</td>
<td>6 Peverill Crescent, Papatoetoe</td>
<td>Lot 34 DP 16250, Part Lot 20 DP 13242</td>
<td>B</td>
<td>Residence</td>
<td>F,G</td>
<td>Refer to planning maps</td>
<td>Interior of building(s); accessory buildings; 1968 carpent</td>
<td></td>
<td></td>
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<tr>
<td>02814</td>
<td>Point Chevaller Fire Station (former)</td>
<td>59 Point Chevaller Road, Point Chevaller</td>
<td>Lot 229 DP 8813; road reserve</td>
<td>B</td>
<td>Original two storey fire station building</td>
<td>A,B,F,G</td>
<td>Refer to planning maps</td>
<td>Interior of building(s); ablution block; storage/utility building</td>
<td></td>
<td></td>
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<tr>
<td>02815</td>
<td>Point Chevaller Police Station and residence (former)</td>
<td>399 Point Chevaller Road, Point Chevaller</td>
<td>Lot 9 DP 17996</td>
<td>B</td>
<td>Residence</td>
<td>A,F,H</td>
<td>Refer to planning maps</td>
<td>Interior of building(s)</td>
<td></td>
<td></td>
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<tr>
<td>02816</td>
<td>St Andrew’s Anglican Church complex</td>
<td>31 Queen Street, Pukekohe</td>
<td>Lot 2 DP 86991</td>
<td>B</td>
<td>Church; vicarage; memorial arch</td>
<td>A,B,F,G,H</td>
<td>Refer to planning maps</td>
<td>Interior of vicarage; accessory buildings to rear of vicarage</td>
<td></td>
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<tr>
<td>02818</td>
<td>Greenlee (former)</td>
<td>103 Richardson Road, Owairaka</td>
<td>Lot 2 DP 52114</td>
<td>B</td>
<td>Former residence</td>
<td>A,F,G,H</td>
<td>Refer to planning maps</td>
<td>Interior of building(s); addition to north-west elevation of house; accessory buildings</td>
<td></td>
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<tr>
<td>ID</td>
<td>Place Name and/or Description</td>
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<td>Heritage Values</td>
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<tr>
<td>02819</td>
<td>Richmond Road Manual Training School (former)</td>
<td>Richmond Road School, 113-127 Richmond Road, Parnsonby</td>
<td>Lot 66 Deeds Reg Blue W; Lot 68 Deeds Reg Blue W</td>
<td>B</td>
<td>Manual training building</td>
<td>A,B,F,G,H</td>
<td>Refer to planning maps</td>
<td>Interior of building(s); extensions to eastern elevation</td>
<td></td>
<td></td>
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<tr>
<td>02820</td>
<td>Rugby Buildings</td>
<td>61-65 Sandringham Road, Kingsland</td>
<td>Lot 77 DP 17712; Lot 78 DP 17712; road reserve</td>
<td>B</td>
<td>Rugby Buildings</td>
<td>A,F,G,H</td>
<td>Refer to planning maps</td>
<td>Interior of buildings; rear sun sails</td>
<td></td>
<td></td>
</tr>
<tr>
<td>02821</td>
<td>Newmarket Manual Training School (former)</td>
<td>Newmarket Primary School, 6A Seccomes Road, Epsom</td>
<td>Pt Allot 34 Sec 6 Suburbs Auckland</td>
<td>B</td>
<td>Manual training building</td>
<td>A,B,F,G</td>
<td>Refer to planning maps</td>
<td>Interior of building(s)</td>
<td></td>
<td></td>
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<tr>
<td>02822</td>
<td>Onehunga Manual Training School (former)</td>
<td>84 Selwyn Street, Onehunga</td>
<td>Lot 2 DP 21383</td>
<td>B</td>
<td>Manual training building</td>
<td>A,F,H</td>
<td>Refer to planning maps</td>
<td>Interior of building(s)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>02824</td>
<td>New Zealand Shipping Company, Farmer's Cooperative Auctioneering Company and North Auckland Farmers' Co-operative Ltd warehouses (former)</td>
<td>117-125 St Georges Bay Road and 7-11 Kenwyn Street, Parnell</td>
<td>Lot 1 DP 12297; Lot 2 DP 12297; Lot 3 DP 12297; road reserve</td>
<td>B</td>
<td>Warehouses</td>
<td>A,F,H</td>
<td>Refer to planning maps; extent of place extends 2m from the building on all sides</td>
<td>Interior of building(s); structures that are not the primary feature; window canopies and street trees</td>
<td></td>
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<tr>
<td>02825</td>
<td>Lavington (former)</td>
<td>33 St Stephens Avenue, Parnell</td>
<td>Lot 1 DP 145079</td>
<td>B</td>
<td>Residence</td>
<td>A,F,G</td>
<td>Refer to planning maps</td>
<td>Interior of building(s)</td>
<td></td>
<td></td>
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<tr>
<td>02826</td>
<td>Mount Eden Croquet Club (former) and Mount Eden Bowling Club</td>
<td>Nicolson Park, 17 Stokes Road, Mount Eden</td>
<td>Pt Allot 49 Sec 6 Suburbs Auckland</td>
<td>B</td>
<td>Croquet pavilion; bowling pavilion</td>
<td>A,B,F,G,H</td>
<td>Refer to planning maps</td>
<td>Interior of building(s); additions to bowling pavilion; modern timber decking; later bowling green shelters; plastic seating around</td>
<td></td>
<td></td>
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<tr>
<td>ID</td>
<td>Place Name and/or Description</td>
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<td>Category</td>
<td>Primary Feature</td>
<td>Heritage Values</td>
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<tr>
<td>02827</td>
<td>Spooner Cottage (The Anchorage) (former)</td>
<td>347 Tamaki Drive, St Heliers</td>
<td>Lot 2 DP 21646</td>
<td>B</td>
<td>Cottage</td>
<td>A,F</td>
<td>Refer to planning maps</td>
<td>Interior of building(s); all buildings and structures except primary feature</td>
<td></td>
<td></td>
</tr>
<tr>
<td>02828</td>
<td>Mountain Court</td>
<td>4 Vines Road, Mount Eden</td>
<td>Lot 5 DP 20954; Lot 6 DP 20954</td>
<td>B</td>
<td>Apartment buildings</td>
<td>F,G,H</td>
<td>Refer to planning maps</td>
<td>Interior of building(s)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>02829</td>
<td>Saint Patrick’s School (former)</td>
<td>59 Wellington Street, Freemans Bay</td>
<td>Lot 2 DP 443606</td>
<td>B</td>
<td>Original school building</td>
<td>A,B,F,G,H</td>
<td>Refer to planning maps</td>
<td>Interior of building(s); rear timber deck; 1902 portico entrance on western elevation</td>
<td></td>
<td></td>
</tr>
<tr>
<td>02830</td>
<td>Papakura Old Central School</td>
<td>Central Park Reserve, 57 Wood Street, Papakura</td>
<td>Allot 205 Sec 11 Village Papakura</td>
<td>B</td>
<td>Building</td>
<td>A,B,G</td>
<td>Refer to planning maps</td>
<td>Interior of building(s)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>02831</td>
<td>Papakura Courthouse and lockup (former)</td>
<td>59R Wood Street, Papakura</td>
<td>Allot 226 Sec 11 Village Papakura; Allot 227 Sec 11 Village Papakura</td>
<td>B</td>
<td>Courthouse; lockup</td>
<td>A,F</td>
<td>Refer to planning maps</td>
<td>Interior of building(s)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>02835</td>
<td>Butler House (former)</td>
<td>3 Otahuri Crescent, Remuera</td>
<td>Lot 30 DP 21896</td>
<td>B</td>
<td>Residence</td>
<td>F</td>
<td>Refer to planning maps</td>
<td>Interior of building(s); relocated garage</td>
<td></td>
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### TABLE 2: HISTORIC HERITAGE AREAS

<table>
<thead>
<tr>
<th>ID</th>
<th>Area Name and/or Description</th>
<th>Verified Location</th>
<th>Heritage Values</th>
<th>Extent of Place</th>
<th>Exclusions</th>
<th>Additional Controls for Archaeological Sites or Features</th>
<th>Place of Maori Interest or Significance</th>
<th>Contributing Sites/Features</th>
<th>Non-contributing Sites/Features</th>
</tr>
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<tbody>
<tr>
<td>02832</td>
<td>Winstone Model Homes Historic Heritage Area</td>
<td>Refer to planning maps; area includes part of Eldon Road, Balmoral Road and Cambourne Road, Balmoral</td>
<td>A,E,F,G,H</td>
<td>Refer to planning maps</td>
<td>Interiors of all buildings contained within the extent of place unless otherwise identified in another scheduled historic heritage place; stand-alone accessory buildings or garages built after 1940</td>
<td>Refer to Schedule 14.2.14</td>
<td>Refer to Schedule 14.2.14</td>
<td></td>
<td></td>
</tr>
<tr>
<td>02834</td>
<td>Point Chevalier Shops Historic Heritage Area</td>
<td>Refer to planning maps; area includes part of Point Chevalier Road, Point Chevalier</td>
<td>A,B,F,G,H</td>
<td>Refer to planning maps</td>
<td>Interiors of all buildings contained within the extent of place unless otherwise identified in another scheduled historic heritage place; fences and boundary walls built after 1935; stand-alone accessory buildings or garages built after 1935</td>
<td>Refer to Schedule 14.2.16</td>
<td>Refer to Schedule 14.2.16; rear addition behind 149-153 Point Chevalier Road; 1970s house at 177A Point Chevalier Road; covered terrace at the north side of 167 Point Chevalier Road; 1980s two-storey rear addition behind 179 Point Chevalier Road; 1970s rear addition behind 328-332 Point Chevalier Road.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Attachment B

Historic heritage places subject to Plan Change 7 to the Auckland Unitary Plan (operative in part) that are located in the Coastal Marine Area

Amendments to Chapter L: Schedule 14.1 Historic Heritage decisions version

Notes:
1. Only the historic heritage places in Plan Change 7 that are subject to the provisions of the regional coastal plan are shown

<table>
<thead>
<tr>
<th>ID</th>
<th>Place Name and/or Description</th>
<th>Verified Location</th>
<th>Verified Legal Description</th>
<th>Category</th>
<th>Primary Feature</th>
<th>Heritage Values</th>
<th>Extent of Place</th>
<th>Exclusions</th>
<th>Additional Rules for Archaeological Sites or Features</th>
<th>Place of Maori Interest or Significance</th>
</tr>
</thead>
<tbody>
<tr>
<td>02823</td>
<td>Richmond Yacht Club (former) / Herne Bay Cruising Club</td>
<td>Sloanes Beach, Short Street, Herne Bay</td>
<td>CMA</td>
<td>B</td>
<td>Building</td>
<td>A, G, H</td>
<td>Refer to planning maps</td>
<td>Interior of building(s); access boardwalk; weather station; modern aerials and security equipment; any works associated with repair and maintenance of piles, braces and beams to ensure the integrity of the structure. The repair and maintenance methodology involves replacement of wooden piles, beams and braces with treated timber equivalents, and replacement of steel beams with timber, steel, or other equivalents</td>
<td></td>
<td></td>
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</tbody>
</table>
ID 02823 Richmond Yacht Club (former)/Herne Bay Cruising Club, Sloanes Beach, Short Street, Herne Bay

Historic Heritage Overlay Extent of Place (shown by purple cross-hatching)

Notes:
1. Indicative coastline is shown by blue dashed line
2. Property boundaries shown by yellow lines
Auckland Unitary Plan (Operative in Part) - Private Plan Change Request from Prime Property Group Limited to rezone land at Foster Crescent, Snells Beach

File No.: CP2019/13154

Te take mō te pūrongo
Purpose of the report
1. To consider a private plan change request from Prime Property Group Limited to rezone land at Foster Crescent (Lot 1 DP 149776) from Residential - Large Lot zone to Residential - Single House zone in the Auckland Unitary Plan (Operative in Part).

Whakarāpopototanga matua
Executive summary
2. This report considers a private plan change request (the request) lodged in March 2019 from Prime Property Group Limited (Prime Property). The request seeks to rezone 4.6384ha of land at Foster Crescent from Residential - Large Lot zone to Residential - Single House zone.
3. The proposed Single House zone could accommodate approximately 50 lots, as indicated in a submitted draft potential future subdivision Scheme Plan.
4. Under clause 25 of Part 2 of Schedule 1 to the Resource Management Act 1991 (RMA), the council is required to make a decision to either:
   a) adopt the request as if it were a proposed plan made by the Council, which must then be processed in accordance with the provisions of Part 1 of Schedule 1 (clause 25(2)(a)); or
   b) accept the private plan change request, in whole or in part, which then triggers a requirement to notify the request, or part of the request, under clause 25 (clause 25(2)(b)); or
   c) reject the private plan change request in whole or in part, in reliance on one of the limited grounds set out in clause 25(4); or
   d) decide to deal with the request as if it were an application for a resource consent (clause 25(3)).
5. It is recommended that the private plan change request is accepted under clause 25(2)(b) and notified for submissions.

Ngā tūtohunga
Recommendation/s
That the Planning Committee:
   a) accept the private plan change request by Prime Property Group Limited for rezoning of Lot 1 DP 149776 at Foster Crescent, Snells Beach (comprising 4.6384ha), included as Attachment A to the agenda report pursuant to clause 25(2)(b) of Part 2 of Schedule 1 to the Resource Management Act for the following reasons:
      i) having regard to relevant case law the request does not meet the limited grounds for rejection under clause 25(4); and
      ii) it is more appropriate to accept the request than ‘adopt’ it or treat it as a resource consent application.
Horopaki
Context

Site and Surrounding Area

6. The site subject to the request is irregular in shape and has undulating terrain that generally slopes downwards from south to north. The site is currently vacant and mostly in pasture.

7. Legal access to the site is provided from the southern end of Foster Crescent. To the west the legal termination of Foster Crescent adjoins Te Whau Lane that provides access to five larger residential properties. To the east the site adjoins an established residential area. To the north is an esplanade reserve that borders the upper reaches of the Mahurangi Harbour. To the south is a Council reserve and the Snells Beach Primary School (refer Figure 1).

8. The site is accessed via Foster Crescent which leads to Mahurangi East Road via Iris Street.

Figure 1: Locality Plan - Foster Crescent and surrounding area
**Private Plan Change Request**

9. The request was lodged on 04 March 2019 (refer Attachment A) and seeks to rezone Lot 1 DP 149776 at Foster Crescent, Snells Beach (comprising 4.6384ha), from Residential - Large Lot zone to Residential - Single House zone.

10. The applicant has provided the following documentation in support of the request:
   - Private plan change report with assessment of environmental effects
   - Section 32 analysis
   - Geotechnical report
   - Engineering report
   - Soil Contamination report
   - Traffic Impact Assessment
   - Ecological assessment
   - Landscape assessment
   - Consultation report
   - Open Spaces and Community facilities report
   - Cultural impact assessment
   - Archaeological assessment

11. The request seeks more intensive residential development on the subject site, which is currently held in one title. The more intensive single house zone could accommodate approximately 50 lots, as indicated in a submitted draft potential future subdivision Scheme Plan (Figure 2). The site is located on the edge of the traditional single house zone style development in Snells Beach and the request seeks that the site be able to be developed at a density similar to that existing to the east. The current zone is Residential - Large Lot Zone which provides for lower residential density (4,000m² per site), but is still located within the Rural Urban Boundary (RUB).

![Figure 2 – draft Scheme Plan showing a future potential subdivision for 50 lots](image-url)
12. The existing zoning of the site is shown in Figure 3, and the proposed zoning under the request is shown in Figure 4.
Figure 4: Proposed zoning of Lot 1 DP 149776 under the Private Plan Change request.
Tātaritanga me ngā tohutohu
Analysis and advice

Resource Management Act
13. The process for considering private plan change requests is set out in Part 2 of Schedule 1 to the RMA. A request can be made to the appropriate local authority by any person under clause 21 of Schedule 1. After a request has been lodged, a local authority can request further information under clause 23, and modify a request under clause 24, but only with the applicant’s agreement. If an applicant refuses to provide any requested further or additional information, a local authority that considers it has insufficient information to enable it to consider or approve the request, may reject the request or decide not to approve the plan change requested under clause 23(6).

14. Under clause 25, after receiving the request, receiving all required information and modifying the request (where relevant), the local authority is required to make a decision to either:
   - adopt the request as if it were a proposed plan made by the council, which must then be processed in accordance with the provisions of Part 1 of Schedule 1 (clause 25(2)(a)); or
   - accept the private plan change request, in whole or in part, which then triggers a requirement to notify the request, or part of the request, under clause 25 (clause 25(2)(b)); or
   - reject the private plan change request in whole or in part, in reliance on one of the limited grounds set out in clause 25(4); or
   - decide to deal with the request as if it were an application for a resource consent (clause 25(3)).

15. See Attachment B for the full wording of the clauses that make up Part 2 of Schedule 1 to the RMA.

Options available to the council
16. Following receipt of the application, council requested further information on the proposal, and this was received from the applicant on 14 June 2019. Council staff consider that with the addition of this information the applicant has provided sufficient information to enable the request to be considered, and so do not consider the ground of rejection in clause 23(6) to be available. The next sections of this report assess the various options available to the council under clause 25.

17. The grounds for rejection under clause 25(4) are as follows:
   a) the request or part of the request is frivolous or vexatious; or
   b) within the last two years, the substance of the request or part of the request:
      i) has been considered and given effect to, or rejected by, the local authority or the Environment Court; or
      ii) has been given effect to by regulations made under section 360A; or
   c) the request or part of the request is not in accordance with sound resource management practice; or
   d) the request or part of the request would make the policy statement or plan inconsistent with Part 5; or
   e) in the case of a proposed change to a policy statement or plan, the policy statement or plan has been operative for less than two years.
Option 1 – Reject the request

Is the request frivolous or vexatious?

18. The private plan change request includes a comprehensive section 32 evaluation and a planning report containing a detailed assessment of environmental effects covering a wide range of issues including geotechnical, engineering, soil contamination, traffic, ecological, landscape, open space and recreation cultural and archaeological assessments together with consultation undertaken by the applicant. The proposal is for a rezoning that is consistent with the residential properties located to the east of the subject site.

19. Given the investigation undertaken, and the context in which the land is situated, it is concluded that the council cannot reject the private plan change request on the basis that it is frivolous or vexatious.

Has the substance of the request been considered and given effect to or rejected by the council within the last two years?

20. These provisions largely seek to discourage repetitive private plan change requests that are substantially the same, with the associated costs to the council and the community. In this instance, the substance of this private plan change request has not been considered within the last two years.

21. It is therefore concluded that the council cannot reject the request on the basis of this ground of rejection.

Has the substance of the request been given effect to by regulations made under section 360A?

22. Section 360A of the RMA relates to regulations amending regional coastal plans pertaining to aquaculture activities. The substance of this private plan change request or part of the request, being the rezoning of land at Foster Crescent does not relate to section 360A of the RMA.

23. It is therefore concluded that the council cannot reject the request on the basis of this ground of rejection.

Is the request in accordance with sound resource management practice?

24. The term “sound resource management practice” is an often-used planning term but is not defined in the RMA. The High Court in Malory Corporation Limited v Rodney District Council (CIV-2009-404-005572), where the issue on appeal was determining the correct interpretation of clause 25(4), considered this term in light of clause 25(4)(c) of Schedule 1 and stated:

“…the words “sound resource management practice” should, if they are to be given any coherent meaning, be tied to the Act’s purpose and principles. I agree too with the Court’s observation that the words should be limited to only a coarse scale merits assessment, and that a private plan change which does not accord with the Act’s purposes and principles will not cross the threshold for acceptance or adoption.”

25. The private plan change request includes a number of technical reports, which support the proposed rezoning. The council’s transport specialist considers that any adverse effects of the traffic generated from the future development of the site can be appropriately addressed.

26. The applicant has considered the zoning options for the site and concluded that the proposed rezoning will result in a residential development which makes a positive contribution to the existing residential character and amenity of the area, while adverse effects of future development proposals can be managed through the provisions of the Auckland Unitary Plan (Operative in part).

27. The land is located within the Rural Urban Boundary (RUB) and therefore matters relating to urban expansion into the rural area do not arise.
28. Having reviewed the applicant’s planning and specialist reports and taken the purpose and principles of the RMA into account, it cannot be concluded that the request is not in accordance with sound resource management practice. It is therefore recommended that the council not reject the private plan change on the basis that it is contrary to sound resource management practice.

Would the request or part of the request make the policy statement or plan inconsistent with Part 5 of the RMA?

29. Part 5 sets out the role and purpose of planning documents created under the RMA, including that they must assist a local authority to give effect to the sustainable management purpose of the RMA. It is concluded that the private plan change request will not make the Auckland Unitary Plan inconsistent with Part 5 of the RMA.

30. It is therefore recommended that the council not reject the private plan change request on the basis that the substance of the request would make the Auckland Unitary Plan inconsistent with Part 5 of the RMA.

Has the district plan to which the request relates been operative for less than two years?

31. The district plan provisions of the Auckland Unitary Plan relevant to this request were made operative on 15 November 2016. The provisions have therefore been operative for more than two years. The proposed rezoning was not subject to the Auckland Unitary Plan hearing process. As the proposal only relates to a zone change, provisions in the Auckland Unitary Plan that were made operative in part on 15 November 2016 will not be affected.

32. It is therefore recommended that the council not reject the private plan change request on the basis that the relevant parts of the Auckland Unitary Plan have been operative for more than two years.

Option 2 - Decide to deal with the request as if it were an application for a resource consent

33. The council can, in some circumstances, decide to deal with a private plan change request as if it were an application for resource consent. However, in this case, the private plan change request seeks to rezone the subject site from Residential - Large Lot zone to Residential - Single House zone. It is considered that the most appropriate process for achieving rezoning for more intensive residential development of the site is through a plan change process. Even if a resource consent was granted that allowed the creation of Single House zone sized lots, future residents would have difficulty in complying with the different development standards, such as yards, in the Residential Large Lot zone.

34. It is therefore recommended that the council not decide to deal with the request as if it were an application for resource consent.

Option 3 - Adopt the request, or part of the request, as if it were a proposed plan made by the council itself

35. The council can decide to adopt the request and process it as though it were a council-initiated plan change. If a request is adopted, all costs associated with the plan change would rest with the council. It is relevant to note that the applicant has not requested that the council adopts the private plan change.

36. Given that the applicant has not requested that the council adopts the request, that the council would need to account for all costs associated with the adopted request, and that a substantial merits assessment of the proposed has yet to occur, it is not recommended that the council decide to adopt the private plan change request.
Option 4 - Accept the private plan change request, in whole or in part, and proceed to notify the request, or part of the request, under clause 26

37. If the council accepts the request, in whole or in part, it must then proceed to notify the request, or part of the request under clause 26. After the submission period has closed, the council would need to hold a hearing to consider any submissions, and a decision would then be made by the council in relation to the request in accordance with Schedule 1 of the RMA. All costs associated with the request (including notification and any hearing) would rest with the applicant.

38. This is the only remaining option and is supported on the basis that the request does not meet the criteria for rejection under clause 25(4) of Schedule 1 to the RMA, having regard to relevant case law. It is more appropriate to accept the request than adopt it or treat it as a resource consent application. Accepting the plan change request does not pre-determine the council’s final position after hearing any submissions that may be lodged.

39. It is therefore recommended that the council accepts the private plan change request.

Conclusion

40. The private plan change request by Prime Property Group seeks to rezone 4.6384ha of land at Foster Crescent, Snells Beach from Residential - Large Lot zone to Residential - Single House zone. The plan change is supported by comprehensive technical reports.

41. Having carefully assessed the request against the relevant matters set out in the RMA and associated case law, it is recommended that the council decides to accept the request and publicly notify it for submissions. If accepted, a further assessment by council staff would take place prior to and during the course of the subsequent hearing.

Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera Council group impacts and views

42. Watercare Services has not taken a position on the plan change at this time but has advised that it will prepare its submission separately to the council.

43. However, Watercare are already part way through their plan to improve the wastewater services for the Warkworth, Snells Beach, Algies Bay area. This plan includes building a new wastewater treatment plant at Snells Beach. Watercare state the benefits of this work include catering for the growing population expected in the area beyond 2051.

44. At the time of preparing this report, Auckland Transport staff have advised that it has no issues in respect of traffic engineering but will be interested in detailed design presumably at the time of any subdivision. In respect of walking and cycling Auckland Transport staff have advised that there is a need to be aware of the walkway that goes directly to Snells Beach School from Foster Crescent. During development there are likely to be additional trade vehicles parking around the entrance to the walkway and parking may need to be controlled. Auckland Transport staff also note that the local board has endorsed the Pūhoi to Pakiri Greenway Plan which includes a section of route on the coastal esplanade adjacent to this development.
Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe

Local impacts and local board views

45. The views of the Rodney Local Board were sought on the private plan change request. The Rodney Local Board makes the following comments:
   a) The local board recommends that the Planning Committee reject the proposed plan change request at Foster Crescent, Snells Beach.
   b) The Unitary Plan provides a clear direction with infrastructure provision and staging of development; anything occurring outside of this means existing development rights within current zones could be affected as infrastructure capacity is used up.
   c) The increased development as a result of the rezoning will not be met by a corresponding acceleration of infrastructure provision to meet the increased demands as there are no current plans for additional infrastructure to cope with unplanned growth in Snells Beach, and since council does not have the funding available to expand infrastructure ad hoc this will create substantive disruption to existing communities on a peninsula with limited access.
   d) There is sufficient land within the existing zones to provide for Auckland’s housing needs and chipping away at the boundaries undermines the integrity of the Unitary Plan and sets a precedent.
   e) The existing zoning currently in place provides a buffer between zones in Snells Beach that should be protected and this application undermines that.

46. The above comments from the Rodney Local Board are broadly assessments on the merits of the substance of the private plan change request. At this stage council is simply being asked to make a decision on the request under clause 25 of Part 2 of Schedule 1 to the RMA. Therefore, it would be premature to consider the substance of the merits of the proposed plan change request over and above that outlined in clause 25. Paragraphs 18 to 41 of this report outline why it is considered appropriate to accept the request under clause 25. The request is not frivolous or vexatious, has not been considered within the last two years, would not be inconsistent with Part 5 of the RMA, and it cannot be concluded that it is not in accordance with sound resource management practice (as informed by case law).

47. The issues raised by the Rodney Local Board are ones which would be considered when a detailed assessment of the merits of the plan change request is carried out following notification, should the council decide to accept the request as per the recommendation. This assessment would take account of the fact that the proposed plan change request would not increase the overall extent of urban zoned land at Snells Beach.

Tauākī whakaaweawe Māori

Māori impact statement

48. On 17 April 2017, a number of amendments to the RMA came into force which place an increased focus on engagement and consultation with iwi authorities as part of various plan-making processes. This is particularly the case for plan change processes that are initiated or adopted by the council. In relation to private plan change requests, although engagement with mana whenua and relevant iwi authorities is encouraged before lodgement under clause 21, it is not clear whether it is a mandatory requirement under Part 2 of Schedule 1. If the council accepts a private plan change request for notification, it is not required to complete any additional pre-notification steps.

49. The applicant advised that Mana Whenua have been consulted as part of the development of the Plan Change request as detailed in the Consultation Report included within the request. Ten iwi groups were contacted regarding this proposal where their rohe (area of interest) covers the Snells Beach area.
50. Manuhiri Kaitiaki Charitable Trust prepared a Cultural Impact Assessment. There were no major cultural concerns raised in the Cultural Impact Assessment. A number of recommendations were made, which were agreed to by the applicant. For example:
   - having a representative present during ground disturbing activities adjacent to waterways
   - to be able to review the Erosion and Sediment Control Plan
   - that eels are relocated before the pond is de-watered.

51. A recommendation to remove the proposed lots along the coastal edge of the subject site was not agreed to.

52. If the council accepts the plan change for notification, the iwi groups engaged by the applicant will have the opportunity to make submissions on the private plan change on issues that are important to them.

Ngā ritenga ā-pūtea

Financial implications

53. If accepted, the council’s costs associated with processing the private plan change request would be met by the applicant.

Ngā raru tūpono me ngā whakamaurutanga

Risks and mitigations

54. The only risk associated with the recommendations made in this report is a judicial review by a third party. This risk is considered to be very low and mitigated by the analysis provided in this report.

Ngā koringa ā-muri

Next steps

55. If the private plan change request is accepted, the implementation of this decision will follow the process set out in clause 26 of Schedule 1 of the RMA. This requires that the private plan change is notified within four months of being accepted, unless this time frame is waived in accordance with section 37 of the RMA.

Ngā tāpirihanga

Attachments

Due to the size and complexity of Attachment A it has been published online only at the following link: [http://infocouncil.aucklandcouncil.govt.nz](http://infocouncil.aucklandcouncil.govt.nz) > Planning Committee > 6 August 2019 > Extra Attachments

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Signatories

<table>
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<tr>
<th>Author</th>
<th>John Duguid - General Manager - Plans and Places</th>
</tr>
</thead>
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<tr>
<td>Authorisers</td>
<td>Megan Tyler - Chief of Strategy</td>
</tr>
<tr>
<td>Author</td>
<td>Austin Fox - Principal Planner</td>
</tr>
</tbody>
</table>
Planning Committee
06 August 2019

Item 18

Auckland Unitary Plan (Operative in Part) - Private Plan Change Request from Prime Property Group Limited to rezone land at Foster Crescent, Snells Beach
Attachment B

Extract from Clause 25 Resource Management Act 1991 (RMA)

25 Local authority to consider request

(1) A local authority shall, within 30 working days of—
   (a) receiving a request under clause 21; or
   (b) receiving all required information or any report which was commissioned under clause 23; or
   (c) modifying the request under clause 24—
      whichever is the latest, decide under which of subclauses (2), (3), and (4), or a combination of subclauses (2) and (4), the request shall be dealt with.

(1A) The local authority must have particular regard to the evaluation report prepared for the proposed plan or change in accordance with clause 22(1)—
   (a) when making a decision under subclause (1); and
   (b) when dealing with the request under subclause (2), (3), or (4).

(2) The local authority may either—
   (a) adopt the request, or part of the request, as if it were a proposed policy statement or plan made by the local authority itself and, if it does so,—
      (i) the request must be notified in accordance with clause 5 or 5A within 4 months of the local authority adopting the request; and
      (ii) the provisions of Part 1 or 4 must apply; and
      (iii) the request has legal effect once publicly notified; or
   (b) accept the request, in whole or in part, and proceed to notify the request, or part of the request, under clause 26.

(2AA) However, if a direction is applied for under section 80C, the period between the date of that application and the date when the application is declined under clause 77(1) must not be included in the calculation of the 4-month period specified by subclause (2)(a)(i).

(2A) Subclause (2)(a)(iii) is subject to section 86B.

(3) The local authority may decide to deal with the request as if it were an application for a resource consent and the provisions of Part 6 shall apply accordingly.
(4) The local authority may reject the request in whole or in part, but only on the grounds that—

(a) the request or part of the request is frivolous or vexatious; or

(b) within the last 2 years, the substance of the request or part of the request—

(i) has been considered and given effect to, or rejected by, the local authority or the Environment Court; or

(ii) has been given effect to by regulations made under section 360A; or

(c) the request or part of the request is not in accordance with sound resource management practice; or

(d) the request or part of the request would make the policy statement or plan inconsistent with Part 5; or

(e) in the case of a proposed change to a policy statement or plan, the policy statement or plan has been operative for less than 2 years.

(5) The local authority shall notify the person who made the request, within 10 working days, of its decision under this clause, and the reasons for that decision, including the decision on notification.


Schedule 1 clause 25(1A): inserted, on 3 December 2013, for all purposes, by section 86 of the Resource Management Amendment Act 2013 (2013 No 63).


Schedule 1 clause 25(4)(b): replaced, on 1 October 2011, by section 60 of the Resource Management Amendment Act (No 2) 2011 (2011 No 70).

**Auckland Unitary Plan (Operative in Part) - Private Plan Change Request from Avondale Jockey Club to rezone land at Avondale Racecourse**

File No.: CP2019/13488

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**Te take mō te pūrongo**

**Purpose of the report**

1. To accept for processing a private plan change request (the request) from Avondale Jockey Club to rezone 1,870m² of land at Lot 1 DP 470450, Wingate Street, Avondale from Special Purpose – Major Recreation Facility to Residential – Terraced Housing and Apartment Building Zone in the Auckland Unitary Plan (Operative in Part).

**Whakarāpopototanga matua**

**Executive summary**

2. The request seeks to rezone 1,870m² of land at Avondale Racecourse (Refer to Attachment A, Figure 1 and 2) from Special Purpose – Major Recreation Facility to Terraced Housing and Apartment Building Zone (THAB) in the Auckland Unitary Plan (Operative in Part) (AUP). The request also proposes to remove the rezoned land from the Avondale Racecourse Precinct (sub-precinct). It is recommended that the private plan change request is accepted under clause 25(2)(b) and publicly notified for submissions.

3. The proposed plan change area is considered by the Avondale Jockey Club (the Club) to be surplus to the needs of the Club for providing its primary activities, which are horse racing and community events. The Club was granted consent for the land to be subdivided from the majority of the racecourse in 2018. The subdivision consent has resulted in a split zoning on the newly subdivided site. 2,580m² of the site is zoned THAB and the remainder is zoned Special Purpose – Major Recreation Facility.

4. Under clause 25 of Part 2 of Schedule 1 to the Resource Management Act 1991 (RMA), the council is required to make a decision that either:
   a) adopts the request as if it were a proposed plan made by the council, which must then be processed in accordance with the provisions of Part 1 of Schedule 1 (clause 25(2)(a)); or
   b) accepts the private plan change request, in whole or in part, which then triggers a requirement to notify the request, or part of the request, under clause 25 (clause 25(2)(b)); or
   c) rejects the private plan change request in whole or in part, in reliance on one of the limited grounds set out in clause 25(4); or
   d) decides to deal with the request as if it were an application for a resource consent (clause 25(3)).

**Ngā tūtohunga**

**Recommendation/s**

That the Planning Committee:

a) accept the private plan change request by Avondale Jockey Club for part of Avondale Racecourse, included as Attachment A to the agenda report, pursuant to clause 25(2)(b) of Part 2 of Schedule 1 to the Resource Management Act for the following reasons:
i) having regard to relevant case law the request does not meet the limited grounds for rejection under clause 25(4)

ii) it is more appropriate to accept the request than ‘adopt’ it or treat it as a resource consent application.

b) delegate authority to the Manager Planning – North, West and Islands to undertake the required notification and other statutory processes associated with processing the private plan change request by Avondale Jockey Club for Avondale Racecourse pursuant to Schedule 1 to the Resource Management Act.

Horopaki Context

Site and surrounding area

5. Avondale Racecourse is a 36-hectare horse racing and events facility owned by Avondale Jockey Club. The site that was subdivided in 2018 by the Avondale Jockey Club is 4,460m² in total, and has previously been identified by the Club as surplus to its requirements. It is located in the south-western corner of the racecourse, near Wingate Street, approximately one kilometre west of Avondale Town Centre. To the north of the site is the Avondale Racecourse, and to the south is existing residential development. The zones surrounding the site include Special Purpose – Major Recreation Facility, THAB and Mixed Housing Urban Zone. The Avondale train station is one kilometre away, adjacent to the Avondale Town Centre.

6. The subdivided site is currently split zoned THAB (2,580m²) and Special Purpose - Major Recreation Facility (1,870m²). The plan change area (see Figure 1 below) has a long vegetated embankment adjoining existing residential houses that front onto Wingate Street. The site has approximately 45m of road frontage west of 93 Wingate Street. It is subject to the Avondale Racecourse Precinct and the National Grid Corridor Overlay – National Grid Yard Uncompromised provisions of the AUP.

![Figure 1 – Area of Avondale Jockey Club Land subject to request for rezoning](image-url)
Private plan change request

7. The request was lodged on 17 June 2019 (see Attachment A) and seeks to rezone 1,870m$^2$ of land at Lot 1 DP 470450, Wingate Street from Special Purpose – Major Recreation Facility to THAB. The request also seeks to remove the rezoned land from the Avondale Racecourse Precinct by realigning the boundary of the Precinct on the AUP GIS Map Viewer. No further amendments to the AUP are sought.

8. The rezoning will rectify the current split zoning on the site and allow the entire lot to be developed under the THAB zoning. It has been indicated that this development will not be done by the Club. The existing zoning of the site is shown in Figure 2 (See Attachment A).

9. The applicant has provided documentation relating to the following in support of the request:
   - Private plan change request
   - AUP Regional Policy Statement Assessment Table
   - Certificates of Title
   - Section 32 (S32) evaluation report
   - Amended AUP Zone Map
   - Amended Avondale Racecourse Precinct Plan
   - Iwi Consultation Summary
   - Geotechnical Report
   - Infrastructure Report
   - Subdivision Decision and Approved Plan.

10. Further transport information has been requested from the applicant. The information requested is not material to this stage of the plan change process. The information being sought is primarily to determine whether the proposed zone will adversely affect the immediate and wider transport network. Once received, this information will inform the merits assessment to follow.

11. It is considered that the information lodged is sufficient for the council to consider the request under clause 23(6). This clause allows the council to reject the request or decide not to approve the plan change requested if insufficient information is provided to make a decision.

Tātaritanga me ngā tohutohu
Analysis and advice

Resource Management Act 1991

12. The process for considering private plan change requests is set out in Part 2 of Schedule 1 to the Resource Management Act 1991 (RMA). A request can be made to the appropriate local authority by any person under clause 21 of Schedule 1. After a request has been lodged, a local authority can seek further information under clause 23, and modify a request under clause 24, but only with the applicant’s agreement.

13. Under clause 23(6), if an applicant refuses to provide any requested further or additional information. A local authority that considers it has insufficient information to enable it to consider or approve the request, may then reject the request or decide not to approve it.
14. Under clause 25, after receiving the request, receiving all required information and modifying the request (where relevant), the local authority is required to make a decision to either:

- adopt the request as if it were a proposed plan made by the council, which must then be processed in accordance with the provisions of Part 1 of Schedule 1 (clause 25(2)(a)); or
- accept the private plan change request, in whole or in part, which then triggers a requirement to notify the request, or part of the request, under clause 25 (clause 25(2)(b)); or
- reject the private plan change request in whole or in part, in reliance on one of the limited grounds set out in clause 25(4); or
- decide to deal with the request as if it were an application for a resource consent (clause 25(3)).

15. See Attachment B for the full wording of the clauses that make up Part 2 of Schedule 1 to the RMA.

**Options available to the council**

16. Council staff consider that the applicant has provided sufficient information to enable the request to be considered, and do not consider the ground of rejection in clause 23(6) (insufficient information) to be available. The next sections of this report assess the various options available to the council under clause 25.

**Option 1 – Reject the request, in whole or in part**

17. The council has the power to reject a private plan change request, in whole or in part, in reliance on one of the limited grounds set out in clause 25(4). If the private plan change request is rejected by the council, the applicant has the ability to appeal that decision to the Environment Court under clause 27 of Schedule 1.

18. The grounds for rejection under clause 25(4) are as follows:

a) the request or part of the request is frivolous or vexatious; or

b) within the last two years, the substance of the request or part of the request:
   i. has been considered and given effect to, or rejected by, the local authority or the Environment Court; or
   ii. has been given effect to by regulations made under section 360A; or

c) the request or part of the request is not in accordance with sound resource management practice; or

d) the request or part of the request would make the policy statement or plan inconsistent with Part 5; or

e) in the case of a proposed change to a policy statement or plan, the policy statement or plan has been operative for less than two years.

**Is the request frivolous or vexatious?**

19. The plan change aims to establish a THAB zone to provide for residential development in an area which is now surplus to the Avondale Jockey Club’s needs. The request includes a section 32 evaluation report which is supported by specialist assessments for key matters such as land stability and infrastructure.

20. It is therefore recommended that the council not reject the private plan change request on the basis that it is frivolous or vexatious.
Has the substance of the request been considered and given effect to or rejected by the council within the last two years?

21. A subdivision consent to create the subject site was granted by council on 12 October 2018 via a non-notified process. There are several conditions required on the title and consent notice that cover matters in respect to infrastructure, access and the high voltage lines.

22. It is recommended that the council not reject the request on the basis of this ground of rejection.

Has the substance of the request been given effect to by regulations made under section 360A?

23. Section 360A of the RMA relates to regulations amending regional coastal plans pertaining to aquaculture activities. The substance of this private plan change request does not relate to section 360A of the RMA.

24. It is recommended that the council not reject the request on the basis of this ground of rejection.

Is the request in accordance with sound resource management practice?

25. The term “sound resource management practice” is an often-used planning term but is not defined in the RMA. The High Court in Malory Corporation Limited v Rodney District Council (CIV-2009-404-005572), where the issue on appeal was determining the correct interpretation of clause 25(4), considered this term in light of clause 25(4)(c) of Schedule 1 and stated:

 “… the words “sound resource management practice” should, if they are to be given any coherent meaning, be tied to the Act’s purpose and principles. I agree too with the Court’s observation that the words should be limited to only a coarse scale merits assessment, and that a private plan change which does not accord with the Act’s purposes and principles will not cross the threshold for acceptance or adoption.”

26. Council has consulted Auckland Transport (AT) and Watercare and engaged experts to consider the plan change. While there are aspects of the private plan change request that need to be tested through the submission and hearings process, the scope and extent of the changes sought do not, in themselves, threaten the purpose and principles of the RMA when considered at this stage.

27. It is therefore considered appropriate that the council not reject the request on the basis that it is contrary to sound resource management practice.

Would the request or part of the request make the policy statement or plan inconsistent with Part 5 of the RMA?

28. Part 5 of the RMA sets out the role and purpose of planning documents created under the RMA, including that they must assist a local authority to give effect to the sustainable management purpose of the RMA. The proposal to rezone Special Purpose – Major Recreation Facility to THAB zone will not make the AUP inconsistent with Part 5 of the RMA.

29. It is therefore considered appropriate that the council not reject the request on the basis that the substance of the request would make the AUP inconsistent with Part 5 of the RMA.

Has the district plan to which the request relates been operative for less than two years?

30. The district plan provisions of the AUP relevant to this request were made operative on 15 November 2016. The provisions have therefore been operative for more than two years.

31. It is therefore considered appropriate that the council not reject the request on the basis that the relevant parts of the AUP have been operative for more than two years.
Option 2 – Decide to deal with the request as if it were an application for resource consent

32. The council can, in some circumstances, decide to process a private plan change request as if it were an application for resource consent. Given the current split-zoning of the site, it is considered that the most appropriate process to consider whether residential development is appropriate is through a plan change process.

33. It is therefore considered appropriate that the council not decide to process the request as if it were an application for resource consent.

Option 3 – Adopt the request, or part of the request, as if it were a proposed plan made by the council itself

34. The council is able to decide to adopt the request and process it as though it were a council-initiated plan change. If a request is adopted, all costs associated with the plan change are met by the council.

35. Given there are no clear benefits to the public, and the applicant has not sought that the council adopt the request, it is considered appropriate that the council not adopt the request.

Option 4 – Accept the private plan change request, in whole or in part, and proceed to notify the request, or part of the request

36. If the council accepts the request, in whole or in part, it must then proceed to notify the request, or part of the request under clause 26. After the submission period has closed, the council would then need to hold a hearing to consider any submissions, and a decision would then be made by the council in relation to the request in accordance with Schedule 1 of the RMA. All costs associated with the request (including notification and any hearing) would be met by the applicant.

37. This is the option that is supported on the basis that the request does not meet the criteria for rejection under clause 25(4) of Schedule 1 to the RMA, having regard to relevant case law, and it is appropriate to accept the request rather than to adopt it or treat it as a resource consent application.

38. It is therefore recommended that the council accepts the private plan change request.

Conclusion

39. Having carefully assessed the request against the relevant matters set out in the RMA and the associated case law, it is recommended that council decides to accept the request and publicly notify it for submissions. If accepted, a further assessment by council staff would take place prior to and during the course of the subsequent hearing.

Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera
Council group impacts and views

40. Auckland Transport staff have reviewed the plan change and have not reported any constraints which would prevent the request from being accepted. The feedback provided identified two transport issues where further information will be required. Auckland Transport staff will review the applicant’s response to these matters when it is available and will continue to be involved in the plan change process.

41. Healthy Waters has reviewed the request and consider that further information is required in relation to storm water management, flooding and effects on water quality. The issues raised are not considered material to the decision to accept the request and can be addressed in future at the development stage.

42. Watercare staff have reviewed the request and have asked that the applicant provide a capacity assessment for water supply and wastewater. The matter of capacity was addressed in part within the subdivision consent and can be resolved through further information being provided by the applicant.
43. The council’s soil contamination and stability specialists have reviewed the information and noted that further information is required. After substantial discussion, it has been agreed that it is most appropriate to include this information at the resource consent stage.

Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe
Local impacts and local board views

44. A memo was sent to the Whau Local Board on the 28 June 2019, to inform the Board about the request by the Avondale Jockey Club. The Local Board Chairperson Tracy Mullholland indicated support for the request on 2 July 2019.

Tauākī whakaaweawe Māori
Māori impact statement

45. On 17 April 2017, a number of amendments to the RMA came into force which place an increased focus on engagement and consultation with iwi authorities as part of various plan-making processes.

46. The applicant advises that it has engaged the following iwi groups with an interest in the local area (see below). The request (including plans) were sent to the iwi groups via email, providing the opportunity for queries before the request was lodged with council.

<table>
<thead>
<tr>
<th>Mana Whenua Group</th>
<th>Feedback</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ngāti Whātua o Kaipara</td>
<td>Email received 29 May 2019 advising “Thank you for consulting with Nga Maunga Whakahii o Kaipara regarding the Avondale Jockey club private plan change. We defer to Te Kawerau a Maki cc’d for comments”.</td>
</tr>
<tr>
<td>Ngāti Te Ata</td>
<td>Email received 29 May 2019 advising “We will leave this engagement to Ngati Whātua o Kaipara and others thanks”.</td>
</tr>
<tr>
<td>Te Ahiwaru – Waiohua</td>
<td>Email received 30 May 2019 advising “As a preliminary response from Te Ahiwaru, I recognise the need for the residual lands to be utilised as a buffer between the racecourse and residents. To change and develop the lands as residential for terraced housing and minimise spacial comfort is to devalue the potential of the property. However, as this is not a primary area of interest to Te Ahiwaru Waiohua this a merely an opinion of a kaitiaki. We recommend that you engage with Te Kawerau a Maki on this matter and will support what recommendations they have”.</td>
</tr>
<tr>
<td>Te Kawerau Ā Maki</td>
<td>Email received 2 July 2019 advising “Te Kawerau a Maki have no objections to the plan change”.</td>
</tr>
</tbody>
</table>
47. If the council accepts the request for notification, all iwi authorities/mana whenua will have the opportunity to make submissions on the private plan change.

**Ngā ritenga a-pūtea**

**Financial implications**

48. If accepted, the council’s costs associated with processing the request would be met by the applicant.

**Ngā raru tūpono me ngā whakamaurutanga**

**Risks and mitigations**

49. The only risk associated with the recommendations made in this report is a judicial review by a third party. This risk is considered to be very low and mitigated by the analysis provided in this report.

**Ngā koringa a-muri**

**Next steps**

50. If the request is accepted for notification, the implementation of this decision will follow the process set out in clause 26 of Schedule 1 of the RMA. This requires that the private plan change is notified within four months of being accepted unless this time frame is waived in accordance with section 37 of the RMA. A hearing will subsequently be held, after which the council’s decision will be released.

**Ngā tāpirihanga**

**Attachments**

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<th>Page</th>
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<tr>
<td>B</td>
<td>Clause 25, Schedule 2, Resource Management Act 1991</td>
<td>249</td>
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**Ngā kaihaina**

**Signatories**

<table>
<thead>
<tr>
<th>Author</th>
<th>Katie Maxwell - Graduate Planner</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authorisers</td>
<td>John Duguid - General Manager - Plans and Places</td>
</tr>
<tr>
<td></td>
<td>Megan Tyler - Chief of Strategy</td>
</tr>
</tbody>
</table>
Request for Private Plan Change

Proposed Plan Change (Private): Rezoning of land at Avondale Racecourse, Wingate Street, Avondale

Avondale Jockey Club
Lot 1 DP 470450, Wingate Street, Avondale

Prepared by:
Ila Daniels
Principal Planner
Campbell Brown Planning Ltd

Report Reviewed by:
Philip Brown
Director, Campbell Brown Planning Ltd

Date of Issue:
14 June 2019
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Appendix E: AUP Appendix 1 Assessment Table
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Appendix G: Infrastructure Report
Appendix H: Geotechnical Report
Appendix I: Subdivision Decision and Approved Plans (SUB603211714)
1.0 Private Plan Change Applicant and Property Details

**Applicant:** Avondale Jockey Club Incorporated

**Address for Service:**
C/- Campbell Brown Planning Limited  
P O Box 147001  
Ponsonby  
AUCKLAND 1144

**Attention:** Philip Brown

**Email:** philip@campbellbrown.co.nz  
*(all written correspondence via email please)*

**Site Location:** Wingate Street, Avondale

**Legal Description:**
Existing Site = Lot 2 DP470450  
Approved Subdivision = Lot 1 DP 470450

**Site Area:**
Existing Racecourse Site = 35.7751 Ha  
Approved Subdivision Total Lot 1 Site = 4,460m²  
1,870m² (Major Recreation Facility)  
2,590m² (THAB)

**Current Unitary Plan Zoning:** Residential - Terrace Housing and Apartment Buildings zone (THAB), and Special Purpose - Major Recreation Facility zone (SP-MRF)

**Unitary Plan Overlays:** Infrastructure: National Grid Corridor Overlay – National Grid Yard Uncompromised

**Unitary Plan Precinct:** Avondale Racecourse Precinct (ARP)

**Unitary Plan Controls:** Macroinvertebrate Community Index – Urban

**Unitary Plan Appeals:** Appeal Resolved - Consent Order - ENV-2016-AKL-000218, National Grid Corridor Overlay

**Unitary Plan Road Classification:** Wingate Street – Local Road (Minor Urban)
2.0 Site Location

Figure 1: Wider Racecourse Site (blue) and Subject Site (Red)

3.0 Summary of Plan Change Request

It is proposed that the GIS mapping layer of the Auckland Unitary Plan Operative in Part (‘AUP’) be amended to rezone part of the site from Special Purpose - Major Recreation Facility zone (SP-MRF) to Terrace Housing and Apartment Buildings zone (THAB) (refer Figure 2 below).
The boundary of the Avondale Racecourse Precinct would need to be altered to remove this portion of the site from the precinct and the ‘Interface Control Area’ would need to be altered to correspond to the new precinct boundary.

![Figure 2: Site with area identified for rezoning from Major Recreation Facility zone to Terrace Housing and Apartment Buildings zone](image)

4.0 Description of the Site and Surrounding Environment

4.1 Subject Site

The Avondale Jockey Club Incorporated ‘the Club’ proposes to rezone a portion of a lot in the south-west corner of its site that is to be accessed via Wingate Street. The land has been identified by the Club as being surplus to its requirements for operating the racecourse and a subdivision was recently granted to separate out the site from the main land holdings.

The site consists of land zoned THAB as well as incorporating additional land zoned SP-MRF and forms part of the Avondale Racecourse Precinct.

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The site has approximately 45m of road frontage west of 93 Wingate Street. The road reserve contains low level scrub, much of it weed species, and two street trees and two light poles. There is a footpath along the northern side of the road reserve on Wingate Road.

4.2 Surrounding Environment

The site itself rises up from Wingate Street and the adjacent properties relatively steeply until it reaches the level race track, some of which will form part of the new lot. The bank is vegetated with a mix of native and exotic scrub.

Aside from the race track, the land in the vicinity of the site is residential in nature. Wingate Street is a no exit street, identified in the AUP as a minor urban local road.

4.3 Zoning and Overlays

The area outside of the racecourse is zoned a mix of Residential (Mixed Housing Urban, Mixed Housing Suburban and Terrace Housing and Apartment Buildings zones), Open Space (Sport and Active Recreation) and Business (Mixed Use and Town Centre), see Figure 3 below.

![Figure 3: Zoning around the Subject Site (identified in red)](image-url)
4.4 National Grid Corridor Overlay Appeal

The National Grid Corridor Overlay (refer to Figure 4 below) runs across the western edge of the new lot. Transpower lodged an appeal (ENV-2016-AKL-000218) to the AUP which was resolved by a Consent Order on 20 November 2017. The consent order amended some of the matters for discretion, the assessment criteria, and provided for a new National Grid Corridor Overlay – National Grid Subdivision Corridor.

![Figure 4: Location of the National Grid Corridor Overlay and the Subject Site](image)

5.0 Background

5.1 Subdivision Consent – SUB60311714

A subdivision consent to create the subject site was granted by Council on 12 October 2018 via a non-notified hearing process. The decision and approved plans are included in Appendix I and in Figure 5 below.

It is noted that a number of conditions required consent notices to be imposed on the title at s224c stage. These cover matters in respect to infrastructure, access and the high voltage lines.

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The matters in respect of infrastructure and access pertain to the fact that infrastructure connections and access are not formed as part of the subdivision.

A consent notice regarding the redevelopment limitations in proximity to the high voltage transmission lines was imposed by condition, to ensure that futures owners or occupiers of the site are aware of the obligations and limitations in proximity to these lines and structures.

6.0 Private Plan Change Request

6.1 Introduction

Avondale Jockey Club Incorporated (the ‘applicant’) makes this request, seeking a private plan change to the Auckland Unitary Plan, Operative in Part.

The private plan change is referred to as ‘Proposed Plan Change (Private): Avondale Racecourse Wingate Street’ (‘PPC ARWS’).
6.2 Requirements of the Act

Part 2 of Schedule 1 to the RMA sets out the procedure to be followed when making a request to change a Plan. Key elements of the process, in the context of this proposal, are noted below:

- Any person may request a change to the AUP;2
- The request shall be in writing to the Council;2
- The request shall explain the purpose of the proposed plan change and the reasons for the change;3
- The request shall include an evaluation report prepared in accordance with s32 RMA;4
- The request shall include a description of the environmental effects anticipated from implementation of the plan change;5
- The Council can require the applicant to provide further information;6
- The Council shall either adopt the request, accept the request, deal with the request as if it were an application for resource consent, or reject the request;7
- Notification of the Plan Change will occur if the Council decides to adopt or accept the request, and any submissions will be considered by the Council at a hearing;
- The Council may decline the plan change, approve it, or approve it with modifications.8

An important part of the plan change process is the s32 RMA requirement to undertake an evaluation of the costs and benefits of alternatives. The most relevant parts of s32 in terms of process are set out in clauses (1) - (3), which state as follows:

---

2 Clause 21(1), Schedule 1, RMA
3 Clause 22(1), Schedule 1, RMA
4 Clause 22(3), Schedule 1, RMA
5 Clause 22(1), Schedule 1, RMA
6 Clause 22(2), Schedule 1, RMA
7 Clause 23, Schedule 1, RMA
8 Clause 29(4), Schedule 1, RMA
32 Requirements for preparing and publishing evaluation reports

(1) An evaluation report required under this Act must—
(a) examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act; and
(b) examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by—
(i) identifying other reasonably practicable options for achieving the objectives; and
(ii) assessing the efficiency and effectiveness of the provisions in achieving the objectives; and
(iii) summarising the reasons for deciding on the provisions; and
(c) contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.

(2) An assessment under subsection (1)(b)(iii) must—
(a) identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for—
(i) economic growth that are anticipated to be provided or reduced; and
(ii) employment that are anticipated to be provided or reduced; and
(b) if practicable, quantify the benefits and costs referred to in paragraph [a]; and
(c) assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.

(3) If the proposal (an amending proposal) will amend a standard, statement, national planning standard, regulation, plan, or change that is already proposed or that already exists (an existing proposal), the examination under subsection (1)(b) must relate to—
(a) the provisions and objectives of the amending proposal; and
(b) the objectives of the existing proposal to the extent that those objectives—
PPC ARWS is simple in its form, as it seeks only to change the zone of the land from one established AUP zone to another and to remove the Avondale Racecourse Precinct from this portion of the racecourse and to realign it to the new zone boundary (see Appendix B).

The changes relate only to two of the GIS map layers of the AUP and no changes are proposed to the objectives, policies, rules or other written provisions.

In this context the ‘proposals’ means the nature of the change, being to re-identify the zoning of the land in question from SP-MRF zone to THAB zone. The ‘objectives’ of the proposal refers to its purpose, which is to enable and facilitate the use of the land for an integrated residential development site that aligns with the site boundaries. The ‘provisions’ is the re-identification of the land from SP-MRF zone to THAB zone and to realign the precinct boundary along with the buffer interface control which is related to this boundary.

Based on this explanation of the PPC ARWS proposal and its objectives, s32 requires the following assessment:

- Whether the use of the land for a residential use is the most appropriate way to achieve the purpose of the RMA;
- Whether PPC ARWS is the most appropriate means to provide for additional residential zoned land in this location, considering other possible options and questions of efficiency and effectiveness;
- Evaluation of the costs and benefits of the effects anticipated from the implementation of PPC ARWS, including opportunities for economic growth and employment;
- Quantification of benefits and costs if practicable; and
- Assessment of the risks associated with proceeding or not proceeding with PPC ARWS.

The s32 evaluation relating to PPC ARWS is contained in section 7.0 of this report.
6.3 Nature and Purpose of PPC ARCWS

PPC ARCWS relates only to the planning maps contained in the Auckland Council’s GIS viewer and the location of the Interface Control Area shown on the Precinct Plan at AUP (OP) Figure I307.10.1. There are no changes proposed to the text of the AUP.

The proposed changes to the planning maps are as follows:

- Change the zoning of part of Lot 1 DP 470450 from Special Purpose - Major Recreation Facility zone to Residential - Terrace Housing and Apartment Buildings zone, as indicated in Figure 2 and Appendix B; and
- Any consequential amendments to the planning maps to appropriately reconcile the zoning and precinct with the boundaries of the applicant’s land.

6.4 PPC ARCWS Conclusion

Based on the evaluation contained in section 7.0 of this report, it is considered that PPC ARCWS is the most appropriate means to achieve the purpose of the RMA. It would be the best available option to enable and facilitate the use of the land for residential use thereby allowing for the efficient and integrated use of the land by realigning it with the adjoining existing zoning.

7.0 Section 32 Evaluation

7.1 Scope and Purpose

This s32 evaluation report is prepared to fulfil the statutory requirements of s32 RMA in respect of PPC ARCWS.

PPC ARCWS seeks to amend the AUP planning maps contained within the Council’s GIS mapping layer, so that the site is re-identified from SP-MRF zone to THAB zone. PPC ARCWS seeks to enable the zoning to be aligned with the existing zoning applied to a portion of the site by removing the split zoning. Furthermore, a consistent zoning across the site will facilitate its development for intensive residential purposes.

Section 32 RMA requires that before adopting any objective, policy, rule or other method, regard shall be had to the extent to which each objective is the most appropriate way to achieve the purpose of the RMA, and whether the policies and rules
or other methods are the most appropriate way of achieving the objectives. A report must be prepared summarising the evaluation and giving reasons for the evaluation.

In accordance with s32(6) RMA and for the purposes of this report:

- the ‘proposal’ means PPC ARCWS;
- the ‘objectives’ means the purpose of the proposal/ PPC ARCWS; and
- the ‘provisions’ means the change to the zone of the land that implements, or gives effect to the objectives of the proposal.

The AUP uses the technique of zoning for achieving the purpose of the RMA, and contains a number of established zones to apply to land. PPC ARCWS seeks to use one of these existing zones (THAB zone). This evaluation report on PPC ARCWS relates solely to the change of zone and precinct proposed for the land, and sits within the existing policy framework of the AUP which will remain unchanged.

This s32 evaluation will continue to be refined in relation to any consultation that occurs, and in relation to any new information or changes that may arise, including through submissions and during the hearing. This approach of further evaluation is anticipated under the requirements of s32AA RMA.

7.2 Development of Options

In addition to consideration of the extent to which the objectives of PPC ARCWS are the most appropriate way to achieve the purpose of the RMA, s32 requires an examination of whether the provisions in PPC ARCWS are the most appropriate way to achieve the objectives of the proposed plan change by identifying other reasonably practical options for achieving the objective. In the preparation of PPC ARCWS, the following options have been identified:

- **Option 1** – do nothing/retain the status quo
- **Option 2** – re-identify as Residential - Terrace Housing and Apartment Buildings zone

7.3 Evaluation of Options

In accordance with s32(1)(b) and 32(2) of the RMA, the options have been assessed on their appropriateness, efficiency, effectiveness, costs, benefits and risks. The results of this evaluation are discussed in this section and summarised in table form in Appendix.
C. There are no realistic non-regulatory methods that could deliver the outcome sought by PPC ARCWS.

Option 1 – Adopt a ‘do nothing’ approach/retain the status quo

The ‘do nothing’ option would mean that the zoning of the land would remain unchanged, such that a portion of the site would be retained as SP-MRF zone.

This will provide for the land to be used as part of the wider race course, however it has already been determined by the applicant that the land is surplus to on-going requirements. Furthermore, the retention of the zoning would not enable the establishment of residential use, in contradiction with the zoning of both the remainder of the site and the adjacent sites on Wingate Street. It is estimated that potential development of the site under the existing split zoning would be limited given the irregular shape of the site.

Option 2 – re-identify as Terrace Housing and Apartment Buildings zone

This option would change the remainder of the site from SP-MRF zone to THAB zone. This would allow for the full site to be used for residential purposes and would allow for a more useable site shape in terms of development, with site then having a zoned minimum width of 15m widening out to 40m, with a length of approximately 200m, giving a contiguous zoned area of 4,460m².

7.4 Risk of Acting or Not Acting

Section 32(2)(c) RMA requires this evaluation to assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions. It is considered that there is sufficient information about the proposed replacement zone to proceed with PPC ARCWS. The change from SP-MRF zone to THAB zone is neither unclear or uncertain. This s32 evaluation will continue to be refined in relation to any new information that may arise following notification, including during hearings.

7.5 Reasons for the Preferred Option

The objective of the proposal is to enable the zoning to align with the subject site boundaries and, given the land is surplus to the Avondale Jockey Club’s needs, to allow it to be rezoned to the adjacent zone of THAB. The zoning would also ensure that the full width and shape of the site can be utilised for high intensity residential purposes,

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thereby allowing for additional layout and design options for the development of the site.

Retention of the existing SP-MRF zone would not achieve this outcome given the land is surplus to the needs of the racecourse, so in effect it would become redundant land and would therefore become an inefficient use of a land resource. This outcome would not align with the AUP’s intention to work towards creation of a quality compact city.

The appropriateness of the site and location for high intensity residential use has already been established by the existing zoning on parts of the site and given the zoning approach along Wingate Street.

The evaluation of options undertaken in this report demonstrates that the preferred option for meeting the objectives of PPC ARCWS is a plan change to the AUP to rezone the remainder of the site to THAB zone. In accordance with section 32(1)(a), the objectives of the proposal are considered to be the most appropriate way to achieve the purpose of the RMA.

The THABs zone is the most efficient and effective means of achieving the objectives of the proposal.

8.0 Resource Management Framework

8.1 Part 2 of the RMA

The purpose of the RMA is to promote the sustainable management of natural and physical resources, as defined in section 5(2) of the Act. Part 2 matters relevant to PPC ARCWS include:

- enabling people and communities to provide for their social, economic, and cultural well-being (s5(2));
- avoiding, remedying, or mitigating any adverse effects of activities on the environment (s5(2)(c));
- the efficient use and development of natural and physical resources (s7(b)); and
- the maintenance and enhancement of amenity values (s7(c)).

PPC ARCWS is considered to be aligned with Part 2 of the RMA as it seeks to provide for the social and economic well-being of the community by providing additional land for
housing in a way that mitigates adverse effects, maintains amenity values, and uses land efficiently.

8.2 Other Relevant Sections of the RMA

Section 31(1)(a) of the RMA states that a function of the Council is “the establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district”. It is considered that PPC ARCWS assists the Council to carry out its functions as set out in section 31.

Section 31(1)(aa) is of particular relevance to PPC ARCWS in that it states that a function of territorial authorities is also “the establishment, implementation, and review of objectives, policies, and methods to ensure that there is sufficient development capacity in respect of housing ..... land to meet the expected demands of the district”. PPC ARCWS assists in fulfilling this function as it provides for additional residential land to meet the demands of the surrounding community, the closest parts of which are growing rapidly as a result of the AUP’s rezoning for intensive residential development.

Section 75(3) of the RMA sets out the matters to be given effect to by a district plan:

- any national policy statement;
- any New Zealand coastal policy statement;
- a national planning standard; and
- any regional policy statement

It is also noted that a territorial authority must not have regard to trade competition or the effects of trade competition in preparing or changing its district plan (s74(3)).

It is proposed that PPC ARCWS would have legal effect only once a decision on submissions is made, as is the default position under section 86B(1).

8.3 National Policy Statements

National policy statements (‘NPS’) are instruments issued under section 52(2) of the RMA and state objectives and policies for matters of national significance. There are currently five national policy statements in place:

- National Policy Statement on Urban Development Capacity
• National Policy Statement for Freshwater Management
• National Policy Statement for Renewable Electricity Generation
• National Policy Statement on Electricity Transmission
• New Zealand Coastal Policy Statement

Two NPS of relevance to PPC ARCWS are the National Policy Statement on Urban Development Capacity of existing communities and future generations (‘NPS-UDC’) and Electricity Transmission for electricity corridors (‘NPS-ET’). The NPS-UDC seeks to provide sufficient development capacity for residential and business growth, and the NPS-ET which seeks to ensure decision makers and Regional and Local Planning documents recognise the national significance of the electricity transmission network and the need to safeguard the transmission corridors from reverse sensitivity effects.

PPC ARCWS accords with many of the objectives and policies of the NPS-UDC, as it seeks to provide further capacity for residential growth in a location that is well served by infrastructure, public transport and services. An emphasis of the NPS-UDC is on the need for councils to be responsive to changes that occur in urban environments as a result of growth. Particular objectives and policies that support, or are relevant to, PPC ARCWS are noted below:

**OA2:** Urban environments that have sufficient opportunities for the development of housing and business land to meet demand, and which provide choices that will meet the needs of people and communities and future generations for a range of dwelling types and locations, working environments and places to locate businesses.

**OA3:** Urban environments that, over time, develop and change in response to the changing needs of people and communities and future generations.

**OC2:** Local authorities adopt and respond to evidence about urban development, market activity and the social, economic, cultural and environmental wellbeing of people and communities and future generations, in a timely way.

**OD1:** Urban environments where land use, development, development infrastructure and other infrastructure are integrated with each other.

**PA3:** When making planning decisions that affect the way and the rate at which development capacity is provided, decision-makers shall provide
for the social, economic, cultural and environmental wellbeing of people and communities and future generations, whilst having particular regard to:

a) Providing for choices that will meet the needs of people and communities and future generations for a range of dwelling types and locations, working environments and places to locate businesses;

b) Promoting the efficient use of urban land and development infrastructure and other infrastructure; and

c) Limiting as much as possible adverse impacts on the competitive operation of land and development markets.

**PA4:** When considering the effects of urban development, decision-makers shall take into account:

a) The benefits that urban development will provide with respect to the ability for people and communities and future generations to provide for their social, economic, cultural and environmental wellbeing; and

b) The benefits and costs of urban development at a national, inter-regional, regional and district scale, as well as the local effects.

In respect of the NPS-ET the AUP has been drafted to achieve the outcome of the NPS-ET in particular it has provided an appropriate framework via the use of the ‘National Grid Corridor Overlay’ to ensure the land uses planning aligns with the development limitations near corridors. The applicant is fully aware of the constraints imposed by the overlay and a consent notice has been included on the recent subdivision to ensure this is clear to future developers. The PPC ARCWS does not seek to alter this overlay in any way on this basis the proposal is considered to accord with the direction of the NPS-ET.

### 8.4 National Environmental Standards

National Environmental Standards (‘NES’) are regulations that prescribe standards for environmental matters. There are currently six NES in force as regulations, none of these are directly relevant to the proposal to change the zoning of the site. However, it is noted that there is a National Environmental Standard regarding Electricity Transmission Activities and a portion of the site has a high voltage electricity transmission corridor. The AUP overlay provisions in regard to this remain unchanged by the private plan change request and would continue to apply to any future
redevelopment of the site. On this basis it is therefore considered that no further regard needs to be given to the NES.

8.5 National Planning Standards

The purpose of the National Planning Standards is to improve consistency in plan and policy statement structure, format and content so they are easier to prepare, understand, compare and comply with. The Standards will also support implementation of national policy statements and help people observe the procedural principles of the RMA. National Planning Standards must be given effect to by district plans, in accordance with s75(3) RMA.

The Standards, which were introduced as part of the 2017 amendments to the Act, are currently under development. The first set of draft Standards were publicly notified for submissions in June 2018, and are currently being reviewed and refined in response to the submissions received. These Standards were released on the 5 April 2019 and they address the structure and form of plans, set national definitions and require interactive or digital ‘ePlans’.

There is a significant period of time following confirmation before councils are required to modify district plans. Furthermore, there will clearly be many other zoning situations in the AUP that are substantially similar to that enabled by PPC ARCWS and those would also be subject to any amendments that may arise as a result of implementing the Standards. For these reasons, it is considered that the Standards will have no effect on the development of PPC ARCWS at the current time.

8.6 Other Legislation

There is no other legislation that is of direct relevance to PPC ARCWS. It is noted that the Hauraki Gulf Marine Park Act 2000 does apply to the site as it falls within the catchment for the Hauraki Gulf (as identified in Schedule 3 of that Act). However, the AUP already contains a suitable tool box of standards and activities to manage the effects of activities and this remains unchanged by PPC ARCWS.

8.7 The Auckland Plan

The Auckland Plan 2050 is a long-term spatial plan for Auckland for the next 30 years.
The development strategy contained in the Auckland Plan addresses the means for achieving a quality compact approach to growth. Growth is to be managed by focusing future development in existing urban areas and that future development maximises efficient use of land and that most development is within areas that are easily accessible by public transport, walking and cycling. The site meets these requirements as a brownfield site within close proximity to all services, and given a portion of the site has already been zoned for the highest intensity residential zone this identifies that Council agrees that the site is accessible. The extension of the zoning to align with the site boundaries will enable the more efficient use of the site as it will allow the full site area to be utilised for residential development. This will assist in bringing the site forward and therefore allow it to contribute towards the expected 2,440 anticipated dwellings within Avondale.5

This is supported by the ‘Homes and Places’ Direction 1, which seeks to develop a quality compact urban form to accommodate Auckland’s growth, and Direction 2 as it will increase the likelihood of the site being brought forward for a housing redevelopment. Aligning the zoning with the site boundaries will allow for a larger site area for residential redevelopment.

8.8 The Auckland Unitary Plan – Regional Policy Statement

When preparing or changing a district plan, Council must give effect to any Regional Policy Statement (‘RPS’).10 The RPS seeks to achieve the purpose of the RMA by providing an overview of the resource management issues for the region, and establishing policies and methods to achieve integrated management of the region’s natural and physical resources.

The RPS contains a number of higher order objectives and policies that are relevant to the assignment of zoning to land. Those of most relevance in this respect are set out below:

B2.2. Urban growth and form

B2.2.1. Objectives

(1) A quality compact urban form that enables all of the following:
   (a) a higher-quality urban environment;

5 Table Auckland Plan 2050 – Anticipated timeframe of development in existing urban area Page 222,
Auckland Plan 2050 June 2018
10 s75(3)(c) RMA
(b) greater productivity and economic growth;
(c) better use of existing infrastructure and efficient provision of new infrastructure;
(d) improved and more effective public transport;
(e) greater social and cultural vitality;
(f) better maintenance of rural character and rural productivity; and
(g) reduced adverse environmental effects.

B2.2.2. Policies

Quality compact urban form

(4) Promote urban growth and intensification within the urban area 2016 (as identified in Appendix 1A), enable urban growth and intensification within the Rural Urban Boundary, towns, and rural and coastal towns and villages, and avoid urbanisation outside these areas.

(5) Enable higher residential intensification:
   (a) in and around centres;
   (b) along identified corridors; and
   (c) close to public transport, social facilities (including open space) and employment opportunities.

(7) Enable rezoning of land within the Rural Urban Boundary or other land zoned future urban to accommodate urban growth in ways that do all of the following:
   (a) support a quality compact urban form;
   (b) provide for a range of housing types and employment choices for the area;
   (c) integrate with the provision of infrastructure; and
   (d) follow the structure plan guidelines as set out in Appendix 1.

B2.4. Residential growth

B2.4.1. Objectives

(1) Residential intensification supports a quality compact urban form.
(3) Land within and adjacent to centres and corridors or in close proximity to public transport and social facilities (including open space) or employment opportunities is the primary focus for residential intensification.

(4) An increase in housing capacity and the range of housing choice which meets the varied needs and lifestyles of Auckland’s diverse and growing population.

**B2.4.2. Policies**

**Residential intensification**

(2) Enable higher residential intensities in areas closest to centres, the public transport network, large social facilities, education facilities, tertiary education facilities, healthcare facilities and existing or proposed open space.

(5) Avoid intensification in areas:

(a) where there are natural and physical resources that have been scheduled in the Unitary Plan in relation to natural heritage, Mana Whenua, natural resources, coastal environment, historic heritage or special character; or

(b) that are subject to significant natural hazard risks; where such intensification is inconsistent with the protection of the scheduled natural or physical resources or with the avoidance or mitigation of the natural hazard risks.

(6) Ensure development is adequately serviced by existing infrastructure or is provided with infrastructure prior to or at the same time as residential intensification.
B2.7. Open Space and Recreational Facilities

B2.5.1. Objectives

1. Recreational needs of people and communities are met through the provision of a range of quality open spaces and recreation facilities.

2. Reverse sensitivity effects between open spaces and recreation facilities and neighbouring land uses are avoided, remedied or mitigated.

B2.5.2. Policies

7. Avoid, remedy or mitigate significant adverse effects of land use or development on open spaces and recreation facilities.

It is considered that PPC ARCWS would give effect to the RPS in that it:

- Provides for rezoning of land within the Rural Urban Boundary that supports a quality compact urban form and allows for the efficient use of accessible land for intensive residential use (B2.2.1(1) and B2.2.2(7));
- The rezoning will align the zoning across the full site and will allow the site to achieve a greater development potential in a location already identified by Council as meeting the attributes of a high intensity residential zone given its proximity to Avondale Town Centre and Great North Road (B2.2.2(5));
- The proposed re-zoning will allow for the alignment of the zoning to the physical site boundaries which will ensure that the full site area is able to achieve the high intensity residential use sought by the THAB zone. In particular, it will provide a more contiguous zoning across the site and allow the full width and length to be utilised in a development scenario for residential purposes and thereby enable greater design options to be achieved on site (B2.4.1(1));
- The site is able to be adequately serviced, with the recent subdivision granted by Auckland Council including conditions requiring the provision of infrastructure (B2.4.2(6));
- The needs of the local community with regard to the provision of the Major Recreation Facility comprised in the Avondale Racecourse will remain unchanged by the proposed rezoning as the land is surplus to the AJC needs. The recent subdivision of the site, alongside the proposed rezoning, will enable the AJC to raise capital to invest back into the racecourse (B2.7.1(1));
• There are not considered to be reverse sensitivity effects from the proposal given AJC are the applicants and given the AUP has always anticipated higher intensity uses alongside the racecourse boundary (B2.7.1.(3)); and
• It is not considered that the proposed rezoning would result in significant adverse effects on the existing Avondale Racecourse as the use of the site as a Major Recreation Facility would remain unchanged by the proposed rezoning. Rather the proposal would enable AJC to achieve the development potential of this portion of the site which is surplus to the AJC needs and thereby enable the land to be utilised efficiently (B2.7.2.(7)).

Further assessment of PPC ARCWS, in the context of the specific matters set out in Policy B2.5.2(4) of the RPS, is provided in Appendix D.

8.9 The Auckland Unitary Plan – Objectives and Policies

Terrace Housing and Apartment Buildings Zone

PPC ARCWS seeks to rezone the remaining portions of the site to THAB zone. Relevant AUP objectives and policies for this zone are:

H6.2 Objectives

Terrace Housing and Apartment Buildings zone objectives

(1) Land adjacent to centres and near the public transport network is efficiently used to provide high-density urban living that increases housing capacity and choice and access to centres and public transport.

(2) Development is in keeping with the areas planned urban built character of predominantly five, six or seven storey buildings in identified areas, in a variety of forms.

(3) Development provides quality on-site residential amenity for residents and the street.

(4) Non-residential activities provide for the community’s social, economic and cultural well-being, while being compatible with the scale and

Campbell Brown
intensity of development anticipated by the zone so as to contribute to
the amenity of the neighbourhood.

**H6.3 Policies**

**Terrace Housing and Apartment Buildings zone policies**

(1) Enable a variety of housing types at high densities including terrace
housing and apartments and integrated residential development such as
retirement villages.

(2) Require the height, bulk, form and appearance of development and the
provision of setbacks and landscaped areas to achieve a high-density
urban built character of predominantly five, six or seven storey buildings
in identified areas, in a variety of forms.

(3) Encourage development to achieve attractive and safe streets and public
open spaces including by:
   (a) providing for passive surveillance
   (b) optimising front yard landscaping
   (c) minimising visual dominance of garage doors.

(5) Manage the height and bulk of development to maintain daylight access
and a reasonable standard of privacy, and to minimise visual dominance
effects to adjoining sites and developments.

(6) Require accommodation to be designed to meet the day to day needs of
residents by:
   (a) providing privacy and outlook; and
   (b) providing access to daylight and sunlight, and providing the amenities
      necessary for those residents.

(10) Recognise the functional and operational requirements of activities and
development.

The principal focus of the THAB zone is to enable a higher intensity zone for urban
residential living. It acknowledged that this will be at a higher intensity than previously
provided for by the legacy plans. However, the zone covers locations that are well
supported in respect to services and accessible to public transport to support the higher levels of intensification and promote walkable neighbourhoods and focus on centres.

The objectives and policies follow the direction of the RPS and reinforce the need to efficiently use land adjacent to centres and near to public transport to provide for high-density urban neighbourhoods that enable a variety of housing types.

PPC ARCWS will give effect to the relevant AUP objectives and policies as:

- It will enable the full potential of the site to be developed intensively in accordance with its Terrace Housing and Apartment Buildings zoning as it will align the zoning with the site shape and configuration;
- It will not undermine the function and role of the Major Recreation Facility of the Avondale Racecourse given it is surplus to requirements;
- It will not give rise to any adverse effects on the safe and efficient operation of the transport network; and
- The zoning along the shared external boundary remains unchanged.

9.0 Environmental Effects

A number of specialist reports have been obtained to understand the likely effects of the proposed zone change and, where relevant, to satisfy the requirements of AUP Appendix 1 – Structure Plan Guidelines. Those reports are as follows:

- Infrastructure Report, prepared by Land, Development & Civil (Appendix G), and
- Geotechnical Report, prepared by Geoconsult (Appendix H)

The AUP structure plan guidelines note that the level of analysis required needs to be appropriate to the type and scale of development, and these reports are provided in that context. Nonetheless, an assessment of PPC ARCWS in respect of each of the relevant matters set out in Appendix 1 of the AUP is attached at Appendix E.

It is noted that the above reports were commissioned for the underlying recently approved subdivision consent. It is not considered that these needed to be separately prepared or updated for the Private Plan Change Request.

Any potential effects from the proposed plan change are limited and would relate to the following matters:
9.1 Effects of the Design, Layout and Accessibility of the site

The proposed THAB rezoning will provide for a more contiguous zoning across the site and enable it to follow the site boundaries which provided for a more efficient site area and shape. The re-zoning is further supportive by the applicable land use and transportation policies, given its location and proximity to services which will enable a walkable neighbourhood for future residents.

The underlying objectives, policies and standards of the THAB zone will continue to provide a regulatory framework for the scale, form and location of development on site and these zone provisions are unchanged by the PPC ARCWS.

It is noted that consideration has been given to the existing national grid corridor which traverses the site and it is proposed to construct the access to the site in this location in the future, thus ensuring that building platforms are well removed from the power lines. It is noted that a consent notice to this effect is included on the proposed lot.

9.2 Effects on Services, Infrastructure and Geotechnical Matters

A subdivision consent has been recently granted to create the lot and an infrastructure report was provided by Land Development and Civil Limited as part of this process and is attached at Appendix G.

This report identified the ability for the site to be serviced, given no development plan has yet been prepared and it concludes that the provision of services and access to the site can be readily achieved.

The suitability of the site for redevelopment in terms of ground conditions has already been established by the underlying subdivision consent and as documented in the Geotechnical Report in Appendix H. Given a subdivision consent has been recently granted, it follows that Council was satisfied that the stability and consideration of hazards in respect of the site was acceptable in terms of the requirements of s106 of the RMA.

It is therefore considered that the proposed subdivision can be adequately serviced by the necessary infrastructure and access, and that the ground conditions are suitable for residential redevelopment, consequently any potential effects on the environment will not be significant.
9.3 Effects on the National Grid

The site involves the rezoning of a portion of land within the National Grid overlay. This was discussed as part of the underlying subdivision consent with it identified that this area will be used for the vehicle access to the site, and possibly for parking and appropriate landscaping. This consent outlined that all building platforms will be away from this area and the applicant agreed to registering a consent notice to this effect on the new title.

Furthermore, the overlay is not being varied by the PPC ARCWS and the provisions of the AUP in respect to development and subdivision within the AUP remain unchanged and will therefore continue to apply a suitable regulatory framework to manage these effects in the future for the site. On this basis it is not considered that the proposed rezoning would have any effects on this overlay and asset.

9.4 Effects on the Avondale Racecourse

The additional land proposed to be rezoned within the site is surplus to the needs of the Avondale Jockey Club and as such it will not impact on the operation of the racecourse as a major recreation facility.

9.5 Effects on the Amenity of adjacent sites

Land beyond the shared external boundary is already zoned as Terrace Housing and Apartment Buildings zone so the redevelopment for intensive purposes has already been anticipated by the AUP and these adjacent sites given they share the same zoning. The PPC ARCWS does not seek to alter any of the AUP provisions as they relate to this shared external boundary and the operative provisions would continue to guide the future development process. Consequently, any potential amenity effects from the zone change would not be significant in the context of what the zone enables.

9.6 Positive Effects

This proposal will have positive effects that should be recognised and considered given it would allow the site to be brought forward for development, thereby providing additional housing to the Auckland market in an area of known housing need.
On the basis of the technical information that has been provided alongside the assessment above, it is concluded that PPC ARCWS will not generate any significant adverse environmental effects.

10.0 Consultation

In preparing PPC ARCWS, the applicant has commenced consultation and engagement with a number of parties, including iwi and Transpower.

A summary of consultation undertaken to date is included within Appendix F. That appendix will be updated as additional responses are received.

At this stage, no concerns have been raised although consultation is ongoing and some parties have not yet had an opportunity to respond. Council will be advised of all responses received as the PPC ARCWS process moves forward.

11.0 Conclusion

It is considered that the proposed rezoning of the balance of the site to Terrace Housing and Apartment Buildings zone is the most appropriate means to achieve the purpose of the RMA. It would be the best available option to enable and facilitate the use of the site for intensive residential purposes as it will align the zoning with the site boundaries.

PPC ARCWS assessment undertaken by:

Ilia Daniels
Principal Planner
Campbell Brown Planning Limited

(For and on behalf of Avondale Jockey Club)
Auckland Unitary Plan (Operative in Part) - Private Plan Change Request from Avondale Jockey Club to rezone land at Avondale Racecourse
Clause 25, Schedule 2, Resource Management Act 1991

25 Local authority to consider request

(1) A local authority shall, within 30 working days of—

(a) receiving a request under clause 21; or

(b) receiving all required information or any report which was commissioned under clause 23; or

(c) modifying the request under clause 24—

whichever is the latest, decide under which of subclauses (2), (3), and (4), or a combination of subclauses (2) and (4), the request shall be dealt with.

(1A) The local authority must have particular regard to the evaluation report prepared for the proposed plan or change in accordance with clause 22(1)—

(a) when making a decision under subclause (1); and

(b) when dealing with the request under subclause (2), (3), or (4).

(2) The local authority may either—

(a) adopt the request, or part of the request, as if it were a proposed policy statement or plan made by the local authority itself and, if it does so,—

(i) the request must be notified in accordance with clause 5 or 5A within 4 months of the local authority adopting the request; and

(ii) the provisions of Part 1 or 4 must apply; and

(iii) the request has legal effect once publicly notified; or

(b) accept the request, in whole or in part, and proceed to notify the request, or part of the request, under clause 26.

(2AA) However, if a direction is applied for under section 80C, the period between the date of that application and the date when the application is declined under clause 77(1) must not be included in the calculation of the 4-month period specified by subclause (2)(a)(i).

(2A) Subclause (2)(a)(ii) is subject to section 86B.

(3) The local authority may decide to deal with the request as if it were an application for a resource consent and the provisions of Part 6 shall apply accordingly.

(4) The local authority may reject the request in whole or in part, but only on the grounds that—

(a) the request or part of the request is frivolous or vexatious; or

(b) within the last 2 years, the substance of the request or part of the request—

(i) has been considered and given effect to, or rejected by, the local authority or the Environment Court; or

(ii) has been given effect to by regulations made under section 360A; or
(c) the request or part of the request is not in accordance with sound resource management practice; or

(d) the request or part of the request would make the policy statement or plan inconsistent with Part 5; or

(e) in the case of a proposed change to a policy statement or plan, the policy statement or plan has been operative for less than 2 years.

[5] The local authority shall notify the person who made the request, within 10 working days, of its decision under this clause, and the reasons for that decision, including the decision on notification.
Te take mō te pūrongo

Purpose of the report

1. To receive a summary and provide a public record of memos or briefing papers that have been distributed to committee members.

Whakarāpopototanga matua

Executive summary

2. This is a regular information-only report which aims to provide greater visibility of information circulated to committee members via memo/briefing or other means, where no decisions are required.

3. The following information items are attached:
   - Auckland Monthly Housing Update June 2019 (Attachment A)
   - Auckland Monthly Housing Update July 2019 (Attachment B)

4. The following memos are attached:
   - 4 July 2019 – America’s Cup 36 programme’s engagement with mana whenua (Attachment C)
   - 19 July 2019 – Auckland Council’s Submission on Proposed Private Plan Change 25 - Warkworth North (Attachment D)
   - 26 July 2019 – Comprehensive Review of the Resource Management System (Attachment E)
   - 31 July 2019 – The management of helicopter flights and helicopter landing areas under the Auckland Unitary Plan (Operative in Part) (Attachment F)

5. The following correspondence is attached:
   - 12 June 2019 – Auckland Transport response to Graeme Easte’s presentation at 4 June Planning Committee on Train Delays (Attachment G)
   - 24 July 2019 – Auckland Airport Northern Network announcement (Attachment H)

6. Note that staff will not be present to answer questions about the items referred to in this summary. Committee members should direct any questions to the authors.

Ngā tūtohunga

Recommendation/s

That the Planning Committee:

a) receive the Summary of Planning Committee information memos and briefings – 6 August 2019.
Ngā tāpirihanga
Attachments

The attachments for this report have been published separately at the following link: http://infocouncil.aucklandcouncil.govt.nz > Planning Committee > 6 August 2019 > Extra Attachments

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Ngā kaihaina
Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Kalinda Gopal - Senior Governance Advisor</th>
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<tr>
<td>Authoriser</td>
<td>Megan Tyler - Chief of Strategy</td>
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Exclusion of the Public: Local Government Official Information and Meetings Act 1987

That the Planning Committee

a) exclude the public from the following part(s) of the proceedings of this meeting.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution follows.

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

<table>
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<th>C1</th>
<th>Auckland Unitary Plan (Operative in Part) - Proposed Plan Change Volcanic Viewshafts and Height Sensitive Area Overlay</th>
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<tr>
<td>Reason for passing this resolution in relation to each matter</td>
<td>Particular interest(s) protected (where applicable)</td>
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<td>The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.</td>
<td>s7(2)(c)(ii) - The withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to damage the public interest. s7(2)(g) - The withholding of the information is necessary to maintain legal professional privilege. In particular, the report discusses historic heritage values that could be compromised if the content of the report is made public at this time.</td>
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## ATTACHMENTS

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Memo
18 July 2019

To: Planning Committee members
cc: Phil Wilson, Governance Director; Megan Tyler, Chief of Strategy; John Duguid, General Manager Plans & Places; Warren Maclean, Manager Planning - North/West

From: Aotea / Great Barrier Local Board, Dark Sky Sanctuary Advisory Group

Subject: Aotea / Great Barrier Island International Dark Sky Sanctuary - Risk management and governance issues

1. Introduction
It is clear that the Sanctuary has been a resounding success so far, and the community deserves immense credit for its support. Several new businesses have started to take advantage of the appeal of the sanctuary, and there appears to have been a significant effect on both visitor numbers and visitor spend. Outreach activities have been enthusiastic. There can be few other sanctuaries in the world which manage to hold not one but three multi-activity programmes introducing aspects of astronomy to their resident population in a 24-month period. This is an excellent situation, not least as it reduces the pressure on the Dark Sky Sanctuary Advisory Group (DAG) or future governance group to be involved in intensive outreach programmes in future. There are no factors which appear to put the island’s status at risk from island-based light sources. Guidance on light types is available from the council, and we can rely on the local service centre to ensure that light pollution is an issue with resource consent and building processes. This aspect may need a little tweaking with a council information drive to encourage retrofitting of lighting a good idea. Few changes have been made to the outstanding lights which were identified in the application. This is not a major risk as the basic curfew situation of the island being off-the-grid is the main on-island protection.

2. Unitary Plan
The application was made under the Operative Plan for the Hauraki Gulf Islands in anticipation of a pending movement to the Unitary Plan. For a variety of reasons this has not yet occurred. In fact, we are only entering into area spatial plan consultation. The island’s intrinsic darkness and lack of lights should not mean this is a problem, but we do indicate a sense of urgency to planning authorities.

3. Risk management
DAG and the local board would like to bring several future concerns requiring risk management to your consideration:
   a) Light pollution risks from ‘organic’ growth in Rodney
   b) NZTA and Auckland Transport (AT) Street Lighting standards and practice
   c) Related ‘blue light’ issues
   d) Role of Aotea / Great Barrier Local Board in planning in other local board areas.

4. Organic growth
There is significant risk to Great Barrier’s dark sky measurements from ‘organic’ urban development in Rodney. There is considerable pressure for development on the Rural-Urban boundary of the city, and for intensification of development within the current urban limits. South of the city, and outside the boundary of the city proper, there has been very rapid development
around Pokeno and Pukekohe East which is reflected in the attached Light Pollution maps. Development in the area around Silverdale and East of Orewa has been dramatic. This is not reflected yet in satellite pollution maps. Great Barrier is 85km from downtown Auckland. However, the growing urbanisation in Rodney (Orewa, Warkworth, Wellsford, Leigh and surrounding areas) raises some concerns. These centres are around 40kms from the island. Intense development of this northern zone will have a significant effect on the light dome for greater Auckland and will impact on the sky quality data we are able to achieve, especially on the East Coast of the island.

The scale on the following maps goes from Light Pink/white through red, yellow, green to black. Extending the bright epicentre in central Auckland and North Shore to Orewa would have the effect of bringing Great Barrier in to the Blue and Light Blue zones. Thus the Sanctuary status could be severely compromised.

Maps 2 VIIRS 2018 - demonstrates the light sources, though does not highlight the light dome as well.

The final maps highlight the growth of lighting in Pokeno and Pukekohe East. These areas have been chosen to indicate the potential growth and risk which will occur with development from Orewa north.

Map 3. VIIRS 2018 - Pukekohe and Pukekohe East
5. NZTA and Auckland Transport standards and practice
Across New Zealand the NZTA is funding the replacement of old-style street lights with dramatically more efficient LED technology. This is principally driven by efficiency cost savings. The shift offered an opportunity for a reconsideration of the level of light in urban areas. Unfortunately, internationally the upgrades have led to significantly brighter night environments. Other problems are related to the light colour temperature adopted with the new technology. The NZTA has set a standard of 4000 Kelvins. This is at the ‘middle’ of a spectrum from bluish light to amber. Unfortunately, the Sanctuary standard is 3000K—toward the more amber end of the scale. The NZTA has recently approved standards for Tekapo and Stewart Island at the lower end of this scale (<3000K). This is not an immediate problem for Great Barrier as we have no street lights. But, street lights are the single greatest contributor to sky glow and the light domes in urban areas. It appears that the scattering effect of the bluer light adds to this problem, and that the problem affects areas a considerable distance from the light source. Attachment A explores in detail the issue of blue light pollution which is a big deal as far as the potential light dome developing in Rodney from LED based street lighting and other attendant light pollution. NZTA’s standards (NZS1158) and practice are not seen to meet best practice from the International Dark Sky Agency perspective. Auckland Transport has dramatically reduced light pollution through digital control systems, reducing the intensity of all lights after 11:00. This is very positive. However, from the Sanctuary’s perspective, the impact of a dramatically increased light dome north of the current city centre warrants attention.

6. Blue light issues
Related to this issue, the Royal Society of New Zealand has recently published a paper on the harmful effects of blue light, which includes the white-blue component in the spectrum of modern LED street lights with K ratings >3000K.

7. Planning and local board governance
It is worth stressing that the Sanctuary status goes beyond the island itself. It is not currently reflected in any city-wide planning documentation or regulatory structure. This needs to change.
Casual activity in areas a long way from the Sanctuary can and will affect our light quality data. While the time frame is medium term, that is what plans are for: medium-term solutions to long- and short-term problems. We believe that the Aotea / Great Barrier Local Board should be recognised as an interested party in all development proposals in areas which could affect our status. The Dark Sky criteria should be recognised within Auckland’s Unitary planning documents at more than a local level.

8. Requests
a) Request an update on the Auckland Council’s schedule for integrating the Hauraki Gulf District Plan into the Unitary Plan.
b) Request for the Aotea / Great Barrier Island International Dark Sky Sanctuary to be given formal planning status within Auckland Council’s parks management and planning regimes.
c) Request that the Governing Body recognise the Aotea / Great Barrier Island International Dark Sky Sanctuary within its strategy planning documents.
d) Recognise Aotea / Great Barrier Local Board as an interested party in planning decisions which might affect the night sky quality at Great Barrier Island (especially in relation to Rodney and Franklin districts).
e) Request a delegation to Auckland Transport regarding the establishment of CCT <3000Kelvin as the colour temperature rating for street lights north of Orewa.

9. Consultation and sources
This memo is not intended to be a technical paper. However, to write the memo experts from International Dark Sky Association, Auckland Transport, and Auckland Council’s Planning officers were consulted with. Other sources include, www.lightpollution.com, John Barentine Private Communication, Auckland Unitary Plan, IDA private commentary re. NZS 1158 and street lighting practice in NZ.

Attachments:
   a) The impact of light source spectral power distribution on skyglow – Technical article by Luginbuhl.
The impact of light source spectral power distribution on sky glow

Christian B. Luginbuhl a,b, Paul A. Boley b, Donald R. Davis b

a U.S. Naval Observatory Flagstaff Station, 10531 W. Naval Observatory Road, Flagstaff, AZ 86001, United States
b Dark Sky Partners LLC, 4625 Camino La Brisa, Tucson, AZ 85718, United States

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ABSTRACT
The effect of light source spectral power distribution on the visual brightness of anthropogenic sky glow is described. Under visual adaptation levels relevant to observing the night sky, namely with dark-adapted (scotopic) vision, blue-rich (“white”) sources produce a dramatically greater sky brightness than yellow-rich sources. High correlated color temperature LEDs and metal halide sources produce a visual brightness up to 8× brighter than low-pressure sodium and 3× brighter than high-pressure sodium when matched lumen-for-lumen and observed nearby. Though the sky brightness arising from blue-rich sources decreases more strongly with distance, the visual sky glow resulting from such sources remains significantly brighter than from yellow sources out to the limits of this study at 100 km.

1. Introduction

Outdoor lighting is an increasingly pervasive aspect of the human nocturnal environment. Yet beyond the intended effects for human vision and information conveyance, a variety of collateral impacts arise from its use—these impacts are often referred to as “light pollution” (e.g. [1] and references therein). Though there are a number of aspects of light pollution such as glare, disturbance to biological systems, and “light trespass,” one of the primary impacts is increased night sky brightness (“anthropogenic sky glow”) arising from light scattered by atmospheric molecules and aerosols. Beginning as early as the 1930s, when a site was being chosen for the 200 in. Hale telescope, astronomers have been concerned about the impact of this increased sky brightness on the observability of faint astronomical sources. In the past 50 years protection has been sought through civil regulations that require shielding of light fixtures to prevent light emanation above the horizontal plane; in the last 25 years these efforts have extended in some cases to limits on both the total amount of light and the spectral characteristics of the light sources.

Garstang developed the first comprehensive model [2,3] that treats the scattering of light from molecules and aerosols in clear (cloudless) air, and accurately accounts for varying locations of light source and observer, Earth (and atmospheric) curvature, and varying levels of atmospheric aerosol. This model, extended to account for blocking of light rays by objects in the near-ground environment [4] has been successfully used to predict the sky brightness arising from artificial light sources (e.g. [5,6]). In recent years there has been an increasing interest in the use of solid-state lighting sources (LEDs) with a broad and relatively blue-rich spectral power distribution compared to the previously dominant technology, high-pressure sodium (HPS) (see, for example, discussions of...
many LED lighting projects undertaken in collaboration with the US Department of Energy Gateway Program [6]. The question arises as to the impacts on anthropogenic sky glow of such a shift in light source spectrum. In this contribution we present an extension of the Garstang model to include the wavelength dependence of molecular and aerosol scattering, to allow the treatment of light sources with different spectral power distributions. An initial study [2] has examined the impact of a variety of light sources on the radiant sky glow in different parts of the visible spectrum. The goal of this study is to examine the impacts on the visual or luminous sky glow as observed by the human eye under both photopic and, more importantly, scotopic conditions.

2. Model

To examine these effects, an implementation of Garstang’s [2,3] monochromatic model has been generalized to allow the calculation of sky brightness arising from polychromatic light sources. Along a given path through the atmosphere, Garstang’s model calculates the amount of light removed due to extinction, as well as added due to scattering. Single and double scatterings are treated; higher order scattering is neglected. This is done for a two-component atmosphere consisting of molecules and aerosols. Each of these two components is defined by a number density at height h above ground level and a scattering cross-section. The amount of aerosol is defined through a parameter \( K \) (see Eq. (3) below) which sets the ratio of total molecular to aerosol scattering.

Generalization of Garstang’s model for wavelength dependence requires specification of the wavelength dependence of the scattering cross-sections. The scattering by molecules is assumed to be Rayleigh scattering, where the cross-section scales with \( \lambda^{-4} \). The aerosol scattering cross-section, on the other hand, scales with \( \lambda^{-1} \) for aerosol particle sizes most relevant to clear atmospheres (see, for example, [8] for experimental measurements). Referenced to the center of the astronomical Johnson Y band at 550 nm, the wavelength-dependent aerosol and molecular scattering cross-sections \( \sigma_a \) and \( \sigma_m \) can be written as

\[
\sigma_a(\lambda) = \sigma_a(550 \text{ nm}) \left( \frac{550 \text{ nm}}{\lambda} \right)
\]

\[
\sigma_m(\lambda) = \sigma_m(550 \text{ nm}) \left( \frac{550 \text{ nm}}{\lambda} \right)^4
\]

These wavelength-dependent definitions of the scattering cross-sections can then be substituted into the model equations given by Garstang [2,3]. However, it is important to note that particular care needs to be taken with the aerosol component; as in the Garstang approach the aerosol scattering cross-section is defined relative to the amount of molecular scattering at ground level at the center of the Y band [12], Eq. (4)). Consequently, the wavelength-dependent definition of this relation is

\[
N_0 \sigma_a(\lambda) = \left( \frac{550 \text{ nm}}{\lambda} \right)^{11.11K N_0 \sigma_m(550 \text{ nm}) \exp(-CH)}
\]

where \( c \) is the reciprocal scale height for the molecular atmosphere and \( H \) is the height of the light source above sea level, which is consistent with the original definition when \( \lambda = 550 \text{ nm} \). The rest of the Garstang’s model equations can then be generalized for wavelength dependence by replacing \( \sigma_a \) and \( \sigma_m \) with the relations in Eqs. (1) and (2).

To determine the visible sky glow resulting from polychromatic light sources used for outdoor lighting, the spectrum of a light source is first scaled such that the spectrum, multiplied by the CIE V(\lambda) (photopic) response [9] yields a fixed luminous output (in lumens). We next perform the radiometric calculations on the scaled lamp spectrum within 20 nm wide wavelength bins, using the prescription described above, to compute the mean sky radiance \( L^0_0 \) in each wavelength bin. The physical quantity calculated is the luminance \( L_\lambda \), which we define in terms of the mean radiance in each wavelength bin as

\[
L_\lambda = \sum_i \frac{L_\lambda^i}{L_\lambda} \int \frac{V(\lambda)}{\lambda} \, d\lambda
\]

when the sky brightness evaluation is intended to apply to scotopic vision, we substitute the CIE V(\lambda) response [10] in place of the V(\lambda) response, and refer to the results as “scotopic” luminance \( L^0_0 \) or luminance ratios.

2.1. Light sources

2.1.1. Lamps

Six lamp types were examined in this study: low-pressure sodium (LPS); high-pressure sodium (HPS); two types of white light emitting diodes with correlated color temperature (CCT) of 2400 K (LED2400K) and 5100 K (LED5100K); ceramic metal halide with CCT of 4100 K (MH4100K); a white LED (3000 K CCT) filtered with a 500 nm short cutoff filter (LED). Spectra for the sources are shown in Fig. 3. In the analysis all light sources were balanced for equal luminous output (measured in lumens).

2.1.2. Uplight angular distribution

Light propagating upward into the atmosphere consists of two components: light emitted directly upward from incompletely shielded fixtures, and light reflected upward from illuminated surfaces. We use the angular descriptions for these components as defined by Garstang [2], Eq. (1) assuming direct upward component \( F - 0.10 \) and a horizontal ground surface with average reflectance \( G - 0.15 \). To account for blocking of upward rays by objects in the near-ground environment, we follow the treatment of Luginbuhl et al. [14], Eq. (2) assuming a vertical “blocking extinction” \( \beta = 0.3 \) magnitudes, with an overall unblocked fraction \( \eta = 0.10 \).

2.2. Atmosphere

A "moderately clear" atmosphere characterized by a total aerosol to molecular scattering ratio of 11:1 (following Garstang [2]) is adopted for the majority of the
analyses. This is equivalent to a visual range at sea level of 25 km and an astronomical V-band extinction of 0.33 magnitudes per airmass; the Garstang K parameter for this condition is 1.0. To examine the influence of aerosols, models with K=0.3 and 2.0 were also examined, corresponding to visual ranges of 74 and 14 km, respectively.

2.3. Light source and observer locations

The altitude for both the observer and the light source was set at 500 m, and observer–light source distances of 0.1–300 km were evaluated.

2.4. Sky glow measures

Overhead and near-horizon sky brightness was determined as follows. For overhead measures, we used the measure described by Lugninhul et al. [11], where the sky brightness was calculated at the zenith and four points at zenith angle 60° at 5° intervals in azimuth, one at the azimuth toward the light source. The overhead sky brightness is calculated as the average of these five points, with the zenith value receiving double weight. Measures of the sky brightness near the horizon are the average of three values calculated on the azimuth toward the light source and at zenith angles 80°, 90°, and 100°. We note that these measures do not represent a strict average of any particular portion of the sky: they are used to give values representative at the positions described and to keep the computation time at a minimum.

3. Results

3.1. Scotopic sky brightness

The luminance of a naturally dark and unpolluted night sky in the absence of moonlight ranges from ~0.2 mili-candela per square meter (mcd/m²) (22.0 V magnitudes per square arc second (mag/arcsec²)) at the zenith to ~3 mcd/m² (19.0 V mag/arcsec²) in the brighter parts of the Milky Way [12,13]. In 1988, the sky at Lowell Observatory, 1.5 km from Flagstaff (AZ, USA, 1980 population ~47,000) city hall, was ~1 mcd/m² (20.4 mag/arcsec²) at zenith and ~2 mcd/m² (19.5 mag/arcsec²) at zenith angle 60° [14]; in 2002 (population ~55,000) a measure from the same location shows ~2 mcd/m² (19.6 mag/arcsec²) at zenith angle 70° [15]. As the scotopic-to-mesopic transition is generally accepted to be near 10–30 mcd/m² [16], even near the center of a town of 55,000 residents the eye is essentially completely scotopic when observing the majority of the night sky (though the mesopic threshold is likely to be crossed at very high zenith angles). This means that the brightness of the night sky when observed by humans under naturally dark conditions and even into urban areas of moderate sizes, is primarily a scotopic response. Thus, sources richer in short wavelengths are more effective in stimulating vision, producing an artificial sky luminance that appears brighter.

To examine the brightness of the anthropogenic sky glow produced by the light sources shown in Fig. 1 and observed at the low luminance of the night sky, the scattered spectral radiances were weighted as shown in Eq. (3) using the CIE V(λ) scotopic response, producing what we term here "scotopic luminances." At the eight distances analyzed in this study, from 0.1 to 300 km, the calculated overhead scotopic luminances were divided by the scotopic luminance produced by LPS. The results are summarized in Table 1 and Fig. 2. At the low luminances observed in the night sky, the bluer sources produce dramatically (up to 8 x) brighter visual sky brightness.

<table>
<thead>
<tr>
<th>Table 1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Overhead scotopic sky luminance ratios, relative to LPS.</td>
</tr>
<tr>
<td>Dist. (km)</td>
</tr>
<tr>
<td>----------</td>
</tr>
<tr>
<td>0.1</td>
</tr>
<tr>
<td>0.3</td>
</tr>
<tr>
<td>1.0</td>
</tr>
<tr>
<td>3.0</td>
</tr>
<tr>
<td>30</td>
</tr>
<tr>
<td>100</td>
</tr>
<tr>
<td>300</td>
</tr>
</tbody>
</table>
than the yellow sources; the effect persists to the largest distance analyzed in this study despite their stronger falloff with distance. Even HPS is 2.5 \( \times \) brighter than LPS when observed from nearby.

Scotopic sky luminance ratios observed near the horizon (i.e. from 80° to 88° zenith angle) are summarized in Table 2 and Fig. 3. When observed near the horizon the scotopic sky luminance diminishes more strongly with distance than when observed overhead, though nearby the ratios are essentially the same as observed in the overhead by.

### 3.2. Effect of aerosols

The effect of differing aerosol loads was examined by running the models with Garstang \( K \) parameters of 2.9 and 0.3, representing hazier and clearer conditions. We note that the characteristics of the aerosols, in particular the dependence of the scattered intensity on scattered angle, are unchanged. The scotopic luminance ratios, divided by that for the \( K=1.0 \) condition, are shown in Fig. 4. Under hazier conditions, the increased scattering leads to a greater overhead scotopic luminance when observed from less than about 8 km from the light source, and fainter when further, reaching a value about one quarter that of the \( K=1.0 \) condition at 300 km. The opposite effect occurs under clear conditions, where overhead scotopic luminance nearby is decreased when observed from closer than about 10 km, and greater when observed from farther away, increasing to more than 3 \( \times \) greater than observed under \( K=1.0 \) conditions at 300 km. These results are essentially independent of light source spectrum.

### 3.3. Photopic sky brightness

Though not generally relevant to the brightness of the night sky as observed by humans, as discussed in Section 3.1, it is instructive to examine the effects of lamp spectrum on the standard or photopic luminance of the night sky. The overhead photopic sky brightness ratios, referenced to that for LPS, are shown in Table 3 and Fig. 5. As the light sources were balanced for equal luminous output, the photopic sky luminance ratios near the sources are approximately equal. The bluer sources produce slightly greater luminance when compared to the yellow sources (LPS and HPS) nearby, but the effect is not large, less than 6% for the bluest sources. The reason for this weak effect of lamp spectrum is that, though the shorter wavelengths suffer increased scattering by molecules and aerosols, this increased scattering also gives rise to increased extinction: the effects approximately balance when the observation point is near the light source. The sky luminance decreases more dramatically with distance for the bluer sources due to the increasing path length through the atmosphere and therefore extinction suffered by the shorter wavelengths. At distances greater than 10 km, the photopic luminance from all broad-spectrum sources is less than that for the yellow sources. For the bluest source (LED510M), the photopic luminance falls to 0.78 that from LPS by 300 km.

### 4. Discussion and conclusions

When observing the night sky, the adaptation level of the human eye, even under moderately light polluted skies, is essentially completely scotopic. As outdoor lighting installations are generally specified in terms of photopic units (lumens, lux, cd/m²), the differing spectral sensitivity of photopic and scotopic vision means that the brightness of sky glow is strongly affected by the spectral characteristics of the light source. When the light sources are matched for equal photopic output, scotopic visual sky glow from sources with increased short wavelength emission such as white LED and metal halide appears dramatically brighter. The higher CCT LED and metal halide sources produce 6–8 \( \times \) the scotopic luminance of low-pressure sodium (LPS), and 3 \( \times \) that from high-pressure sodium (HPS), when observed from nearby. At 300 km the ratios decrease due to the greater extinction.
Fig. 3. Near-horizon scotopic sky brightness ratio, compared to LPS.

Fig. 4. The effect of varying aerosol content on overhead scotopic sky brightness.

Table 3

<table>
<thead>
<tr>
<th>Dist. (km)</th>
<th>LPS</th>
<th>HPS</th>
<th>LED5000K</th>
<th>LED2000K</th>
<th>MH4000K</th>
<th>FLED</th>
</tr>
</thead>
<tbody>
<tr>
<td>0.1</td>
<td>1.022</td>
<td>1.021</td>
<td>1.023</td>
<td>1.053</td>
<td>1.055</td>
<td>1.030</td>
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<td>0.3</td>
<td>1.022</td>
<td>1.029</td>
<td>1.048</td>
<td>1.051</td>
<td>1.051</td>
<td>1.028</td>
</tr>
<tr>
<td>1</td>
<td>1.020</td>
<td>1.025</td>
<td>1.049</td>
<td>1.043</td>
<td>1.043</td>
<td>1.024</td>
</tr>
<tr>
<td>3</td>
<td>1.017</td>
<td>1.019</td>
<td>1.022</td>
<td>1.033</td>
<td>1.033</td>
<td>1.016</td>
</tr>
<tr>
<td>10</td>
<td>1.006</td>
<td>1.006</td>
<td>0.981</td>
<td>1.064</td>
<td>0.964</td>
<td>0.947</td>
</tr>
<tr>
<td>100</td>
<td>1.000</td>
<td>0.582</td>
<td>0.594</td>
<td>0.596</td>
<td>0.596</td>
<td>0.597</td>
</tr>
<tr>
<td>500</td>
<td>0.989</td>
<td>0.343</td>
<td>0.789</td>
<td>0.483</td>
<td>0.483</td>
<td>0.792</td>
</tr>
</tbody>
</table>

of the bluer sources, but remain 3–4 times that from LPS and 1.6–2.4 times that from HPS.

Recent literature from the lighting industry [17,18] recognizes the effect of the shifting spectral sensitivity for mesopic vision, appropriate to lighting levels specified for applications such as roadways and parking areas. Procedures for adjusting the lighting level downward for blue-rich sources are described. Yet these reductions, if applied to industry-recommended average lighting levels,3 are at the most 32% — i.e., when considering the faintest lighting level, illumination using the bluest source (here taken as the 5100 K CCT LED) might be reduced to 68% of the lighting level with the reddest source (LPS).3 Thus, even in the most extreme case, this reduction is insufficient to compensate for the 1.6–8× factor expected for the visual increase in sky glow brightness.

Increasing aerosol loading in the atmosphere causes sky glow near the sources (within about 10 km and less) to increase, while sky glow at more distant locations decreases. The reverse happens under clearer conditions, where sky glow nearby decreases and at greater distances increases. These variations show very little influence arising from the lamp spectral characteristics.

If sky glow is measured in photopic units (i.e., cd/m²) and within about 10 km of the light source, increased scattering from blue-rich sources is approximately balanced by the increased extinction arising from the same process. Here we intentionally use the term “measured” (as by a radiometer or standard luminance meter) rather than “observed” (as by the eye), as human vision will not become fully light-adapted (photopic) when viewing any but perhaps the brightest urban skies. Compared to LPS, sky glow from the bluest sources would measure only 5–6% brighter when the light sources are matched for equal luminous output. At larger distances,

3 These adjustments are specifically not recommended in [17] for applications to most roadways.
the increased extinction of the blue-rich sources results in a significantly lower sky luminance than from LPS, with the bluest source analyzed producing less than 80% the luminance from LPS at 300 km. Yet, under nearly all (cloudless) nighttime conditions, particularly at larger distances from light sources, the low sky luminance means that photopic measures do not describe visual sensation. As a consequence the dramatically increased sensitivity of the scotopically adapted eye to blue-rich sources will overwhelm the modestly decreased radiance from such sources due to extinction.

Recent work by Bierman [19] examined sky glow expected from LED sources as compared to HPS. The analysis included approximate treatment of molecular and aerosol scattering, using radiometric and photopic measures, but neglected extinction. Though mentioning the potential effect of the spectral shift between photopic and scotopic vision, the analysis neglected the effect. Thus Bierman concluded that blue-rich LED light sources would cause only 10–20% increases in photopic sky brightness, and that concerns raised about the deleterious effects of blue-rich LED lighting (e.g. [1,20,24]) were overstated. Though Bierman’s photopic result is qualitatively confirmed here (though found to be smaller due primarily to the effects of extinction), the spectral shift cannot be neglected when describing the stimulus to human visual perception, as the photopic response is not appropriate to luminance levels in the night sky. Further, the scotopic increase compared to HPS is shown here to be significant for all LED sources, including low CCT. The net effect found in this study thus underscores and confirms the concerns about LED and blue-rich lighting [1,20,24], and directly contradicts Bierman’s results.

Given the dramatically greater scotopic visual sky luminance arising from blue-rich sources, the recent interest in installing white LED lighting to replace the currently predominant HPS presents the prospect of a dramatic increase in visual sky glow, in nearly all locations from naturally dark areas to areas within towns and cities. As these sources increase the scotopic brightness of sky glow by factors of 2–3 or more compared to HPS, the estimate that over 70% of Americans and over 50% of Europeans live under skies where they cannot see the Milky Way [21] will have to be revised significantly upward, unless total lighting amounts are reduced to one half or less of the current amounts. As many other biological systems (including the human circadian response [22]) have response functions more sensitive to blue light than the CIE V(λ) function [23], increased impacts on these systems may also be expected.

Acknowledgments

The authors would like to acknowledge D. Duriscoe for his assistance in processing the extensive database produced for this analysis, as well as C. Moore and D. Duriscoe for useful discussions on this and related topics over the years. D. Keith (Marshall Design, Inc.) supplied the spectra for the white LEDs analyzed in this study, and R. Adams (CRW Energy Solutions, LLC) supplied the filtered LED (FLED) spectrum. We are indebted to an anonymous referee, whose critique and suggestions improved the present work.

References

[24] Acknowledgments and author contributions: Please include any additional information or author contributions that are not covered in the main text. For example, you may include: A. Adel M R. Body, J. Kestin M. Evaluating potential spectral impacts of various artificial light sources on melatonin suppression and sleep quality. Proc one 2013;8(7):167708. http://dx.doi.org/10.1371/journal.pone.0067708.
Aotea / Great Barrier Island
International Dark Sky Sanctuary
Presentation to Auckland Council Planning Committee
Item 6.1

Attachment B

Greater Auckland Light Pollution Baseline
Light sources VIIRS 2018
Issues

- Light pollution risks from ‘organic’ growth in Rodney
- NZTA and Auckland Transport Street Lighting standards and practice
- Related ‘blue light’ issues
- Role of Aotea / Great Barrier Local Board in planning in other local board areas.
Requests

a) Request an update on the Auckland Council’s schedule for integrating the Hauraki Gulf District Plan into the Unitary Plan.

b) Request for the Aotea / Great Barrier Island International Dark Sky Sanctuary to be given formal planning status within Auckland Council’s parks management and planning regimes.

c) Request that the Governing Body recognise the Aotea / Great Barrier Island International Dark Sky Sanctuary within its strategy planning documents.

d) Recognise Aotea / Great Barrier Local Board as an interested party in planning decisions which might affect the night sky quality at Great Barrier Island (especially in relation to Rodney and Franklin districts).

e) Request a delegation to Auckland Transport regarding the establishment of CCT <0.5 Kelvin as the colour temperature rating for street lights north of Otewa.

Attachment B

Item 6.1