Kōmiti Whakarite Mahere / Planning Committee

OPEN MINUTE ITEM ATTACHMENTS

<table>
<thead>
<tr>
<th>ITEM</th>
<th>TABLE OF CONTENTS</th>
<th>PAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>9</td>
<td>Auckland Unitary Plan – Drury East Private Plan Change Requests – Overview</td>
<td></td>
</tr>
</tbody>
</table>
Drury East Private Plan Change Requests Overview
The Auckland Plan 2050 at a glance

**Our key challenges**
- High population growth
- Shared prosperity
- Environmental degradation

**OUTCOMES**
What the plan aims to achieve

**DEVELOPMENT STRATEGY**
How Auckland will grow and change over the next 30 years, including sequencing of growth and development

**20 DIRECTIONS**
How to achieve the outcomes

**37 FOCUS AREAS**
How this can be done
What is the Development Strategy?

- Auckland's population could increase by 720,000 by 2050 to reach 2.4 million.
- Around 313,000 more dwellings and 263,000 extra jobs may be needed.

Growth on this scale is significant – needs a clear understanding of planning and infrastructure requirements.

The Development Strategy sets the direction for how and where growth is anticipated over the next 30 years.
How will we grow and change?

Auckland will take a quality compact approach to growth and development

Future development will be focused in existing and new urban areas, limiting expansion into rural areas (urban footprint)

By 2050, most growth will have occurred in this urban footprint, particularly in and around:

• the city centre
• the Albany, Westgate and Manukau nodes
• identified development areas

• future urban areas
Where will we grow and change?

FUTURE URBAN AREAS

- In the next 30 years new communities will be established on the fringe of Auckland’s existing urban area, and in rural and coastal settlements
- Development will be timed for when these areas are ‘live zoned’ and the necessary infrastructure is in place
- Priority areas include:
  - areas already zoned as urban
  - areas with less infrastructure constraints
Development Strategy Sequencing Years 1-30
Future Urban Land Supply Strategy

- Adopted in July 2017
- Can’t afford to go everywhere at once - provides a sequenced supply of land for development (houses and jobs)
- Proactive approach to managing growth, bulk infrastructure provision and spend
- Better integration of planning and infrastructure - all the right time in the right place
- Efficient use of greenfield land - identified for 30
Structure Planning

Structure Planning: An important method for establishing the pattern of land use and the transport and services network within a defined area.

Provides a detailed examination of the opportunities and constraints relating to the land including its suitability for various activities, infrastructure provision, geotechnical issues and natural hazards.

Identify, investigate and address the potential effects of urbanisation and development on natural and physical resources in the structure plan area and in neighbouring areas, particularly those that have been scheduled in the Unitary Plan in relation to: natural heritage, Mana Whenua, natural resources, coastal environment, historic heritage and special character.

A structure plan is an appropriate foundation for the plan change process required to rezone land.

More detailed work typically takes place between the adoption of the structure plan and the notification of the plan change/delivery of infrastructure.
Drury- Opāheke Context

- FUZ area is approx. 1900 ha
- Adjoins Drury Creek- Pahurehure Inlet - Manukau Harbour
- North East- Opāheke
- South East - Drury
- South West – Drury West
- FUZ predominately in rural land use, and countryside living, market gardens plus some business uses – e.g: truck depots etc
- Bisected North-South by :
  - SH1
  - NIMT Railway
  - Transpower’s National Grid
- Drury township - on rail line, small centre, existing industrial area.
- SH22 / Karaka Road – to Pukekohe
Supporting Growth Alliance – AT/NZTA
Drury-Opaheke Structure Plan 2019: Land Use Map

Proposed land uses: i.e. residential, industrial, centre and open space are shown in colours similar to those used for zones in the unitary plan.

However, the specific extent and boundaries each land use type will be determined in more detail at the plan change stage.

Therefore the boundaries between land uses are shown as rounded indicative edges, similar to the rounded land use mapping used in the Warkworth Structure Plan maps.
### Drury-Opāheke land areas

<table>
<thead>
<tr>
<th>Land</th>
<th>Estimated Net developable land area in hectares</th>
<th>Estimated Houses</th>
<th>Estimated Population</th>
<th>Estimated Jobs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>624</td>
<td>21,600</td>
<td>59,000</td>
<td>3,700</td>
</tr>
<tr>
<td>Centre</td>
<td>49</td>
<td>400</td>
<td>1000</td>
<td>4,500</td>
</tr>
<tr>
<td>Industry/Business</td>
<td>150</td>
<td>0</td>
<td>0</td>
<td>3,800</td>
</tr>
<tr>
<td><strong>Totals</strong></td>
<td><strong>823</strong></td>
<td><strong>22,000</strong></td>
<td><strong>60,000</strong></td>
<td><strong>12,000</strong></td>
</tr>
</tbody>
</table>

*Net land area is the amount left over after allowance for land required for roads, parks, floodplains and streams. This leaves about 45% of the land for building.*
Drury Infrastructure Development Programme

Presentation to the Planning Committee
2 July 2020
Drury Transport Investment Programme

- A joint programme between Government and Auckland Council to determine the optimal timing, staging, funding and sequencing of the delivery of the preferred transport network in Drury.

- Provide expert advice and recommended actions to:
  - Resolve the existing significant capacity and safety issues in the transport system which services Drury and the surrounding areas; and
  - Support existing enabled development capacity in Drury West; and
  - Look to enable the urbanisation of specific Decade 2 land holdings in Drury East.
Drury Transport Investment Programme

- The optimal staging, sequencing and timing for delivering the preferred transport network and associated public transport services.

It considered
- The options for funding the preferred transport network projects and scenarios and the inputs for each option.

- The potential for bringing forward the re-zoning of three large land-holdings to the east of SH1, currently proposed for development in Decade 2 (2028-2038).

It provided to the Mayor of Auckland and the Minister of Transport clear advice and reasoning for options for the preferred transport network in Drury.
Outcome

• Advice to Mayor of Auckland and the Minister of Transport on options for preferred transport network in Drury.

• Consideration of these options against other transport priorities across the Auckland transport network.
Infrastructure Options - Context

- DTIP work commenced in June 2019 and identified five staging and sequencing options,

- Initial optimal scenario identified by DTIP in November 2019 – Base Case,

- The NZUP announcement in January 2020, which will provide funding for five of the major transport infrastructure projects,

- These five projects were used as ‘anchor projects’ with the balance of the required transport infrastructure staged around these,

- The overall network and cost (2020-2048) of each infrastructure option is the same, as they all build the same network over time,

- The options allow for different spend profiles over time, with higher or lower spend in each decade, and

- The options considered dependencies and relationships between projects and constructability of the infrastructure

Drury Infrastructure Development Programme
Presentation to the Planning Committee - 2 July 2020
### DTIP Scenarios - Costs and Spend Profiles

<table>
<thead>
<tr>
<th>Spend Profiles</th>
<th>Base Case Unescalated 2018</th>
<th>Comprehensive Scenario Unescalated 2018</th>
<th>Essential Scenario Unescalated 2018</th>
<th>RLTP Scenario Unescalated 2018</th>
<th>Developers Scenario Unescalated 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(P50) $b</td>
<td>(P95) $b</td>
<td>(P50) $b</td>
<td>(P95) $b</td>
<td>(P50) $b</td>
</tr>
<tr>
<td>Decade One</td>
<td>$2.1</td>
<td>$2.6</td>
<td>$3.7</td>
<td>$4.6</td>
<td>$3.2</td>
</tr>
<tr>
<td>Decade Two</td>
<td>$2.9</td>
<td>$3.6</td>
<td>$1.4</td>
<td>$1.7</td>
<td>$1.9</td>
</tr>
<tr>
<td>Decade Three</td>
<td>$0.3</td>
<td>$0.4</td>
<td>$0.2</td>
<td>$0.3</td>
<td>$0.2</td>
</tr>
<tr>
<td>Total Costs</td>
<td>$5.3</td>
<td>$6.6</td>
<td>$5.3</td>
<td>$6.6</td>
<td>$5.3</td>
</tr>
</tbody>
</table>
### Drury Transport Infrastructure Projects – Estimated Costs P50 (unescalated)

<table>
<thead>
<tr>
<th>Project Description</th>
<th>Funding Source</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mill Road (Funded)</td>
<td>NZ Upgrade</td>
<td>$1,381,000,000</td>
</tr>
<tr>
<td>Papakura to Pukekohe rail electrification (Funded)</td>
<td>NZ Upgrade</td>
<td>$313,000,000</td>
</tr>
<tr>
<td>SH1 Papakura to Drury South Interchange (Funded)</td>
<td>NZ Upgrade</td>
<td>$524,000,001</td>
</tr>
<tr>
<td>Drury Central Rail Station (Funded)</td>
<td>NZ Upgrade</td>
<td>$93,000,000</td>
</tr>
<tr>
<td>Drury West Station (Funded)</td>
<td>NZ Upgrade</td>
<td>$87,000,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td><strong>$2,399,000,001</strong></td>
</tr>
<tr>
<td>Rail 4 Tracking (Not Funded – Assumed possible funding source)</td>
<td>NZTA / Crown</td>
<td>$1,462,000,000</td>
</tr>
<tr>
<td>Paerata Rail Station &amp; Southern connector (Not Funded – Assumed possible funding source)</td>
<td>NZTA / Crown</td>
<td>$150,000,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td><strong>$1,612,000,000</strong></td>
</tr>
<tr>
<td>SH22 Improvements (4 laning) (Not funded – Assumed possible funding source)</td>
<td>NLTE</td>
<td>$86,000,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td><strong>$86,000,000</strong></td>
</tr>
<tr>
<td>Waihoehoe Road WEST Upgrade</td>
<td>IFF / NZTA</td>
<td>$55,110,001</td>
</tr>
<tr>
<td>Waihoehoe Road EAST Upgrade</td>
<td>IFF / NZTA</td>
<td>$86,560,001</td>
</tr>
<tr>
<td>Jesmond Road Upgrade</td>
<td>IFF / NZTA</td>
<td>$62,000,000</td>
</tr>
<tr>
<td>Jesmond Rd Extension - SH22-NIMT-Burtt Rd</td>
<td>IFF / NZTA</td>
<td>$72,000,000</td>
</tr>
<tr>
<td>East West Arterial - Bremner Road realignment and bridge upgrades</td>
<td>IFF / NZTA</td>
<td>$127,000,000</td>
</tr>
<tr>
<td>Walking &amp; Cycling (Between West &amp; Central Stations)</td>
<td>IFF / NZTA</td>
<td>$38,000,000</td>
</tr>
<tr>
<td>Burtt Rd - Pukekohe Expressway</td>
<td>IFF / NZTA</td>
<td>$106,000,000</td>
</tr>
<tr>
<td>Pukekohe Expressway Stage 1</td>
<td>IFF / NZTA</td>
<td>$216,000,000</td>
</tr>
<tr>
<td>Great South Road FTN upgrade to Papakura</td>
<td>IFF / NZTA</td>
<td>$125,000,000</td>
</tr>
<tr>
<td>Opaheke North South Arterial</td>
<td>IFF / NZTA</td>
<td>$288,000,001</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td><strong>$1,185,670,003</strong></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td><strong>$5,281,670,004</strong></td>
</tr>
</tbody>
</table>
## Possible Funding Gap

<table>
<thead>
<tr>
<th>Infrastructure to be funded</th>
<th>Costs (M)</th>
<th>Possible Funding Source</th>
<th>Reasoning / Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>DTIP Transport Infrastructure</td>
<td>$5,282m</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• NZ Upgrade Projects</td>
<td>$2,398</td>
<td>Crown</td>
<td>Funded</td>
</tr>
<tr>
<td>Total transport projects requiring funding</td>
<td>$2,884</td>
<td></td>
<td>Unfunded</td>
</tr>
<tr>
<td>• Rail four-tracking and Paerata Station</td>
<td>$1,614</td>
<td>Crown</td>
<td>Strategic</td>
</tr>
<tr>
<td>• State Highway funding</td>
<td>$86</td>
<td>NLTF</td>
<td>State highway</td>
</tr>
<tr>
<td>• Remaining DTIP projects – 50% NZTA funded</td>
<td>$592</td>
<td>NZTA</td>
<td>Co-funding</td>
</tr>
<tr>
<td>• Remaining DTIP projects – 50% Council funded</td>
<td>$592</td>
<td>Council / Developers / IIF</td>
<td>Local share</td>
</tr>
<tr>
<td>Other Infrastructure required - unfunded</td>
<td>$500</td>
<td></td>
<td>Unfunded</td>
</tr>
<tr>
<td>• Stormwater infrastructure</td>
<td>$200</td>
<td>Council / Developers / IIF</td>
<td>Possible Developer Mitigation</td>
</tr>
<tr>
<td>• Parks and Community Facilities</td>
<td>$300</td>
<td>Council / Developers / IIF</td>
<td>Possible Developer Mitigation</td>
</tr>
<tr>
<td><strong>Total Council Funding Required</strong></td>
<td><strong>$1,092</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Drury Infrastructure Development Programme
Presentation to the Planning Committee - 2 July 2020
## Drury: Funding & Financing Steps & Current Status

<table>
<thead>
<tr>
<th>Areas</th>
<th>Steps</th>
<th>Current status</th>
</tr>
</thead>
<tbody>
<tr>
<td>ATAP/NLTF (transport)</td>
<td>Part of ATAP refresh</td>
<td>Process underway</td>
</tr>
<tr>
<td>Strategic</td>
<td>Crown Budget process</td>
<td>Unknown</td>
</tr>
<tr>
<td>LTP (other bulk)</td>
<td>Part of LTP timeframe &amp; steps</td>
<td>Follow LTP timeframe</td>
</tr>
<tr>
<td>IFF</td>
<td>IFF process &amp; steps</td>
<td>High level example undertaken only, granular work need to commence</td>
</tr>
<tr>
<td>DC’s/IGC’s</td>
<td>Integrated with LTP timeframe &amp; other areas / processes</td>
<td>Follow LTP timeframe. Integrate with other areas / processes.</td>
</tr>
<tr>
<td>Contribution from developers</td>
<td>Negotiation</td>
<td>Process Underway</td>
</tr>
</tbody>
</table>
**Context: Current Status**

- **Financing & Funding**
  - Confirmed: NZUP Funding ($2.4b)
  - Unconfirmed: Remainder of financing (transport + other bulk circa $0.5b)

- **Planning**
  - Confirmed: Structure Plan
  - Unconfirmed: Rezoning & plan changes
  - Unconfirmed: Integration between infrastructure planning, financing & funding and development

- **Programme**
  - Confirmed: Works required to deliver Transport Network for Drury
  - Unconfirmed: Detail & link to funding
  - Unconfirmed: Other bulk infrastructure
  - Unconfirmed: Developer, Planning & Integration
Drury Infrastructure Development - Process Diagram

Engaging With Developers
- Agree infrastructure requirements
- Align infrastructure requirements with DTIP scoping, staging and sequencing
- Agree possible developer’s funding

Integration and Collaboration
- 9 to 12 months
- Integrated plan
- Integrated and collaborated plan to deliver infrastructure
  - Crown
  - Council
  - Developers
  - Landowners

Drury Infrastructure Development Programme
Private Plan Changes

How the process works and what is sound resource management practice
Private Plan Change Process - summary

1. The requestor lodges a private plan change request with the council.

2. The council acknowledges the request, can request further information and commission reports if necessary. The council may modify the request with the requestor's permission.

3. The council decides whether to adopt, accept or reject the request, or convert the request to an application for a resource consent.

4. The requestor can appeal certain decisions (such as a rejection of the private plan change request). The Environment Court can overturn a rejection decision and require the council to accept and notify the request.

5. The council notifies the requestor of its decision.
Private Plan Change Process - summary

6. The council notifies the request if it has been adopted or accepted allowing submissions and further submissions to then be made

7. The council can make a submission on the private plan change request

8. Hearing Commissioners are appointed for the Hearing by the council’s Regulatory Committee (can include elected members with RMA commissioner certification)

9. The council holds a hearing where it assesses the request and submissions made and then issues a decision on the request

10. The council decision is open to appeal to the Environment Court.
Clause 25 of Schedule 1

A local authority shall, within 30 working days of receiving a request under clause 21, receiving further information under clause 23, or modifying the request under clause 24, whichever is the latest, either:

a) Adopt
b) Accept
c) Convert to an application for a resource consent
d) Reject
Rejecting a private plan change

The local authority may (reject the request in whole or in part, but only if one (or more) of the following grounds are present:

(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.

NOTE: If one (or more) of the grounds are present, the council can choose to reject the private plan change request, but it does not have to reject it. The council has a discretion under clause 25(4).
Frivolous or vexatious

- Frivolous in this context has been defined through case law to mean “trivial” or “without substance”.
- Vexatious in this context has been defined through case law as something that is intended to “harass”, “frustrate” or cause “financial cost to their recipient.”
Timing of private plan changes

*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;

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**.
No in accordance with sound resource management practice

Malory Corporation Limited v Rodney District Council (Environment Court 2009 then the High Court 2010) in considering whether the plan change request was contrary to sound resource management practice, considered that:

- “The words “sound resource management practice” are not defined in or used elsewhere in the Act.” (para 86)
- “There appears...[to be] no definitive answer to the question of what constitutes sound resource management practice.” (para 88)
- “…the words “sound resource management practice” should, if they are to be given any coherent meaning, be tied to the Acts purpose and principles...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 purpose and principles will not cross the threshold for acceptance or adoption.” (para 89)
Drury East Private Plan Change

Requests:

Drury Central Precinct (Kiwi Property No.2 Ltd)

Drury East Precinct (Fulton Hogan Land Development Ltd)

Waihoehoe Precinct (Oyster Capital)
Item 9

Attachment A

Surrounding Context

[Map image]

Minute Attachments Page 38
Proposed Zoning Pattern
Drury Central (Kiwi Property)

- 35 ha Metropolitan Centre close to SH 1/Great South Road
  - Mainstreet form
  - Large format component
  - Mixed uses
- 51.5 ha Mixed Use area surrounding the Metropolitan Centre (residential and business)
- 8.5ha Open Space zone adjoining Hingaia Stream.
Building Heights

Area A = 72.5m
Area B = 40.5m
Area C = 25m
Area D = 72.5m
Area E = 32.5m
Area F = 18m.
Attachment A

Item 9

Drury Centre Precinct Plan

Legend:
- Future train station
- Key rail corridor
- Significant road
- Non-essential road
- Existing arterial road
- Indicative collector road
- Proposed connection to final route

Drury Centre Precinct Plan 2 - Spatial features

Auckland Council
Drury East (Fulton Hogan)

- 22 ha Terrace Housing and Apartment Building zoning close to Drury Centre.
- 65 ha Mixed Housing Urban zoning within mid-portion of the site.
- 95 ha Mixed Housing Suburban zoning at the southern end of the site.
- 2h Business: Mixed Use zoning (to facilitate a local centre).
Waihoehoe (Oyster)

➢ 49 ha Terrace Housing and Apartment Building zoning, split into two precincts:
  - 11ha precinct adjoining Waihoehoe Road closest to the Drury Centre and future public transport
  - 38ha subject to amended coverage controls (for stormwater purposes).
Attachment A

Item 9

Waihoehoe Precinct Plan
Clause 25 recommendation

➤ Accept the plan change requests
➤ Merits to be tested through submission / hearing process
➤ Range of issues to be addressed:
  – Train station location and connectivity (transit-orientated development)
  – Streams & margins, stormwater management
  – Funding issues will need to resolved
Item 9

Attachment A

Drury-Opāheke Structure Plan