

Proposed Plan Change 120: Housing Intensification and Resilience (PC120)

to the Auckland Unitary Plan (Operative in part)

**Section 32 of the Resource Management Act 1991 Analysis for Chapter I
Precincts Central:**

**I308 CENTRAL PARK PRECINCT, I311 ELLERSLIE 1 PRECINCT, I312
ELLERSLIE 2 PRECINCT, I314 EPSOM PRECINCT, I316 GRAFTON PRECINCT,
I320 MOUNT ALBERT 2 PRECINCT, I328 ORAKEI POINT PRECINCT, I332
TAMAKI PRECINCT, I333 THREE KINGS PRECINCT**

SECTION 32 ANALYSIS

Proposed Plan Change 120: Housing Intensification and Resilience (PC120) to the Auckland Unitary Plan (Operative in part)

I308 Central Park Precinct

I308 Central Park Precinct Analysis

Purpose: The Central Park Precinct is located at 666 Great South Road, Ellerslie. The purpose of the Central Park Precinct is to provide for employment and office activities within an office park environment. A broader range of activities as identified in the underlying Business – Mixed Use Zone are enabled within sub-precinct B, taking advantage of the proximity of the site to a high capacity, high frequency public transport corridor.

Constraints on the amount and location of parking contribute to the pedestrian amenity of the precinct. The amount of supporting services and minor convenience/service retail that can be established in the site is capped so that the Central Park precinct and Ellerslie town centre complement, and do not compete with each other.

The precinct is separated into five development areas. The five areas have different building heights, reflecting the existing built environment, the nature of the site, its location near Ellerslie town centre and surrounding protected views.

Zoning: The zoning of the land within the Central Park Precinct is the Business – Business Park Zone and Business Mixed Use Zone.

Changes to the precinct required by National Policy Statement on Urban Development 2020 (NPS-UD) and Schedule 3C of the Resource Management Act 1991 (the Act): The precinct is located entirely within the walkable catchment of the Ellerslie Train Station and is therefore affected by Policy 3(c) of the NPS-UD, requiring 6 storey (22m) building heights to be enabled except where modified by a qualifying matter. No additional intensification requirements beyond those set out in Policy 3(c) of the NPS-UD are required by Schedule 3C of the Act.

The purpose and relevance of the precinct are not fundamentally altered as a result of Proposed Plan Change 120 (PC120). However, building heights enabled within building development areas A and B are recommended to increase to 34.5m (10 storeys), consistent with heights proposed for the remainder of the walkable catchment based on accessibility analysis and direction afforded by Policy 3(c) of the NPS-UD.

Whilst the precinct is located beneath regionally significant Maunga viewshafts, the viewshaft planes are located above the proposed building heights. As such, there are no qualifying matters applying within the precinct which would make these heights and densities inappropriate.

Precinct provisions affected by Policy 3 and/or Schedule 3C	Outcome
Standard I308.6.1 Building Height	Amend The operative maximum building heights within Building Development Areas A and B of Sub-precinct A require modification to align with the 34.5m heights enabled across the remainder of the walkable catchment. It is therefore proposed to amend this standard to reflect additional height enablement within these areas of the precinct.
I308.10 Precinct Plans	Amend Amendments to Precinct Plans 1 and 3 required to reflect additional height enablement within Building Development Areas A and B.

Section 32 and Schedule 3C qualifying matter

EVALUATION REPORT

This report is prepared as part of the evaluation required by Section 32 and Schedule 3C of the Act for proposed Plan Change 120 (PC120) to the Auckland Unitary Plan (Operative in Part) (AUP).

The background to and objectives of PC120 are discussed in the overview report, as is the purpose and required content of section 32 and Schedule 3C evaluations:

Under clause 8(1) of Schedule 3C of the Act, Auckland Council may modify the requirements of clause 4(1)(b) and (c) of Schedule 3C and policy 3 in any zone in an urban environment to be less enabling of development than provided in that clause or policy only to the extent necessary to accommodate 1 or more qualifying matters that are present.

Under clause 8(2) of Schedule 3C of the Act a qualifying matter evaluation report concerning a matter specified in section 771(a) to (i) and "any other matter" that makes higher density, as specified by clause 4(1)(b) or (c) of Schedule 3C or policy 3, inappropriate in an area, must:

(a) demonstrate why Auckland Council considers—

(i) that the area is subject to a qualifying matter; and

(ii) that the qualifying matter is incompatible with the level of development provided by clause 4(1)(b) or (c) or policy 3 for that area; and

(b) assess the impact that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity; and

(c) assess the costs and broader impacts of imposing those limits.

In addition, under clause 8(4) of Schedule 3C of the Act, the evaluation report must, in relation to a proposed amendment to accommodate a qualifying matter under clause 8(1)(b) of Schedule 3C [which is any "other" qualifying matter not listed in section 771(a) to (i) that makes higher density inappropriate in an area], also:

(a) identify the specific characteristic that makes the level of development specified by clause 4(1)(b) or (c) or policy 3 inappropriate in the area; and

(b) justify why that characteristic makes that level of development inappropriate in light of the national significance of urban development and the objectives of the NPS-UD; and

(c) include a site-specific analysis that—

- (i) identifies the site to which the matter relates; and
- (ii) evaluates the specific characteristic on a site-specific basis to determine the geographic area where intensification needs to be compatible with the specific matter; and
- (iii) evaluates an appropriate range of options to achieve the greatest heights and densities specified by clause 4(1)(b) or (c) or policy 3 while managing the specific characteristics.

Under clause 8(5) of Schedule 3C of the Act, Auckland Council may when considering existing qualifying matters (a qualifying matter specified in section 77I(a) to (i) that is operative in the AUP when PC120 [the Auckland housing planning instrument] is notified), instead of undertaking the above evaluation process, do all of the following things:

- (a) identify by location (for example, by mapping) where an existing qualifying matter applies:
- (b) specify the alternative heights or densities (as relevant) proposed for those areas identified:
- (c) identify in the evaluation report why the Council considers that 1 or more existing qualifying matters apply to those areas identified:
- (d) describe in general terms for a typical site in those areas identified the level of development that would be prevented by accommodating the qualifying matter, in comparison with the level of development that would have been provided by clause 4(1)(b) or (c) or policy 3:
- (e) notify the existing qualifying matters in the Auckland housing planning instrument.

This report discusses the implications of applying qualifying matters within the I308 Central Park Precinct to clause 4(1)(b) or (c) of Schedule 3C of the Act and/or the implementation of policy 3 of the NPS-UD.

Integrated evaluation for existing qualifying matters

For the purposes of PC120, the evaluation of existing qualifying matters has been undertaken in an integrated way that combines section 32 and Schedule 3C requirements.

The scale and significance of the issues is assessed to be nil.

This section 32/Schedule 3C evaluation report will continue to be refined in response to any consultation feedback provided to the council, and in response to any new information received.

Existing qualifying matters	N/A
Relevant precinct provisions supporting existing qualifying matters	N/A
Effects managed	N/A
Applies to any zone in an urban environment in relation to Policy 3 and / or clause 4(1)(b) or (c) Schedule 3C	N/A
Assess impact that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity enabled by Policy 3 and / or clause 4(1)(b) or (c) Schedule 3C	N/A
Assess costs/broader impacts of imposing those limits	N/A
Conclusion	N/A

Integrated evaluation for (a) to (i) qualifying matters that are not operative in the AUP when the Auckland housing planning instrument (PC120) is notified

For the purposes of PC120, the evaluation of qualifying matters referred to in section 77I (a) to (i) of the Act that are not operative in the AUP when the Auckland housing planning instrument (PC120) is notified has been undertaken in an integrated way that combines sections 32 and Schedule 3C requirements.

The scale and significance of the issues is assessed to be nil.

This section 32/Schedule 3C evaluation report will continue to be refined in response to any consultation feedback provided to the council, and in response to any new information received.

Qualifying matters in section 77I(a) to (i)	N/A
Relevant precinct provisions supporting QMs	N/A
Effects managed	N/A
Applies to any zone in an urban environment in relation to Policy 3 and / or clause 4(1)(b) or (c) Schedule 3C	N/A
Assess impact that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity enabled by Policy 3 and / or clause 4(1)(b) or (c) Schedule 3C	N/A
Assess costs/broader impacts of imposing those limits	N/A
Conclusion	N/A

Integrated evaluation for ‘other’ qualifying matters

For the purposes of PC120, the evaluation of ‘other’ qualifying matters has been undertaken in an integrated way that combines sections 32 and clause 8(2) and (4) Schedule 3C requirements, including a site-specific analysis.

The scale and significance of the issues is assessed to be nil.

This section 32/ Schedule 3C evaluation report will continue to be refined in response to any consultation feedback provided to the council, and in response to any new information received.

‘Other’ qualifying matters and sites affected	N/A
Relevant precinct provisions supporting QMs	N/A
Effects managed	N/A
Applies to any zone in an urban environment in relation to Policy 3 and / or clause 4(1)(b) or (c) Schedule 3C	N/A
Specific characteristics that makes level of development provided by clause 4(1)(b) or (c) Schedule 3C or Policy 3 inappropriate	N/A
Why inappropriate with level of development provided in light national significance of urban development and the objectives of the NPS-UD	N/A
Range of options to achieve the greatest heights and densities specified by clause 4(1)(b) or (c) Schedule 3C or by Policy 3 while managing specific characteristics	N/A
Assess impact that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity enabled by Policy 3 and / or clause 4(1)(b) or (c) Schedule 3C	N/A
Costs of applying QM	N/A
Benefits	N/A
Conclusion	N/A

Proposed Plan Change 120: Housing Intensification and Resilience (PC120) to the Auckland Unitary Plan (Operative in part)

Ellerslie 1 Precinct

I311 Ellerslie 1 Precinct Analysis

Purpose: The purpose of the precinct is to allow urban residential living that is comprehensively planned, capitalises on the park-like setting of Ellerslie Racecourse, and is complementary to the surrounding residential environment.

Zoning: Residential – Terrace Housing and Apartment Buildings Zone and Residential - Mixed Housing Suburban Zone.

Changes to the precinct required by National Policy Statement on Urban Development 2020 (NPS-UD) and Schedule 3C of the Resource Management Act 1991 (the Act): The Precinct is entirely within the WC of the Ellerslie Train Station and therefore is affected by Policy 3(c) and must provide for 6 storeys (22m) or have a modifying QM.

Ellerslie 1 is not within a WC of the Maungawhau (Mount Eden), Kingsland, and Morningside Stations. There are no qualifying matters relevant to the precinct.

To comply with Policy 3(c), changes are required throughout the precinct including the precinct description, objectives (I311.2), policies (I311.3), activity table (I311.4), development standards (I311.6), and assessment criteria. These amendments seek to enable greater height and development capacity through a Height Variation Control while retaining rules that continue to deliver on the precinct's original purpose which focus on balancing intensification with the protection of local character and amenity. Specific rules that have been retained link back to the purpose of the precinct.

Precinct provisions affected by Policy 3 and/or Schedule 3C	Outcome
I311.1 Precinct description	Amend To reflect changes in height and upzoning of Sub-precinct C and Sub-precinct D from residential-mixed housing suburban to residential-terrace housing and apartment zone.
Objective I311.2(1)	Amend To reflect changes in height across the precinct to align with the height variation control of 34.5m.
Policy I311.3(1)	Amend To reflect changes in height across the precinct to align with the height variation control of 34.5m.
Activity Table I311.4	Amend To remove references to the residential-mixed housing suburban zone from the precinct extent.
Rule I311.4.1(A2) 25 or more dwellings	Retain Does not affect height or density and relates to precinct purpose.
Rule I311.4.1(A3) Fewer than 25 dwellings	Retain Does not affect height or density and relates to precinct purpose.
Standard I311.6.1 Maximum density in sub precincts A,B and C	Remove To enable intensification under policy 3(c)
Rule I311.6.5 Building height	Amend To reflect height variation control increased height of 34.5m.
Rule I311.6.5.2 Minimum height	Retain Does not affect height or density and relates to precinct purpose.
Rule I311.6.6 Yards	Delete Retain I311.6.6 (1) and remove I311.6.6 (2) and I311.6.6 (3). Sub-standard (2) and (3) are no longer relevant due to changes it surrounding and underlying zones. The removal of sub standards will ensure the precinct standards aligns with underlying THAB zone standards.
Rule I311.6.7 Height in relation to boundary	Amend Delete I311.6.7(1A) to align the precinct standard with the underlying THAB zone standard.
Rule I311.6.8 Max impervious, building coverage and landscaping	Retain Does not affect height or density and relates to precinct purpose.

Section 32 and Schedule 3C qualifying matter

EVALUATION REPORT

This report is prepared as part of the evaluation required by Section 32 and Schedule 3C of the Act for proposed Plan Change PC 120 -Housing Intensification and Resilience (PC120) to the Auckland Unitary Plan (Operative in Part) (AUP).

The background to and objectives of PC120 are discussed in the overview report, as is the purpose and required content of section 32 and Schedule 3C evaluations:

Under clause 8(1) of Schedule 3C of the Act, Auckland Council may modify the requirements of clause 4(1)(b) and (c) of Schedule 3C and policy 3 in any zone in an urban environment to be less enabling of development than provided in that clause or policy only to the extent necessary to accommodate 1 or more qualifying matters that are present.

Under clause 8(2) of Schedule 3C of the Act a qualifying matter evaluation report concerning a matter specified in section 77I(a) to (i) and "any other matter" that makes higher density, as specified by clause 4(1)(b) or (c) of Schedule 3C or policy 3, inappropriate in an area, must:

(a) demonstrate why Auckland Council considers—

(i) that the area is subject to a qualifying matter; and

(ii) that the qualifying matter is incompatible with the level of development provided by clause 4(1)(b) or (c) or policy 3 for that area; and

(b) assess the impact that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity; and

(c) assess the costs and broader impacts of imposing those limits.

In addition, under clause 8(4) of Schedule 3C of the Act, the evaluation report must, in relation to a proposed amendment to accommodate a qualifying matter under clause 8(1)(b) of Schedule 3C [which is any "other" qualifying matter not listed in section 77I(a) to (i) that makes higher density inappropriate in an area], also:

(a) identify the specific characteristic that makes the level of development specified by clause 4(1)(b) or (c) or policy 3 inappropriate in the area; and

(b) justify why that characteristic makes that level of development inappropriate in light of the national significance of urban development and the objectives of the NPS-UD; and

(c) include a site-specific analysis that—

(i) identifies the site to which the matter relates; and

(ii) evaluates the specific characteristic on a site-specific basis to determine the geographic area where intensification needs to be compatible with the specific matter; and

(iii) evaluates an appropriate range of options to achieve the greatest heights and densities specified by clause 4(1)(b) or (c) or policy 3 while managing the specific characteristics.

Under clause 8(5) of Schedule 3C of the Act, Auckland Council may when considering existing qualifying matters (a qualifying matter specified in section 77I(a) to (i) that is operative in the AUP when PC120 [the Auckland housing planning instrument] is notified), instead of undertaking the above evaluation process, do all of the following things:

(a) identify by location (for example, by mapping) where an existing qualifying matter applies:

(b) specify the alternative heights or densities (as relevant) proposed for those areas identified:

(c) identify in the evaluation report why the Council considers that 1 or more existing qualifying matters apply to those areas identified:

(d) describe in general terms for a typical site in those areas identified the level of development that would be prevented by accommodating the qualifying matter, in comparison with the level of development that would have been provided by clause 4(1)(b) or (c) or policy 3:

(e) notify the existing qualifying matters in the Auckland housing planning instrument.

This report discusses the implications of applying qualifying matters within the I311 Ellerslie 1 Precinct to clause 4(1)(b) or (c) of Schedule 3C of the Act and/or the implementation of policy 3 of the NPS-UD. No assessment is required below as there are no qualifying matters that are applied to the Ellerslie 1 precinct.

Integrated evaluation for existing qualifying matters

For the purposes of PC120, the evaluation of existing qualifying matters has been undertaken in an integrated way that combines section 32 and Schedule 3C requirements.

The scale and significance of the issues is assessed to be Nil.

This section 32/Schedule 3C evaluation report will continue to be refined in response to any consultation feedback provided to the council, and in response to any new information received.

Existing qualifying matters	NA
Relevant precinct provisions supporting existing qualifying matters	NA
Effects managed	NA
Applies to any zone in an urban environment in relation to Policy 3 and / or clause 4(1)(b) or (c) Schedule 3C	NA
Assess impact <u>that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity</u> enabled by Policy 3 and / or clause 4(1)(b) or (c) Schedule 3C	NA
Assess costs/broader impacts of imposing those limits	NA
Conclusion	NA

Integrated evaluation for (a) to (i) qualifying matters that are not operative in the AUP when the Auckland housing planning instrument (PC120) is notified

For the purposes of PC120, the evaluation of qualifying matters referred to in section 77I (a) to (i) of the Act that are not operative in the AUP when the Auckland housing planning instrument (PC120) is notified has been undertaken in an integrated way that combines sections 32 and Schedule 3C requirements.

The scale and significance of the issues is assessed to be Nil.

This section 32/Schedule 3C evaluation report will continue to be refined in response to any consultation feedback provided to the council, and in response to any new information received.

Qualifying matters in section 77I(a) to (i)	NA
Relevant precinct provisions supporting QMs	NA
Effects managed	NA
Applies to any zone in an urban environment in relation to Policy 3 and / or clause 4(1)(b) or (c) Schedule 3C	NA
Assess impact <u>that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity</u> enabled by Policy 3 and / or clause 4(1)(b) or (c) Schedule 3C	NA
Assess costs/broader impacts of imposing those limits	NA
Conclusion	NA

Integrated evaluation for ‘other’ qualifying matters

For the purposes of PC120, the evaluation of ‘other’ qualifying matters has been undertaken in an integrated way that combines sections 32 and clause 8(2) and (4) Schedule 3C requirements, including a site-specific analysis.

The scale and significance of the issues is assessed to be Nil.

This section 32/ Schedule 3C evaluation report will continue to be refined in response to any consultation feedback provided to the council, and in response to any new information received.

'Other' qualifying matters and sites affected	NA
Relevant precinct provisions supporting QMs	NA
Effects managed	NA
Applies to any zone in an urban environment in relation to Policy 3 and / or clause 4(1)(b) or (c) Schedule 3C	NA
Specific characteristics that makes level of development provided by clause 4(1)(b) or (c) Schedule 3C or Policy 3 inappropriate	NA
Why inappropriate with level of development provided in light national significance of urban development and the objectives of the NPS-UD	NA
Range of options to achieve the greatest heights and densities specified by clause 4(1)(b) or (c) Schedule 3C or by Policy 3 while managing specific characteristics	NA
Assess impact <u>that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity</u> enabled by Policy 3 and / or clause 4(1)(b) or (c) Schedule 3C	NA
Costs of applying QM	NA
Benefits	NA
Conclusion	NA

Proposed Plan Change 120: Housing Intensification and Resilience (PC120) to the Auckland Unitary Plan (Operative in part)

Ellerslie 2 Precinct

I312 Ellerslie 2 Precinct Analysis

Purpose: The purpose of the Ellerslie 2 precinct is to provide for a limited range of mixed uses that complement existing land uses to the northwest of the precinct and do not compromise the economic vitality of Ellerslie Town Centre. The precinct is located in the southwestern corner of the Ellerslie Racecourse, bordered by the southern motorway and an avenue of phoenix palms, which is used to provide the main entrance to the racecourse. The land contains a mixture of pervious and impervious surfaces and was once frequently used for parking in conjunction with race meetings.

Zoning: Business - Mixed use zone.

Changes to the precinct required by National Policy Statement on Urban Development 2020 (NPS-UD) and Schedule 3C of the Resource Management Act 1991 (the Act):

The Precinct is entirely within the WC of the Greenlane Train Station and therefore is affected by Policy 3(c) and must provide for 6 storeys (22m) or have a modifying QM. Ellerslie 2 is not within a WC of the Maungawhau (Mount Eden), Kingsland, and Morningside Stations.

The site is subject to two qualifying matters being for Historic Heritage (lava caves) and Maunga Viewshafts.

Sub-precinct A of the Ellerslie 2 precinct enables height of up to 18m. Sub-precinct B of the Ellerslie 2 precinct enables height of up to 27m (with 2m for roof form included). Sub-Precinct C enables no buildings and no height. There is text in the precinct that says that the precinct rules and standards replace the underlying zone provisions (where applicable).

Precinct provisions affected by Policy 3 and/or Schedule 3C	Outcome
I312.6.2 Building height	Retain heights of sub-precinct A and sub-precinct B. Retain no height specified for sub-precinct C

Section 32 and Schedule 3C qualifying matter

EVALUATION REPORT

This report is prepared as part of the evaluation required by Section 32 and Schedule 3C of the Act for proposed Plan Change 120 (PC120) to the Auckland Unitary Plan (Operative in Part) (AUP).

The background to and objectives of PC120 are discussed in the overview report, as is the purpose and required content of section 32 and Schedule 3C evaluations:

Under clause 8(1) of Schedule 3C of the Act, Auckland Council may modify the requirements of clause 4(1)(b) and (c) of Schedule 3C and policy 3 in any zone in an urban environment to be less enabling of development than provided in that clause or policy only to the extent necessary to accommodate 1 or more qualifying matters that are present.

Under clause 8(2) of Schedule 3C of the Act a qualifying matter evaluation report concerning a matter specified in section 771(a) to (i) and "any other matter" that makes higher density, as specified by clause 4(1)(b) or (c) of Schedule 3C or policy 3, inappropriate in an area, must:

(a) demonstrate why Auckland Council considers—

(i) that the area is subject to a qualifying matter; and

(ii) that the qualifying matter is incompatible with the level of development provided by clause 4(1)(b) or (c) or policy 3 for that area; and

(b) assess the impact that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity; and

(c) assess the costs and broader impacts of imposing those limits.

In addition, under clause 8(4) of Schedule 3C of the Act, the evaluation report must, in relation to a proposed amendment to accommodate a qualifying matter under clause 8(1)(b) of Schedule 3C [which is any "other" qualifying matter not listed in section 77I(a) to (i) that makes higher density inappropriate in an area], also:

(a) identify the specific characteristic that makes the level of development specified by clause 4(1)(b) or (c) or policy 3 inappropriate in the area; and

(b) justify why that characteristic makes that level of development inappropriate in light of the national significance of urban development and the objectives of the NPS-UD; and

(c) include a site-specific analysis that—

(i) identifies the site to which the matter relates; and

(ii) evaluates the specific characteristic on a site-specific basis to determine the geographic area where intensification needs to be compatible with the specific matter; and

(iii) evaluates an appropriate range of options to achieve the greatest heights and densities specified by clause 4(1)(b) or (c) or policy 3 while managing the specific characteristics.

Under clause 8(5) of Schedule 3C of the Act, Auckland Council may when considering existing qualifying matters (a qualifying matter specified in section 77I(a) to (i) that is operative in the AUP when PC120 [the Auckland housing planning instrument] is notified), instead of undertaking the above evaluation process, do all of the following things:

(a) identify by location (for example, by mapping) where an existing qualifying matter applies;

(b) specify the alternative heights or densities (as relevant) proposed for those areas identified;

(c) identify in the evaluation report why the Council considers that 1 or more existing qualifying matters apply to those areas identified;

(d) describe in general terms for a typical site in those areas identified the level of development that would be prevented by accommodating the qualifying matter, in comparison with the level of development that would have been provided by clause 4(1)(b) or (c) or policy 3;

(e) notify the existing qualifying matters in the Auckland housing planning instrument.

This report discusses the implications of applying qualifying matters within the I312 Ellerslie 2 Precinct to clause 4(1)(b) or (c) of Schedule 3C of the Act and/or the implementation of policy 3 of the NPS-UD.

Integrated evaluation for existing qualifying matters

For the purposes of PC120, the evaluation of existing qualifying matters has been undertaken in an integrated way that combines section 32 and Schedule 3C requirements.

The scale and significance of the issues is assessed to be minor.

This section 32/Schedule 3C evaluation report will continue to be refined in response to any consultation feedback provided to the council, and in response to any new information received.

Existing qualifying matters	Historic Heritage (lava caves) - Sub-Precinct A and Sub-Precinct B are subject to the Natural Heritage: Outstanding Natural Features Overlay [rcp/dp] - ID 418, Ascot Road Lava Caves The above Outstanding Natural Feature overlay makes the site incompatible with level of development provided by clause 4(1)(b) of Schedule 3C or policy 3 for that area.	Maunga Viewshafts - Regionally Significant Volcanic Viewshafts And Height Sensitive Areas Overlay [rcp/dp] - O2, One Tree Hill, Viewshafts - Regionally Significant Volcanic Viewshafts And Height Sensitive Areas Overlay [rcp/dp] - O1, One Tree Hill, Viewshafts - Locally Significant Volcanic Viewshafts Overlay [rcp/dp] - O10, One Tree Hill
Relevant precinct provisions supporting existing qualifying matters	I312.4.1(A1) Dwellings I312.4.1(A2) Visitor accommodation I312.6.2 Building height I312.6.4 Building coverage I312.6.7 Building Platform	I312.6.2 Building height
Effects managed	Protect lava caves from inappropriate development.	Protect regionally and local volcanic viewshafts from inappropriate development.
Applies to any zone in an urban environment in relation to Policy 3 and / or clause 4(1)(b) or (c) Schedule 3C	Business- Mixed use zone Whole precinct is within the walkable catchment so is subject to requirements of Policy 3(c).	Business- Mixed use zone Whole precinct is within the walkable catchment so is subject to requirements of Policy 3(c).
<u>Assess impact that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity enabled by Policy 3 and / or clause 4(1)(b) or (c) Schedule 3C</u>	The QM will reduce development potential by approximately 32m in height for Sub-precinct A and 23m for Sub precinct B compared with the surrounding area which has a Height Variation control of 50m. Development capacity is intentionally reduced to avoid adverse effects on identified lava caves, recognising their significance as Outstanding Natural Features and the need to manage potential impacts from deeper foundations resulting from increased heights. This approach recognises that development in and around lava caves must be carefully managed to maintain the integrity of these sensitive natural features, including the physical extent, geological and cultural values of the lava caves. It ensures the preservation of their natural character, scientific significance, and the experiential qualities associated with subsurface volcanic landscapes. It is acknowledged that the need to balance protection of the ONF with provision for appropriate development by enabling an integrated approach to land use is already provided for within the precinct provisions. The Ascot/Mitchelson Roads lava caves ONF (#255) will be reviewed during the development of the next Auckland Unitary Plan, including the current known error between the ONF ID number stated in the GIS viewer and Schedule 6.	A height variation control of 34.5m applies the entire precinct extent. The viewshaft overlays range in height across the precinct, with the lowest point of the regional viewshaft in Sub-precinct B and Sub-precinct D being at a level of 52m. The local viewshaft overlay applies to all Sub-precincts and has a height of 38m. Therefore, there is no reduction in height to the precinct required under this QM.
Assess costs/broader impacts of imposing those limits	The QM will reduce development potential by applying a reduced height for the walkable catchment extent across the precinct. However, there is still development potential on the affected sites as the precinct still allows buildings up to 18m in sub-precinct A and 27m in sub-precinct B, with sub precinct B being one floor less than required by Policy 3(c).	NA

	The QM will reduce development potential by retaining the current heights for the entire precinct rather than applying a higher height variation control. The reduced heights will ensure subterranean lava caves are protected from development and are not further degraded or destroyed.	
Conclusion	Retain provisions.	NA

Integrated evaluation for (a) to (i) qualifying matters that are not operative in the AUP when the Auckland housing planning instrument (PC120) is notified

For the purposes of PC120, the evaluation of qualifying matters referred to in section 77I (a) to (i) of the Act that are not operative in the AUP when the Auckland housing planning instrument (PC120) is notified has been undertaken in an integrated way that combines sections 32 and Schedule 3C requirements.

The scale and significance of the issues is assessed to be nil.

This section 32/Schedule 3C evaluation report will continue to be refined in response to any consultation feedback provided to the council, and in response to any new information received.

Qualifying matters in section 77I(a) to (i)	NA
Relevant precinct provisions supporting QMs	NA
Effects managed	NA
Applies to any zone in an urban environment in relation to Policy 3 and / or clause 4(1)(b) or (c) Schedule 3C	NA
Assess impact that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity enabled by Policy 3 and / or clause 4(1)(b) or (c) Schedule 3C	NA
Assess costs/broader impacts of imposing those limits	NA
Conclusion	NA

Integrated evaluation for ‘other’ qualifying matters

For the purposes of PC120, the evaluation of ‘other’ qualifying matters has been undertaken in an integrated way that combines sections 32 and clause 8(2) and (4) Schedule 3C requirements, including a site-specific analysis.

The scale and significance of the issues is assessed to be Nil.

This section 32/ Schedule 3C evaluation report will continue to be refined in response to any consultation feedback provided to the council, and in response to any new information received.

‘Other’ qualifying matters and sites affected	NA
Relevant precinct provisions supporting QMs	NA
Effects managed	NA
Applies to any zone in an urban environment in relation to Policy 3 and / or clause 4(1)(b) or (c) Schedule 3C	NA
Specific characteristics that makes level of development provided by clause 4(1)(b) or (c) Schedule 3C or Policy 3 inappropriate	NA
Why inappropriate with level of development provided in light national significance of urban development and the objectives of the NPS-UD	NA
Range of options to achieve the greatest heights and densities specified by clause 4(1)(b) or (c) Schedule 3C or by Policy 3 while managing specific characteristics	NA
Assess impact that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity enabled by Policy 3 and / or clause 4(1)(b) or (c) Schedule 3C	NA
Costs of applying QM	NA
Benefits	NA
Conclusion	NA

Proposed Plan Change 120: Housing Intensification and Resilience (PC120) to the Auckland Unitary Plan
(Operative in part)

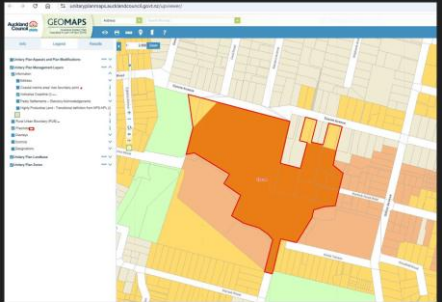
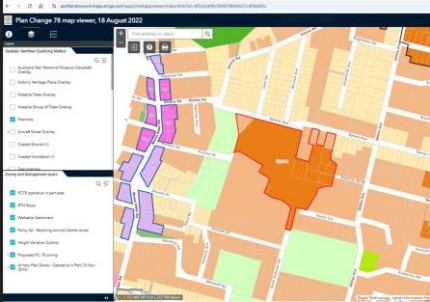
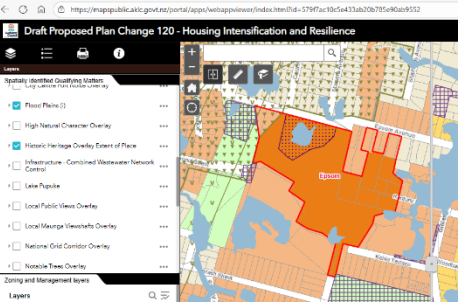
I314 Epsom Precinct

I314 Epsom Precinct Analysis

Purpose: The Epsom Precinct applies to an 8.48 hectare site at 74 Epsom Avenue, Epsom. The purpose of the Epsom precinct is to enable the development and operation of a range of education-focused activities. Campus facilities on the site include a range of small to large buildings primarily used for teaching, learning and research, childcare facilities, a marae as well as substantial parking areas and recreational facilities in a spacious well-treed environment. The Campus is one of the largest teacher education providers in the country. The campus adjoins two long-established schools providing primary and intermediate education, and there is some sharing of facilities and services.

Community, commercial and social services and other accessory use of the facilities are also enabled in the precinct. In addition, accessory accommodation, administrative, cultural, health, retail and communal facilities are enabled within the definition of Tertiary Education facilities

Zoning:

	AUPOP Precinct = Part of 74 Epsom Avenue and 3 Kohia Terrace and part western bit of triangle Precinct boundary not always the same as site boundary	PC 78 Precinct boundary remains the same	Proposed PC120 viewer (as at 24 September 2025) Precinct boundary remains the same
Zoning			
Majority zoning =	Northern part THAB Southern part MHU	Northern part THAB Southern part MHU	Northern part THAB Southern part MHU
Smaller area 1 (triangle in NW corner)	MHS	MHU (MHS removed)	MHU (MHS removed)
Smaller area 2 Site between 50 and 54 Epsom Avenue	MHS	MHU (MHS removed)	MHU (MHS removed)
Smaller area 3 site between Numbers 56 and 64 Epsom Avenue)	MHS	MHU (MHS removed)	MHU (MHS removed)

Changes to the precinct required by NPS-UD and Schedule 3C of the RMA: The precinct is not within a walkable catchment, so Policy 3(c) requirements of the **NPS-UD** do not apply.

Precinct Provisions

Is the precinct affected by the zoning principles resulting in a change to the zone beneath the precinct?

Outcome = Yes

If the zoning is changed, how does this affect the precinct?

See zoning table above for zoning changes

Epsom precinct maximum height in AUPOP = 24 metres with lower heights at edges. How do AUPOP precinct heights align with proposed plan change new zone heights?

AUPOP precinct heights are shown in AUPOP I314 Epsom Precinct plan 1:

1314.10.1. Epsom: Precinct-plan-1--building-heights

PC-78 (see
Modifications)



- Epsom MHS AUPOP precinct height is 8 metres as compared with AUPOP MHS height of 8 metres plus one metre (see triangular volcanic viewshaft restriction in NW corner) compared with proposed PC120 MHU height of 11 metres plus one metre.
- Epsom AUPOP precinct edge height is 16 metres compared with AUPOP THAB height of 16 metres compared with proposed PC120 THAB height of 22 metres
- Epsom AUPOP central precinct height is 24 metres compared with AUPOP THAB height of 16 metres compared with proposed PC120 THAB height of 22 metres

The reasons for the AUPOP precinct height areas were based on analysis set out in the University of Auckland's Unitary Plan hearing evidence, specifically:

1/ AUIHP 080 University of Auckland Epsom Campus Primary Planning Evidence Karl Cook 10 December 2015 s32 and s32AA evaluation analysis page 34:

Additional Rules in Epsom Precinct	Evaluation
Height	Benefits: - The 8m height limit under both the Height Sensitive Area in the north-west of the site and in the two “fingers” to Epsom Avenue is consistent with the maximum permitted height limit in the MHS and in the Height Sensitive Area. - A 16m maximum height limit up to a 20m depth from the adjoining zone boundaries in the THAB zone will reduce the potential for large buildings to be established at these interfaces. - A 24m height limit will apply to the remainder of the THAB zoned land as there are sufficient buffers in place, including screening from the notable trees on the property to enable an efficient use and development of the middle portion of this site. Costs: - The reduction in height from the notified 24m across the land to only within the middle of the site, with reduced height limits around the interfaces and in height sensitive areas will result in a reduced housing density on the THAB zoned land and hence a potential reduction in the value of the land.

2/ AUPHHP 080 University of Auckland Epsom Campus Primary Planning Evidence Karl Cook 10 December 2015 s32 and s32AA evaluation analysis page 34:

Volcanic Cones - Objectives	Evaluation
Objective A The regionally significant views to and between Auckland's maunga are protected.	The rezoning of this land to THAB and MHS zones respectively will not affect the views of the maunga as the volcanic cone overlay will prevail. It is also considered that the height sensitive area triangle of land in the north-western corner of the site should be zoned MHS which requires a 8m maximum height is the most appropriate way to achieve this objective of protecting the regionally significant viewshafts.

3/ AUPHHP 080 University of Auckland Epsom Campus Urban Design Evidence Matthew Riley 18 December 2015 page 2:

- 1.3 In place of THAB zoning, I consider that Mixed Housing Suburban zoning is appropriate along parts of the Epsom Avenue frontage of the Campus in order to respond to a Height Sensitive Area and the narrow ‘finger’ like nature of two parts of the site amongst adjoining lower density zoned sites.
- 1.4 I am of the opinion that the development controls of the proposed underlying zoning should be modified within the new ‘Epsom Campus’ precinct by applying:
- a maximum 16m height where within 20m of a boundary or adjoining zone.
 - a maximum 24m height where 20m or greater from a boundary or adjoining zone
 - a 3m front, side and rear yard requirement.

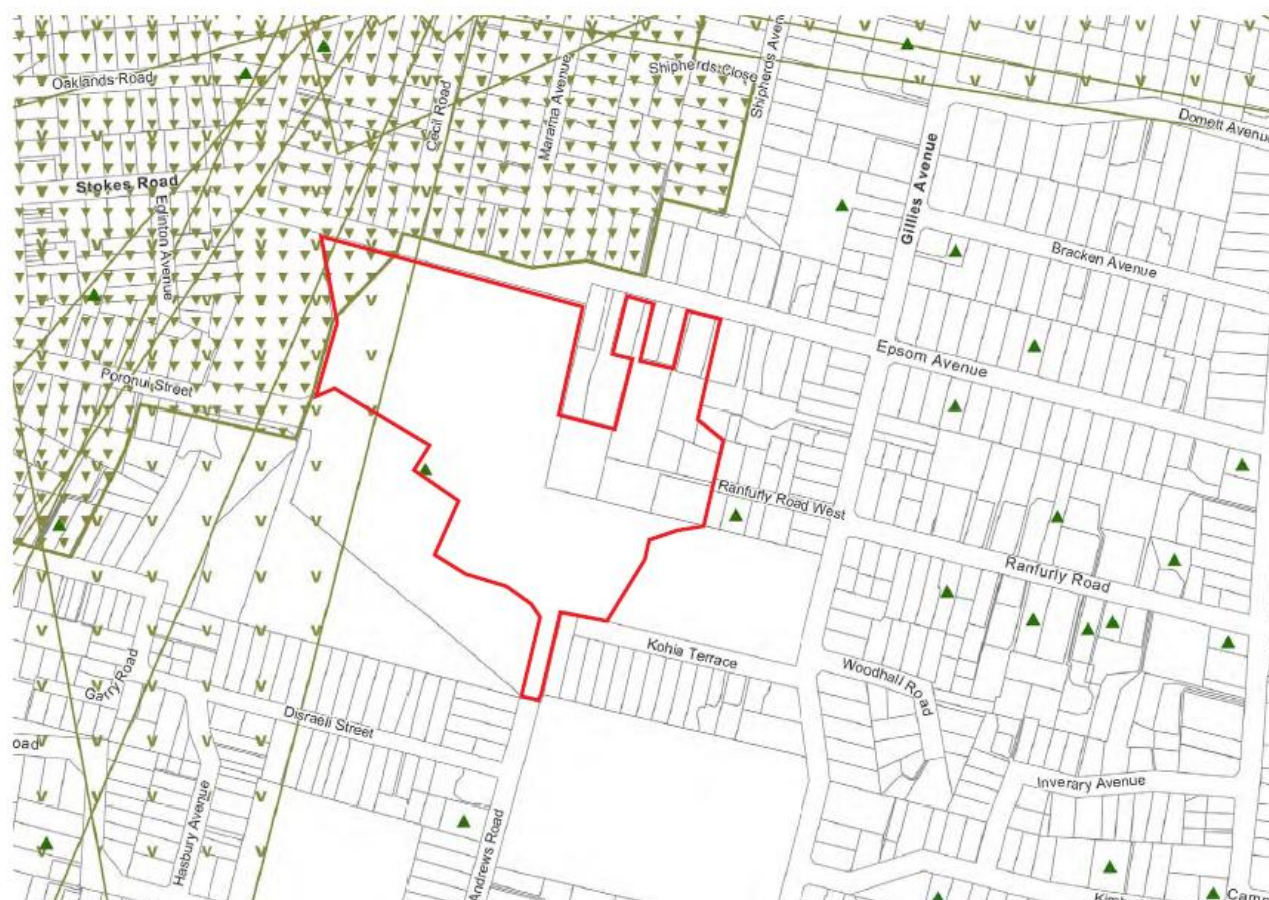
4/ AUPHHP 080 University of Auckland Epsom Campus Urban Design Evidence Matthew Riley 18 December 2015 page 16:

13. PAUP: Volcanic viewshaft and Height sensitive area

A volcanic viewshaft passes over a 60m - 65m wide part of the western portion of the site. This restricts permitted height in this area from approximately 14m in the southern part of the affected area to 17m to the north, before dropping down to 13m directly adjacent Epsom Avenue.

Within the volcanic viewshaft area, there is a triangular piece of land to the north-west corner of the site that is a **height sensitive area**. The maximum permitted height of a building or structure in this area is 8m.


 Volcanic viewshaft
 Height sensitive area



SITE & CONTEXT ANALYSIS
UoA EPSOM CAMPUS / DECEMBER 2015 **B&A** 16

5/ AUIHP 080 University of Auckland Epsom Campus Urban Design Evidence Matthew Riley 18 December 2015 page 17:

14. PAUP: Mapping of permitted height

The diagram to the right maps the position of permitted height on the Epsom Campus site from applying the height and yard controls of the Special Purpose Tertiary Education (TE) zone. It also overlays the height constraints that apply to the volcanic viewshaft and height sensitive areas.

Assumptions

The diagram is based on council's current position that Auckland Normal Intermediate School and Kohia Terrace Primary are rezoned from Special Purpose: School to a residential zoning. For the purposes of this analysis, an assumption has been made that this zoning will be Mixed Housing Urban zoning. At the time of writing this report, the Ministry of Education's evidence on the Rezoning topic is not available. However, its submission on the PAUP requested the Draft Unitary Plan zoning, which was Mixed Housing zoning.

Tertiary Education zone bulk and location development controls

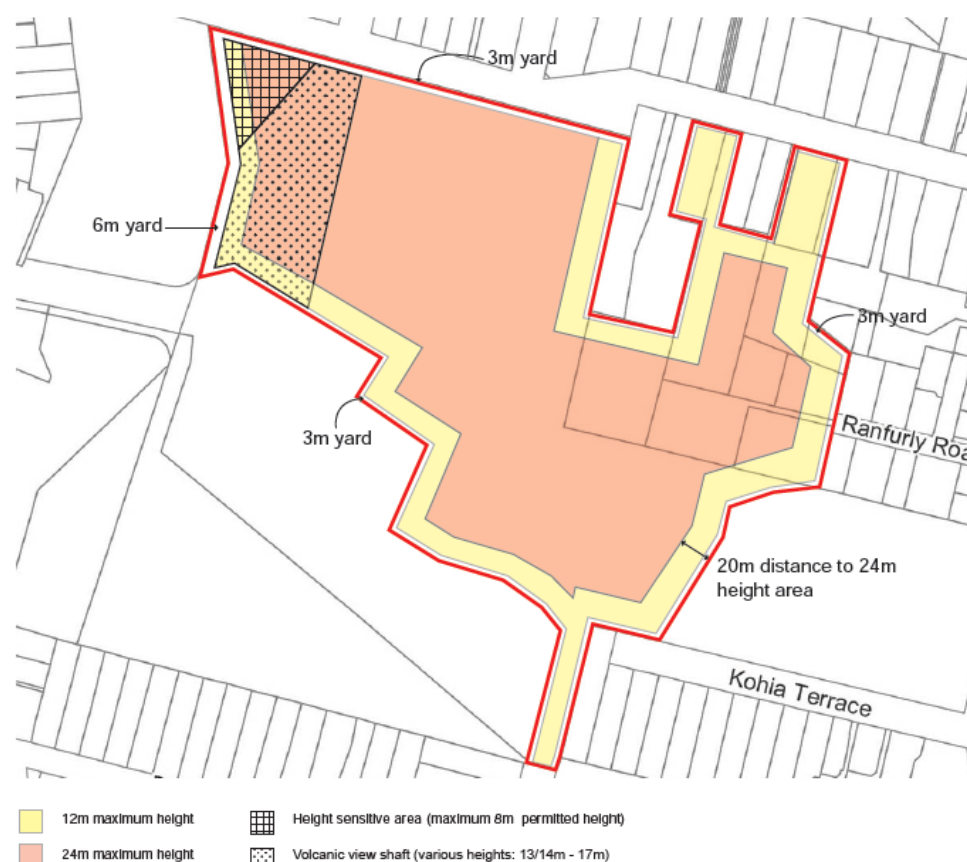
Height: 12m where less than 20m from a residential zone or public open space zone site. 24m where 20m or greater.

Yards: Minimum 3m front, side and rear yards adjoining a site in the residential or public open space zones. Note: To the Mt Eden Bowling Club and Mt Eden Tennis Club, to the west, the default 3m side yard requirement is superseded by a 6m yard requirement which applies as the Clubs' Public Open space zoning does not specify a HIRB control to an adjoining Special Purpose zone site.

HIRB: Where a TE zone site adjoins a site in another zone, the height in relation to boundary (HIRB) control that applies in the adjoining zone applies to the adjoining TE zone boundary.

Comment

- A 3m yard applies to all boundaries, with the exception of the western boundary, where a 6m yard applies.
- The width of Epsom Avenue exceeds 20m, so the 24m height area, which is permitted from a 20m distance from the boundary with the Single House zone sites on the northern side of the street, is set back from the Avenue only by the required 3m front yard.
- All other boundaries, except for a short frontage to Kohia Terrace and St Andrews Road, adjoin a public open space zone or a notified or assumed residential zone. This means that the maximum height within 20m of these boundaries would be 12m, set back behind required yards.
- The volcanic viewshaft and height sensitive areas passing over the western part of the site reduce the height that is otherwise permitted on the site by the 12m / 24m maximum height areas.
- To all notified and assumed residential zone boundaries, either a 2.5m and 45 degree HIRB (Single House and Mixed Housing Suburban zones) or 3m and 45 degree HIRB (Mixed Housing Urban zone) control applies. This sets the ability to achieve:
 - (1) the full permitted 12m height, 9.5m back from the boundary where the adjoining site is Single House or Mixed Housing Suburban, and 9m back from the boundary where the adjoining site is Mixed Housing Urban;
 - (2) the full permitted 24m height, 21.5m back from the boundary where the adjoining site is Single House or Mixed Housing Suburban, and 21m back from the boundary where the adjoining site is Mixed Housing Urban.



SITE & CONTEXT ANALYSIS
UoA EPSOM CAMPUS / DECEMBER 2015 **B&A** 17

This raises the following queries:

1/ Should Epsom AUPOP Precinct plan 8 metre height for three areas of the precinct get changed to align precinct heights with proposed PC120 zoning of MHU height because of neighbourhood rezoning? Rezoning would allow 11 metres MHU height instead of 8 metres MHS height.

- AUPOP 8 metre precinct height limit was included in the Epsom precinct for two reasons:
 - so development in those parts of precinct zoned MHS wouldn't be higher than permitted on the AUPOP MHS sites next door.
 - for site in NW corner of precinct, so height wouldn't conflict with volcanic viewshaft overlay controls.

Response = yes for two of the three precinct areas now proposed to be MHU, but not for the land in the NW corner of the precinct:

- retain AUPOP Epsom Precinct plan 8 metre height area in the NW corner of the precinct for the land previously zoned MHS and now proposed to be zoned MHU so height will not conflict with volcanic viewshaft overlay controls, which represent a planning constraint to the development of the land.

- alter Epsom Precinct plan AUPOP 8 metre height area to 11 metres for precinct land between Numbers 56 and 68 Epsom Avenue, and precinct land between 50 and 54 Epsom Avenue. This is because Numbers 54, 56, 64, 66, and 68 Epsom Avenue which were zoned Single House are being rezoned to MHU.

2/ Are changes required to Epsom AUPOP precinct plan 16 metres edge height and 24 metres internal height in response to new THAB 22 metre zone height?

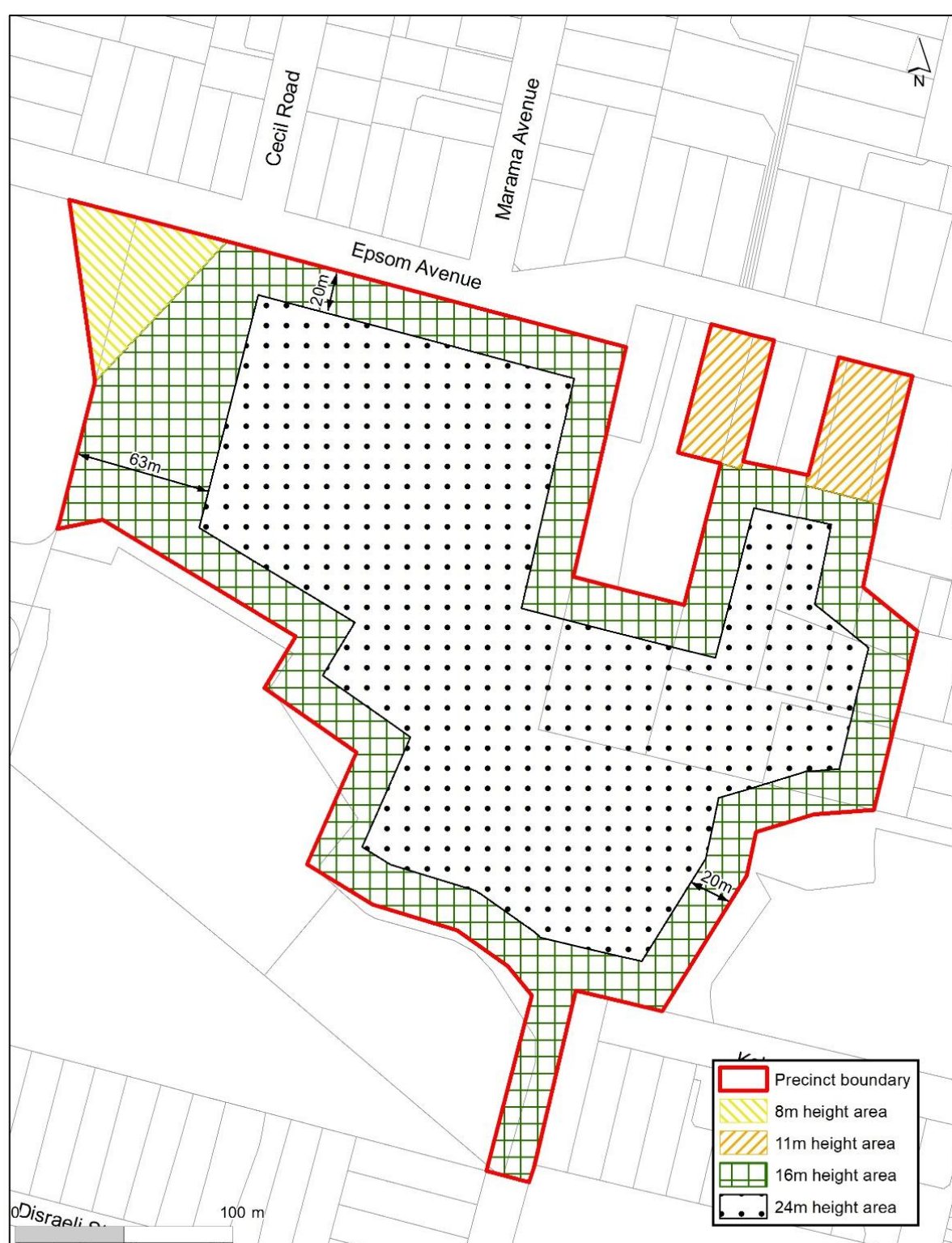
Response = no.

Mr Riley's evidence quoted above demonstrates that the 16 metre precinct height was proposed as a transition height in response to the precinct being predominantly surrounded by schools, a bowling club and a tennis club. The 24 metre AUPOP precinct height exceeds the proposed THAB 22 metre height.

Precinct provisions affected by the zoning change or other zoning principles change.

1/ Reword last sentence of 1.314.1.Epsom Precinct Provisions to refer to zoning of part of the precinct being Residential - Mixed Housing Urban rather than Residential - Mixed Housing Suburban

2/ Change 1314.10.1 Epsom: Precinct plan 1 – plan and key as shown below to now show 8 metre AUPOP height area as 11 metre height area for precinct land between 50 and 54 Epsom Avenue, and precinct land between Numbers 56 and 64 Epsom Avenue:



Epsom: Precinct plan 1 - building heights

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Proposed Plan Change 120: Housing Intensification and Resilience (PC120) to the Auckland Unitary Plan (Operative in part)

I316 Grafton Precinct

I316 Grafton Precinct Analysis

Purpose: The purpose of the precinct is to enable the development and operation of a range of tertiary education and accessory activities, including teaching and research, and catering for the diverse requirements of the student population, employees and visitors.

Zoning: The zoning of the land within the Grafton Precinct is for Sub-precinct A the Business - Mixed Use Zone, for Sub-precinct B the Business - Local Centre Zone and Residential - Terrace Housing and Apartment Buildings Zone and for Sub-precinct C the Residential - Terrace Housing and Apartment Buildings Zone.]

Changes to the precinct required by National Policy Statement on Urban Development 2020 (NPS-UD) and Schedule 3C of the Resource Management Act 1991 (the Act): The Precinct is affected by Policy 3(c) of the NPS-UD and is within the walkable catchment of the edge of the city centre zones. It is also within a walkable catchment of an existing rapid transit stop (Grafton Station). Building heights of 50mHVC (15 storeys) has been applied to the precinct. Building height and Height in relation to boundary standards have been deleted from the precinct provisions. Density provisions rely on the underlying zone provisions and are not affected because Policy 3(c) does not require changes to density.

Precinct provisions affected by Policy 3 and/or Schedule 3C	Outcome
I316.6.1 Building Height	Deleted
I316.6.2 Height in relation to boundary	Deleted

Section 32 and Schedule 3C qualifying matter

EVALUATION REPORT

This report is prepared as part of the evaluation required by Section 32 and Schedule 3C of the Act for proposed Plan Change 120 to the Auckland Unitary Plan (Operative in Part) (AUP).

The background to and objectives of PC120 are discussed in the overview report, as is the purpose and required content of section 32 and Schedule 3C evaluations:

Under clause 8(1) of Schedule 3C of the Act, Auckland Council may modify the requirements of clause 4(1)(b) and (c) of Schedule 3C [specific requirements for intensification within at least a walkable catchment of Maungawhau (Mount Eden), Kingsland, and Morningside Stations, and Baldwin Avenue and Mount Albert Stations] and policy 3 in any zone in an urban environment to be less enabling of development than provided in that clause or policy only to the extent necessary to accommodate 1 or more qualifying matters that are present.

Under clause 8(2) of Schedule 3C of the Act a qualifying matter evaluation report concerning a matter specified in section 771(a) to (i) and "any other matter" that makes higher density, as specified by clause 4(1)(b) or (c) of Schedule 3C or policy 3, inappropriate in an area, must:

(a) demonstrate why Auckland Council considers—

(i) that the area is subject to a qualifying matter; and

(ii) that the qualifying matter is incompatible with the level of development provided by clause 4(1)(b) or (c) or policy 3 for that area; and

(b) assess the impact that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity; and

(c) assess the costs and broader impacts of imposing those limits.

In addition, under clause 8(4) of Schedule 3C of the Act, the evaluation report must, in relation to a proposed amendment to accommodate a qualifying matter under clause 8(1)(b) of Schedule 3C [which is any "other" qualifying matter not listed in section 77I(a) to (i) that makes higher density inappropriate in an area], also:

(a) identify the specific characteristic that makes the level of development specified by clause 4(1)(b) or (c) or policy 3 inappropriate in the area; and

(b) justify why that characteristic makes that level of development inappropriate in light of the national significance of urban development and the objectives of the NPS-UD; and

(c) include a site-specific analysis that—

(i) identifies the site to which the matter relates; and

(ii) evaluates the specific characteristic on a site-specific basis to determine the geographic area where intensification needs to be compatible with the specific matter; and

(iii) evaluates an appropriate range of options to achieve the greatest heights and densities specified by clause 4(1)(b) or (c) or policy 3 while managing the specific characteristics.

Under clause 8(5) of Schedule 3C of the Act, Auckland Council may when considering existing qualifying matters (a qualifying matter specified in section 77I(a) to (i) that is operative in the AUP when PC120 [the Auckland housing planning instrument] is notified, instead of undertaking the above evaluation process, do all of the following things:

(a) identify by location (for example, by mapping) where an existing qualifying matter applies;

(b) specify the alternative heights or densities (as relevant) proposed for those areas identified;

(c) identify in the evaluation report why the Council considers that 1 or more existing qualifying matters apply to those areas identified;

(d) describe in general terms for a typical site in those areas identified the level of development that would be prevented by accommodating the qualifying matter, in comparison with the level of development that would have been provided by clause 4(1)(b) or (c) or policy 3;

(e) notify the existing qualifying matters in the Auckland housing planning instrument.

This report discusses the implications of applying qualifying matters within the I316 Grafton Precinct to clause 4(1)(b) or (c) of Schedule 3C of the Act and/or the implementation of policy 3 of the NPS-UD.

Integrated evaluation for existing qualifying matters

For the purposes of PC120, the evaluation of existing qualifying matters has been undertaken in an integrated way that combines section 32 and Schedule 3C requirements.

The scale and significance of the issues is assessed to be minor.

This section 32/Schedule 3C evaluation report will continue to be refined in response to any consultation feedback provided to the council, and in response to any new information received.

Existing qualifying matters	Notable Tree overlay-800, Pohutakawa, Verified position of tree located at 22-30 Park Avenue, (Lot1 DP 198589), Grafton Notable Tree protected under Section 6 Matters of National importance: Some trees which are specifically protected and recognised for their historic importance may meet the criteria under s6(f): <i>(f) the protection of historic heritage from inappropriate subdivision, use, and development</i> S76RMA (4A)(4B)(4C)(4D) also enables scheduling of Notable Trees through identified parameters in an urban environment. The Notable tree is located on the North eastern corner of 22-30 Park Avenue. It is listed under Schedule 10: Notable Tree Schedule of the AUP. D13 Notable Tree overlay provisions require the removal of a listed tree in Schedule 10 as a discretionary activity. The location of the tree restricts the amount of land that can be used for housing development.
Relevant precinct provisions supporting existing qualifying matters	I316.2 Objective : <i>(4) New buildings and structures respond to and positively contribute to the amenity values of public streets, open spaces and surrounding context, thereby reinforcing sense of place.</i> I316.3 Policies <i>(6) Require new buildings to be designed in a manner that respects any adjacent existing heritage places and provides a high standard of amenity.</i> Table I316.4.1 Activity table <i>(A24) Buildings, external alterations, additions and demolition where the work is visible from and located within 10m of a road or Open Space zone (excluding private roads)</i> <i>(A25) New parking buildings visible from and located within 10m of a public road or a residential zone or open space zone</i> A 50mHVC is applied to Sub-Precinct B (specifically 22-30 Park Avenue, Lot 1 DP 198589) where the Notable Tree is verified and located.
Effects managed	Reduced building platform area or vehicle access onto the site. The existing Notable tree does not have any effect on height, but does reduce the building platform area of a proposed building thereby reducing potential increased density in the THAB zone. Policy 3(c) states building heights of at least 6 storeys within at least a walkable catchment of the following: (i) existing and planned rapid transit stops (ii) the edge of city centre zones (iii) the edge of metropolitan centre zones; The Notable tree has potential to reduce building density, however policy 3(c) does require increased density. Density will be managed through the THAB provisions as applied on the site. Site application of the THAB zone is consistent with PC78 and the AUP.
Applies to any zone in an urban environment in relation to Policy 3 and / or clause 4(1)(b) or (c) Schedule 3C	The site at 22-30 Park Avenue is zoned THAB and is affected by the Notable tree QM. The tree is located at the northeastern corner of the site so there is less than minor effect on density as related to policy 3 requirements.
Assess impact <u>that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity enabled by Policy</u>	There is less than minor effect on housing capacity resulting from the Scheduled Notable Tree located at 22-30 Park Avenue. Tree canopy coverage over the site is approximately 97m². The University of Auckland B507 building was issued building consents in 2017-18, erected in 2018-2019 with Code of compliance issued in 2019-2020.

3 and / or clause 4(1)(b) or (c) Schedule 3C	The building was been designed and located taking into consideration position of the scheduled tree. The tree itself was used as part of site landscape design and entrance area to the building and serves as site amenity and interface to the public realm (Park Avenue). As mentioned above Policy 3(c) only requires increased height to at least 6 storeys. The site and Sub-Precinct B have been enabled to 15 storeys -50m through the 50m HVC.
Assess costs/broader impacts of imposing those limits	1. Maximum building height is not affected. 2. Reduced building platform area because of the tree canopy, reducing potential density. Policy 3(c) does not require this site to increase density 3. No other costs because of the recently constructed B507 building. Site <u>landscape design has integrated the schedule tree as part of the overall site development.</u> 4. The new B507 building is unlikely to be demolished to enable greater building height of up to 50m enabled by HVC. 5. <u>Additional floors maybe erected on the existing B507 building and the 15 storeys-50m height enabled through the 50mHVC will give effect to Policy 3(c)</u>
Conclusion	Retain the Notable tree-800, Pohutakawa located at 22-30 Park Avenue Grafton as a qualifying matter. This tree is protected through being scheduled under the Notable Trees overlay, and not through the precinct provisions.

Proposed Plan Change 120: Housing Intensification and Resilience (PC120) to the Auckland Unitary Plan (Operative in part)

I320 Mount Albert 2 Precinct

I320 Mount Albert 2 Precinct Analysis

Purpose: The purpose of the precinct is to provide for tertiary education and accessory activities of a scale and intensity compatible with the surrounding Residential and Open Space zones.

Zoning: The zoning of Mt Albert 2 Precinct is Terrace and Apartment Building Zone (THAB).

Changes to the precinct required by National Policy Statement on Urban Development 2020 (NPS-UD) and Schedule 3C of the Resource Management Act 1991 (the Act): Mt Albert 2 precinct is affected by the intensification requirements in clause 4(1)(ba)(c) of Schedule 3C and is within the walkable catchment of Baldwin Avenue Station. It is required to enable heights and densities commensurate with the greater of-

- (A) demand for housing and business use in those locations; or
- (B) the amount of housing and business use that is appropriate given the level of accessibility to commercial activity and community services in those locations; and
 - (ii) in all cases, building heights of at least 10 storeys in those locations; and
 - (c) give effect to policy 3.

In response Auckland Council has applied a 34.5m HVC to the Precinct and applied the Terrace and Apartment Building Zone.

Precinct Changes: The following changes to the precinct provisions are outlined in the table below:

Precinct provisions affected by Policy 3 and/or Schedule 3C	Outcome
I320.1. Precinct Description	Amend Delete text stating the precinct does not anticipate additional development outside of existing building platforms. The existing building platforms are inconsistent with Clause 4(1)(ba) of Schedule 3C and are to be deleted. Change “controlling” to “managing” location of development to align with Clause 4(1)(ba) of Schedule 3C Change reference from MHS zone to THAB zone.
I320.2. Objectives	Amend (3) – Change the word “protected” to “managed”. The word “managed” better aligns with Policy
I320.3. Policies	

	Amend (2)(a) – Delete policy referring to specified building platforms, this is potentially restrictive to Policy 3 (2)(b) – Change “controlling” to “managing”, controlling feels like too strong policy wording given the changes proposed.
Table I320.4 Activity table	Amend Change reference to MHS zone to THAB zone. Update reference to THAB chapter.
I320.6. Standards	Amend Change reference to MHS zone to THAB zone
I320.6.1. Height	Delete Delete the standard as it conflicts with the enabled building height of 22m within Baldwin Avenue Train Station walkable catchment.
I320.6.2. Building platform	Delete This standard conflicts with MDRS, it is in effect a density standard and there is no QM that applies.
I320.6.5. Impervious area, building coverage and Landscaping	Amend (1) Delete – This standard conflicts with Clause 4(1)(ba) of Schedule 3C and no QM applies. (2) Delete – This standard conflicts with Clause 4(1)(ba) of Schedule 3C and no QM applies. (3) Retain/Amend –QM is required as the landscaping standard does not affect height but has minor effect on density. Remove reference to building platforms and insert ‘site’
I320.9.4. Community liaison group	Amend 1320.9.4(2)(v) Amend typo error- Terrace 1320.9.4(2)(vi) Amend typo error- Challinor
I320.10.1 Mount Albert 2: Precinct plan 1	Amend Delete the notations for Building platform subject to maximum ground level restriction on the plan and Legend
I320.10.1 Mount Albert 2: Precinct plan 2-activity locations	Amend Delete the New building platforms and building platform subject to maximum ground level restriction Insert the Existing carpark and Existing sports facility on both the plan and Legend
I320.10.1 Mount Albert 2: Precinct plan 3-landscaping	Amend Amend the existing building outlines and Existing carpark and sports facility to reflect the site attributes

Section 32 and Schedule 3C qualifying matter

EVALUATION REPORT

This report is prepared as part of the evaluation required by Section 32 and Schedule 3C of the Act for proposed Plan Change 120 to the Auckland Unitary Plan (Operative in Part) (AUP).

The background to and objectives of PC120 are discussed in the overview report, as is the purpose and required content of section 32 and Schedule 3C evaluations:

Under clause 8(1) of Schedule 3C of the Act, Auckland Council may modify the requirements of clause 4(1)(ba) and (c) of Schedule 3C of heights and densities commensurate of demand for housing and business use in the precinct or the amount of housing and business use that is appropriate given the level of accessibility to commercial activity and community services and building heights of at least 10 storeys within Baldwin Station walkable catchment and policy 3 in any zone in an urban environment to be less enabling of development than provided in that clause or policy only to the extent necessary to accommodate 1 or more qualifying matters that are present.

Under clause 8(2) of Schedule 3C of the Act a qualifying matter evaluation report concerning a matter specified in section 77I(a) to (i) and "any other matter" that makes higher density, as specified by clause 4(1)(b) or (c) of Schedule 3C or policy 3, inappropriate in an area, must:

(a) demonstrate why Auckland Council considers—

(i) that the area is subject to a qualifying matter; and

(ii) that the qualifying matter is incompatible with the level of development provided by clause 4(1)(b) or (c) or policy 3 for that area; and

(b) assess the impact that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity; and

(c) assess the costs and broader impacts of imposing those limits.

In addition, under clause 8(4) of Schedule 3C of the Act, the evaluation report must, in relation to a proposed amendment to accommodate a qualifying matter under clause 8(1)(b) of Schedule 3C [which is any "other" qualifying matter not listed in section 77I(a) to (i) that makes higher density inappropriate in an area], also:

(a) identify the specific characteristic that makes the level of development specified by clause 4(1)(b) or (c) or policy 3 inappropriate in the area; and

(b) justify why that characteristic makes that level of development inappropriate in light of the national significance of urban development and the objectives of the NPS-UD; and

(c) include a site-specific analysis that—

(i) identifies the site to which the matter relates; and

(ii) evaluates the specific characteristic on a site-specific basis to determine the geographic area where intensification needs to be compatible with the specific matter; and

(iii) evaluates an appropriate range of options to achieve the greatest heights and densities specified by clause 4(1)(ba) or (c) or policy 3 while managing the specific characteristics.

Under clause 8(5) of Schedule 3C of the Act, Auckland Council may when considering existing qualifying matters (a qualifying matter specified in section 77I(a) to (i) that is operative in the AUP when PC120 [the Auckland housing planning instrument] is notified, instead of undertaking the above evaluation process, do all of the following things:

(a) identify by location (for example, by mapping) where an existing qualifying matter applies:

(b) specify the alternative heights or densities (as relevant) proposed for those areas identified:

(c) identify in the evaluation report why the Council considers that 1 or more existing qualifying matters apply to those areas identified:

(d) describe in general terms for a typical site in those areas identified the level of development that would be prevented by accommodating the qualifying matter, in comparison with the level of development that would have been provided by clause 4(1)(b) or (c) or policy 3:

(e) notify the existing qualifying matters in the Auckland housing planning instrument.

This report discusses the implications of applying qualifying matters within the I320 Mount Albert 2 Precinct to clause 4(1)(ba) or (c) of Schedule 3C of the Act and/or the implementation of policy 3 of the NPS-UD.

Integrated evaluation for ‘other’ qualifying matters

For the purposes of PC120, the evaluation of ‘other’ qualifying matters has been undertaken in an integrated way that combines sections 32 and clause 8(2) and (4) Schedule 3C requirements, including a site-specific analysis.

The scale and significance of the issues is assessed to be minor.

This section 32/ Schedule 3C evaluation report will continue to be refined in response to any consultation feedback provided to the council, and in response to any new information received.

‘Other’ qualifying matters and sites affected	Landscaping Part of Standard I320.6.5. Impervious area, building coverage and Landscaping relates to landscaping within Sub-Precinct B of the Precinct. Sub-Precinct B anticipates the bulk of future development. Standard I320.6.5(3) Screening trees and shrubs standard is retained and amended and cross references to I320.10.3 Mount Albert Precinct Plan 3-Landscaping. The standard is to ensure sufficient landscaping to screen existing and proposed buildings along the Sub-precinct B/Open Space (informal recreation)-Chamberlain Park common boundary as part of site development. A Planting and maintenance plan (I320.9.6) is required as part of I320.9 Special Information requirements. In summary the planting and maintenance programmes must; • Be prepared by a registered landscape architect • Include details of plant sizes at the time of planting and intended species including mature specimen trees to provide screening • Methods for irrigation and fertilising • Timing of planting • Detail topsoil depths The common boundary with Chamberlain Park is approximately 216m in length. A substantial number and various sizes of trees/shrubs existing along this boundary.
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The common boundary is approximately 1/3 of the site perimeter. Actual width of planting is not specified in the standard, with the width being determined at the time of the Planting and maintenance plan development (in conjunction with future buildings).

Loss of housing capacity would also be impacted by existing trees if retained as part of the overall development along that part of the site.

Therefore, the combination of new planting and possible retention of existing trees does affect the development capacity of that part of the site adjoining Chamberlain Park.

Relevant precinct provisions supporting QMs

I320.1. Objectives

(3) New buildings and structures respond to and positively contribute to the amenity values of streets, open spaces and the surrounding context, thereby reinforcing a sense of place.

I320.1. Policies

(2) Manage effects on the amenity of surrounding residential and open space areas by:

~~(a) limiting new development to specified locations within the precinct;~~

(a) ~~controlling~~ managing the scale and intensity of new development; and

(b) requiring identified areas within the precinct to be landscaped.

(3) Require new buildings and significant additions and alterations to be designed in a manner that:

(a) makes efficient use of the site;

(b) contributes to the amenity of the public realm where development is located adjacent to a street or open space;

(c) responds positively to the existing and planned future form and quality of the surrounding area; and

(d) responds and contributes positively to the sense of place.

(4) Require screening or landscaping of waste management facilities, service areas/buildings and parking to enhance their appearance when viewed from adjacent residential zones and open space.

Effects managed	-Visual amenity effects when viewed from Open Space (Informal Recreation)-Chamberlain Park: -Creates privacy -Assists breaking up views of building bulk -Integrates development into the surrounding landscape currently planted with substantial trees -Ecological enhancement -Managing stormwater runoff
Applies to any zone in an urban environment in relation to Policy 3 and / or clause 4(1)(b) or (c) Schedule 3C	Both Sub-Precinct A and B are rezoned to THAB as a response to clause 4(1)(ba) Sub-Precinct B is anticipated to provide for future development of the site while managing location scale and interface with Chamberlain Park and surrounding residential area. While it was not anticipated that Sub-Precinct A have future development, the removal of building platforms enables construction of buildings within the sub-precinct in accordance with the THAB zone provisions.
Specific characteristics that makes level of development provided by clause 4(1)(b) or (c) Schedule 3C or Policy 3 inappropriate	Mature existing trees provide significant visual and amenity to the surrounding residential area and open space (Chamberlain Park). A significant number of trees surround existing buildings thereby providing visual amenity to surrounding residents and users of the adjacent open space which itself has substantial number of trees. The trees are not scheduled in the Notable Trees and Notable group of trees overlays. The current precinct provisions requires that a substantial number of trees are retained (Precinct Plan 3 -Landscaping) and new trees planted to assist in screening the scale and bulk of buildings enabled by the precinct provisions.
Why inappropriate with level of development provided in light of national significance of urban development and the objectives of the NPS-UD	The precinct enables a mix of residential and tertiary development and within the Baldwin Avenue Station walkable catchment. Clause 4(1)(ba) of Schedule 3C requires a walkable catchment of the Baldwin Avenue and Mount Albert Stations,— (i) heights and densities commensurate with the greater of— (A) demand for housing and business use in those locations; or (B) the amount of housing and business use that is appropriate given the level of accessibility to commercial activity and community services in those locations; and (ii) in all cases, building heights of at least 10 storeys in those locations; and Mount Albert 2 Precinct is located within the Baldwin Avenue walkable catchment. The precinct has the THAB zone and a 34.5mHVC (10 storeys) applied. The landscaping QM will limit the amount of housing density within the precinct. Building height is not affected by the Landscaping QM. Landscaping QM is characterised by use of planting area that could be used as part of a building platform. The width of planting will vary because of the different nature of tree species size. Landscaping is in effect a de facto yard so that buildings are setback from boundaries. In addition, Landscaping/ tree planting may also restrict the layout and position of buildings thereby reducing site housing capacity/density.

Range of options to achieve the greatest heights and densities specified by clause 4(1)(ba) or (c) Schedule 3C or by Policy 3 while managing specific characteristics	1. Remove the landscaping requirement 2. Retain the landscaping requirement
Assess impact that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity enabled by Policy 3 and / or clause 4(1)(b) or (c) Schedule 3C	The landscaping requirement has no effect on building height. Landscaping has effect on density as it restricts the amount of buildable area within the precinct. Landscaping requirement requires landscaping around the periphery of Sub-precinct B along the common boundary with Open Space zone (Chamberlain Park) The depth of planting is unspecified- Landscaping/planting Plan is required to be submitted at time of development outlining the specific requirements under of I320.9 Special Information requirements of the I320 Mt Albert 2 Precinct provisions. The planting width would be determined during development of the plan. The landscaping standard requires planting of various sizes of trees/shrubs along the precincts boundary with Chamberlain Park to provide screening. The minimum width of planting is not specified in the standard, so this is unclear on how much land would be required for planting. The width of planting influences the provision of housing capacity, specifically density. If a minimum tree planting width is required (e.g 5m) then the effect on density/housing capacity is minor (e.g a 4m differential between the 5m planting width and 1m side yard results in a land development loss of approximately 864m² of buildable land. It should be noted that a significant amount of the common boundary with Chamberlain Park is already landscaped with a planting width of up to approximately 10m. Additional planting would supplement the existing trees and shrubs. If a 10m wide planting area is planted, then a potential loss of 1944m² buildable land is removed from density/housing supply calculations. While this appears significant, the total precinct site area is 3.6ha which results in a potential 5% loss of building area which is considered minor in terms of loss of housing capacity/density. Furthermore, under the proposed THAB zone, a landscaping requirement is proposed, requiring a minimum of 30% of the net site area. A landscaping plan is also required for all development within the THAB zone, that requires landscaping of the site in general but does not specify exactly where, being determined at the time of landscape plan development. Like the Landscape plan requirements in the precinct provisions, the exact planting width is not specified. It is considered that provisions align with requiring landscaping within the precinct/site. The precinct landscaping standard directs specific planting/screening along the site/Open Space zone (Chamberlain Park) common boundary. The proposed THAB zone landscaping requirement is more general in directing landscaping throughout the whole site with a minimum of 30% landscaping requirement. However, the introduced landscape provisions (H6.9 Special Information requirements) in the proposed THAB zone have yet to be confirmed as part of PC120. There is minor effect on housing supply/capacity subject to the confirmed width of planting along the common boundary with Open Space (Chamberlain Park). The required Planting and maintenance Plan would specify exact planting locations, depth of soil maintenance programme, methods to protect existing planting during construction, timing of planting, tree species etc to effectively screen buildings, activities. In my view there is significant amount of land and flexibility within the precinct to enable sufficient density of housing to meet Schedule 3C requirements while requiring landscaping along the precinct boundary with Chamberlain Park. It is considered that the Landscaping QM as it currently applies to Mount Albert 2 Precinct is appropriate and has only a minor effect in loss of housing capacity/supply and that the landscaping standard is retained.
Costs of applying QM	Social -None

	Economic -Increased development costs for developers -reduced buildable land for housing Environmental -None Housing supply/capacity -Minor reduced housing capacity/suuply due to area taken up by landscaping
Benefits	Social -Improved community sense of place -Campus style atmosphere for students, residents and visitors Economic -Improved property values because of landscaping/'green space' -Job creation in design of landscape plan and Environmental -Supports biodiversity, habitats for fauna -More resilient ecosystem within an urban environment -Manages stormwater runoff more effectively Housing supply/capacity -Minor reduced housing capacity/supply due to area taken up by landscaping along the periphery of the common boundary with Chamberlain Park.
Conclusion	Retain I320.6.5(3) Landscaping standard

Proposed Plan Change 120: Housing Intensification and Resilience (PC120) to the Auckland Unitary Plan (Operative in part)

I328. Ōrakei Point Precinct

I328. Ōrakei Point Precinct Analysis

Purpose: The Ōrakei Point Precinct applies to land located along Ōrakei Road adjoining the coastal marine area. The precinct is bisected by the North Island Main Trunk Railway. The purpose of the precinct is to enable a comprehensively planned, transit oriented community, with development undertaken generally in accordance with a master plan, and the staged provision of public facilities and infrastructure. The precinct plans seek to maximise the opportunities offered by the precinct, while respecting the sensitivities of its coastal location and geological and heritage values.

Zoning: The zoning is primarily Business – Mixed Use Zone, apart from the land adjoining the railway line within the railway designation which is zoned Strategic Transport Corridor Zone. Land between the coastal marine area and the precinct in the north and west is zoned Open Space – Informal Recreation Zone and Open Space – Conservation Zone. There is also a small area of Coastal – Coastal Transition Zone land included within this precinct.

Changes to the precinct required by National Policy Statement on Urban Development 2020 (NPS-UD) and Schedule 3C of the Resource Management Act 1991 (the Act): The Precinct is entirely within the walkable catchment of the Ōrakei railway station and therefore is affected by Policy 3(c) and must provide for 6 storeys (22m) or have a modifying QM.

Underlying Mixed Use Zone has a height of 21m which is as high as required by Policy 3(c) however the precinct plan restricts heights across the precinct to varying levels, ranging from 19.2m to 38.2m (relative to NZVD2016) and 2-6 storeys.

The precinct is subject to a modifying QM as part of the coastal environment so is exempt from applying increased height limits.

Precinct provisions affected by Policy 3 and/or Schedule 3C	Outcome
I328.6.11. Building height	Retain
I328.10.1. Ōrakei Point Precinct – Precinct Plan 1	Retain

Section 32 and Schedule 3C qualifying matter

EVALUATION REPORT

This report is prepared as part of the evaluation required by Section 32 and Schedule 3C of the Act for proposed Plan Change 120 (PC120) to the Auckland Unitary Plan (Operative in Part) (AUP).

The background to and objectives of PC120 are discussed in the overview report, as is the purpose and required content of section 32 and Schedule 3C evaluations:

Under clause 8(1) of Schedule 3C of the Act, Auckland Council may modify the requirements of clause 4(1)(b) and (c) of Schedule 3C and policy 3 in any zone in an urban environment to be less enabling of development than provided in that clause or policy only to the extent necessary to accommodate 1 or more qualifying matters that are present.

Under clause 8(2) of Schedule 3C of the Act a qualifying matter evaluation report concerning a matter specified in section 77I(a) to (i) and "any other matter" that makes higher density, as specified by clause 4(1)(b) or (c) of Schedule 3C or policy 3, inappropriate in an area, must:

(a) demonstrate why Auckland Council considers—

(i) that the area is subject to a qualifying matter; and

(ii) that the qualifying matter is incompatible with the level of development provided by clause 4(1)(b) or (c) or policy 3 for that area; and

(b) assess the impact that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity; and

(c) assess the costs and broader impacts of imposing those limits.

In addition, under clause 8(4) of Schedule 3C of the Act, the evaluation report must, in relation to a proposed amendment to accommodate a qualifying matter under clause 8(1)(b) of Schedule 3C [which is any "other" qualifying matter not listed in section 77I(a) to (i) that makes higher density inappropriate in an area], also:

(a) identify the specific characteristic that makes the level of development specified by clause 4(1)(b) or (c) or policy 3 inappropriate in the area; and

(b) justify why that characteristic makes that level of development inappropriate in light of the national significance of urban development and the objectives of the NPS-UD; and

(c) include a site-specific analysis that—

(i) identifies the site to which the matter relates; and

(ii) evaluates the specific characteristic on a site-specific basis to determine the geographic area where intensification needs to be compatible with the specific matter; and

(iii) evaluates an appropriate range of options to achieve the greatest heights and densities specified by clause 4(1)(b) or (c) or policy 3 while managing the specific characteristics.

Under clause 8(5) of Schedule 3C of the Act, Auckland Council may when considering existing qualifying matters (a qualifying matter specified in section 77I(a) to (i) that is operative in the AUP when PPCX [the Auckland housing planning instrument] is notified), instead of undertaking the above evaluation process, do all of the following things:

(a) identify by location (for example, by mapping) where an existing qualifying matter applies;

(b) specify the alternative heights or densities (as relevant) proposed for those areas identified;

(c) identify in the evaluation report why the Council considers that 1 or more existing qualifying matters apply to those areas identified;

(d) describe in general terms for a typical site in those areas identified the level of development that would be prevented by accommodating the qualifying matter, in comparison with the level of development that would have been provided by clause 4(1)(b) or (c) or policy 3;

(e) notify the existing qualifying matters in the Auckland housing planning instrument.

This report discusses the implications of applying qualifying matters within the I328. Ōrakei Point Precinct to clause 4(1)(b) or (c) of Schedule 3C of the Act and/or the implementation of policy 3 of the NPS-UD.

Integrated evaluation for existing qualifying matters

For the purposes of PC120, the evaluation of existing qualifying matters has been undertaken in an integrated way that combines section 32 and Schedule 3C requirements.

The scale and significance of the issues is assessed to be less than minor as there are no existing qualifying matters that affect the Policy 3(c) building height requirements for the Precinct.

This section 32/Schedule 3C evaluation report will continue to be refined in response to any consultation feedback provided to the council, and in response to any new information received.

Existing qualifying matters	N/A
Relevant precinct provisions supporting existing qualifying matters	N/A
Effects managed	N/A
Applies to any zone in an urban environment in relation to Policy 3 and / or clause 4(1)(b) or (c) Schedule 3C	N/A
Assess impact <u>that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity enabled by Policy 3 and / or clause 4(1)(b) or (c) Schedule 3C</u>	N/A
Assess costs/broader impacts of imposing those limits	N/A
Conclusion	N/A

Integrated evaluation for (a) to (i) qualifying matters that are not operative in the AUP when the Auckland housing planning instrument (PC120) is notified

For the purposes of PC120, the evaluation of qualifying matters referred to in section 77I (a) to (i) of the Act that are not operative in the AUP when the Auckland housing planning instrument (PC120) is notified has been undertaken in an integrated way that combines sections 32 and Schedule 3C requirements.

The scale and significance of the issues is assessed to be minor as the operative precinct provisions appropriately manage effects of building height on the coastal environment as the qualifying matter only affects the development capacity by way of a height control on the precinct which already enables heights that meet the Policy 3(c) requirement in some areas within the precinct.

This section 32/Schedule 3C evaluation report will continue to be refined in response to any consultation feedback provided to the council, and in response to any new information received.

Qualifying matters in section 77I(a) to (i)	Section 77I(a), (b) and (d) - Coastal environment
Relevant precinct provisions supporting QMs	I328.6.11. Building height I328.10.1. Ōrākei Point Precinct – Precinct Plan 1
Effects managed	Manage interface between buildings, public spaces and Ōrākei Point's coastal setting and character. Preserve experiential attributes, amenity, landscape and natural coastal character values against adverse dominance and amenity effects particularly in terms of naturalness and openness.
Applies to any zone in an urban environment in relation to Policy 3 and / or clause 4(1)(b) or (c) Schedule 3C	Business – Mixed Use zone Strategic Transport Corridor Zone Whole precinct within Orakei station walkable catchment so is subject to requirements of Policy 3(c).
Assess impact <u>that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity enabled by Policy 3 and / or clause 4(1)(b) or (c) Schedule 3C</u>	Application of the coastal environment QM limits development capacity of Ōrākei Point by not increasing building height limits to enable at least 6 storeys across the whole precinct. However, detailed structure planning took place for this precinct with different height limits set for each indicative building platform, going up to 6 storeys, which enables a transition of building height necessary to respond to and preserve coastal environment values. The scale and number of buildings planned for the precinct and their relationship with surrounding coastal area means that it is anticipated that there may be adverse effects on natural character, landscape, visual and amenity values. The precinct plan's building height and maximum floor requirements aim to mitigate these adverse effects.
Assess costs/broader impacts of imposing those limits	Intensification (via increased building height) in this precinct could result in irreversible effects on the coastal environment that surrounds Ōrākei Point. Application of the coastal environment QM protects Ōrākei Point's coastal environment, including natural character, landscape, amenity and cultural values.

	It also protects experiential attributes in the coastal environment and recognises how development in the coastal environment relates to and influences public open space, natural coastal features and landscapes. This approach recognises the coastal environment as being of multi-use nature and enables an integrated and place-based approach to determining an appropriate form, intensity and density of development.
Conclusion	Retain provisions. Relies on maximum height limits set for the precinct which meet the Policy 3(c) requirements in some parts and not in others, overall providing a sufficient level of transition of development height from the coast.

Integrated evaluation for ‘other’ qualifying matters

For the purposes of PC120, the evaluation of ‘other’ qualifying matters has been undertaken in an integrated way that combines sections 32 and clause 8(2) and (4) Schedule 3C requirements, including a site-specific analysis.

The scale and significance of the issues is assessed to be less than minor as there are no ‘other’ qualifying matters that affect the Policy 3(c) building height requirements for the Precinct.

This section 32/ Schedule 3C evaluation report will continue to be refined in response to any consultation feedback provided to the council, and in response to any new information received.

‘Other’ qualifying matters and sites affected	N/A
Relevant precinct provisions supporting QMs	N/A
Effects managed	N/A
Applies to any zone in an urban environment in relation to Policy 3 and / or clause 4(1)(b) or (c) Schedule 3C	N/A
Specific characteristics that makes level of development provided by clause 4(1)(b) or (c) Schedule 3C or Policy 3 inappropriate	N/A
Why inappropriate with level of development provided in light national significance of urban development and the objectives of the NPS-UD	N/A
Range of options to achieve the greatest heights and densities specified by clause 4(1)(b) or (c) Schedule 3C or by Policy 3 while managing specific characteristics	N/A
Assess impact <u>that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity</u> enabled by Policy 3 and / or clause 4(1)(b) or (c) Schedule 3C	N/A
Costs of applying QM	N/A
Benefits	N/A
Conclusion	N/A

Proposed Plan Change 120: Housing Intensification and Resilience (PC120) to the Auckland Unitary Plan (Operative in part)

I332. Tāmaki Precinct

I332. Tāmaki Precinct Analysis

Purpose: The Tāmaki Precinct applies to land located at 231 and 261 Morrin Road, Glen Innes (being Lots 1 and 2 DP 328428). It was owned by the University of Auckland who have now mostly exited the site. The purpose of the precinct is to enable the land to be used for other uses than those provided for in the Business - Mixed Use Zone along with on-going use for a range of teaching, research and associated activities. In addition to development of the site for future uses, possible changes to the existing buildings are provided for which allows flexibility for on-going tertiary education activities until such time as the precinct is comprehensively redeveloped.

Zoning: The zoning of land within this precinct is Business – Mixed Use Zone.

Changes to the precinct required by National Policy Statement on Urban Development 2020 (NPS-UD) and Schedule 3C of the Resource Management Act 1991 (the Act): The precinct is mostly within the walkable catchment of the Glen Innes railway station and therefore is affected by Policy 3(c) and must provide for 6 storeys (21m) or have a modifying QM. The underlying Mixed Use Zone has a height of 21m which is as high as required by Policy 3(c) however the precinct enables greater building heights of 24m. Changes are recommended to enable even greater heights of up to 50m to reflect the Height Variation Control applied to the Glen Innes walkable catchment. There are no modifying QMs which apply to this precinct.

Precinct provisions affected by Policy 3 and/or Schedule 3C	Outcome
I332.1. Precinct Description	Amend – - delete reference to 24m height limit as this no longer applies across the whole precinct - delete reference to height in relation to boundary control as there is no such control for this precinct.
I332.3.(6) Policies	Amend – refer to height variation control in Policy 6 which relates to building height.
I332.6.1. Maximum Building Height	Amend – refer to height variation control to enable building heights up to 50m for the part of the precinct within the Glen Innes walkable catchment.

Section 32 and Schedule 3C qualifying matter

EVALUATION REPORT

This report is prepared as part of the evaluation required by Section 32 and Schedule 3C of the Act for proposed Plan Change 120 (PC120) to the Auckland Unitary Plan (Operative in Part) (AUP).

The background to and objectives of PC120 are discussed in the overview report, as is the purpose and required content of section 32 and Schedule 3C evaluations:

Under clause 8(1) of Schedule 3C of the Act, Auckland Council may modify the requirements of clause 4(1)(b) and (c) of Schedule 3C and policy 3 in any zone in an urban environment to be less enabling of development than provided in that clause or policy only to the extent necessary to accommodate 1 or more qualifying matters that are present.

Under clause 8(2) of Schedule 3C of the Act a qualifying matter evaluation report concerning a matter specified in section 771(a) to (i) and "any other matter" that makes higher density, as specified by clause 4(1)(b) or (c) of Schedule 3C or policy 3, inappropriate in an area, must:

(a) demonstrate why Auckland Council considers—

(i) that the area is subject to a qualifying matter; and

(ii) that the qualifying matter is incompatible with the level of development provided by clause 4(1)(b) or (c) or policy 3 for that area; and

(b) assess the impact that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity; and

(c) assess the costs and broader impacts of imposing those limits.

In addition, under clause 8(4) of Schedule 3C of the Act, the evaluation report must, in relation to a proposed amendment to accommodate a qualifying matter under clause 8(1)(b) of Schedule 3C [which is any "other" qualifying matter not listed in section 771(a) to (i) that makes higher density inappropriate in an area], also:

(a) identify the specific characteristic that makes the level of development specified by clause 4(1)(b) or (c) or policy 3 inappropriate in the area; and

(b) justify why that characteristic makes that level of development inappropriate in light of the national significance of urban development and the objectives of the NPS-UD; and

(c) include a site-specific analysis that—

(i) identifies the site to which the matter relates; and

(ii) evaluates the specific characteristic on a site-specific basis to determine the geographic area where intensification needs to be compatible with the specific matter; and

(iii) evaluates an appropriate range of options to achieve the greatest heights and densities specified by clause 4(1)(b) or (c) or policy 3 while managing the specific characteristics.

Under clause 8(5) of Schedule 3C of the Act, Auckland Council may when considering existing qualifying matters (a qualifying matter specified in section 771(a) to (i) that is operative in the AUP when PPCX [the Auckland housing planning instrument] is notified), instead of undertaking the above evaluation process, do all of the following things:

(a) identify by location (for example, by mapping) where an existing qualifying matter applies;

(b) specify the alternative heights or densities (as relevant) proposed for those areas identified;

(c) identify in the evaluation report why the Council considers that 1 or more existing qualifying matters apply to those areas identified;

(d) describe in general terms for a typical site in those areas identified the level of development that would be prevented by accommodating the qualifying matter, in comparison with the level of development that would have been provided by clause 4(1)(b) or (c) or policy 3;

(e) notify the existing qualifying matters in the Auckland housing planning instrument.

This report discusses the implications of applying qualifying matters within the I332 Tamaki Precinct to clause 4(1)(b) or (c) of Schedule 3C of the Act and/or the implementation of policy 3 of the NPS-UD. No assessment is required below as there are no qualifying matters that are applied to the Tamaki precinct.

Integrated evaluation for existing qualifying matters

For the purposes of PC120, the evaluation of existing qualifying matters has been undertaken in an integrated way that combines section 32 and Schedule 3C requirements.

The scale and significance of the issues is assessed to be Nil.

This section 32/Schedule 3C evaluation report will continue to be refined in response to any consultation feedback provided to the council, and in response to any new information received.

Existing qualifying matters	NA
Relevant precinct provisions supporting existing qualifying matters	NA
Effects managed	NA
Applies to any zone in an urban environment in relation to Policy 3 and / or clause 4(1)(b) or (c) Schedule 3C	NA
Assess impact <u>that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity</u> enabled by Policy 3 and / or clause 4(1)(b) or (c) Schedule 3C	NA
Assess costs/broader impacts of imposing those limits	NA
Conclusion	NA

Integrated evaluation for (a) to (i) qualifying matters that are not operative in the AUP when the Auckland housing planning instrument (PC120) is notified

For the purposes of PC120, the evaluation of qualifying matters referred to in section 77I (a) to (i) of the Act that are not operative in the AUP when the Auckland housing planning instrument (PC120) is notified has been undertaken in an integrated way that combines sections 32 and Schedule 3C requirements.

The scale and significance of the issues is assessed to be Nil.

This section 32/Schedule 3C evaluation report will continue to be refined in response to any consultation feedback provided to the council, and in response to any new information received.

Qualifying matters in section 77I(a) to (i)	NA
Relevant precinct provisions supporting QMs	NA
Effects managed	NA
Applies to any zone in an urban environment in relation to Policy 3 and / or clause 4(1)(b) or (c) Schedule 3C	NA
Assess impact <u>that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity</u> enabled by Policy 3 and / or clause 4(1)(b) or (c) Schedule 3C	NA
Assess costs/broader impacts of imposing those limits	NA
Conclusion	NA

Integrated evaluation for ‘other’ qualifying matters

For the purposes of PC120, the evaluation of ‘other’ qualifying matters has been undertaken in an integrated way that combines sections 32 and clause 8(2) and (4) Schedule 3C requirements, including a site-specific analysis.

The scale and significance of the issues is assessed to be Nil.

This section 32/ Schedule 3C evaluation report will continue to be refined in response to any consultation feedback provided to the council, and in response to any new information received.

‘Other’ qualifying matters and sites affected	NA
Relevant precinct provisions supporting QMs	NA
Effects managed	NA
Applies to any zone in an urban environment in relation to Policy 3 and / or clause 4(1)(b) or (c) Schedule 3C	NA
Specific characteristics that makes level of development provided by clause 4(1)(b) or (c) Schedule 3C or Policy 3 inappropriate	NA
Why inappropriate with level of development provided in light national significance of urban development and the objectives of the NPS-UD	NA
Range of options to achieve the greatest heights and densities specified by clause 4(1)(b) or (c) Schedule 3C or by Policy 3 while managing specific characteristics	NA
Assess impact <u>that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity</u> enabled by Policy 3 and / or clause 4(1)(b) or (c) Schedule 3C	NA
Costs of applying QM	NA
Benefits	NA
Conclusion	NA

Proposed Plan Change 120: Housing Intensification and Resilience (PC120) to the Auckland Unitary Plan (Operative in part)

I333 Three Kings Precinct

I333 Three Kings Precinct Analysis

Purpose: The purpose of the precinct is to enable the comprehensive redevelopment of the former Three Kings Quarry and adjacent land, in a way that will ensure high quality outcomes that support a compact city.

Zoning: Residential - Terrace Housing and Apartment Buildings Zone, Residential – Mixed Housing Urban Zone, Residential – Single House Zone, Business - Town Centre Zone, Open Space - Informal Recreation Zone and Open Space - Sport and Active Recreation Zone.

Note: Plan Change 96 is proposing to rezone land at 30 Grahame Breed Drive (owned by Auckland Council) from Business - Town Centre to Open Space – Informal Recreation. The proposed rezoning within the precinct is to facilitate a land exchange between Fletcher Residential and Auckland Council.

Precinct provisions	Outcome
Is the precinct affected by the zoning principles resulting in a change to the zone beneath the precinct.	Yes
If the zoning is changed, how does this affect the precinct?	The ‘Height and Building Sensitive Areas’ overlay applying to the site at 32 Grahame Breed Drive, Mount Roskill has meant that the maximum building height for this site under the previous Residential - Terrace Housing and Apartment Buildings Zone could not be achieved. For this reason, the site is rezoned from Residential - Terrace Housing and Apartment Buildings Zone to Residential – Mixed Housing Urban Zone to comply with the overlay and prevent further encroachment of buildings or structures into the slopes and surrounds of Te Tātua o Riu-ki-uta (Big King) Maunga. The application of the ‘Natural Hazards – flooding’ constraint over part of the site at 40 Grahame Breed Drive, Mount Roskill has resulted in the rezoning of part of the site from Residential - Terrace Housing and Apartment Buildings Zone to Residential – Single House Zone to address flooding risk.
Identify precinct provisions affected by the zoning change or other zoning principles change.	None