

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 North:**

**I500 ALBANY 3 PRECINCT, I501 ALBANY 9 PRECINCT, I516 KUMEU
PRECINCT, I529 OREWA 1 PRECINCT, I530 OREWA 2 PRECINCT, I531 OREWA
3 PRECINCT, I533 RED BEACH PRECINCT, I539 SMALES 2 PRECINCT, I549
AKORANGA PRECINCT, I550 MILLWATER SOUTH PRECINCT, I556
TAKAPUNA 2 PRECINCT**

SECTION 32 ANALYSIS

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

I500 Albany 3 Precinct

I500 Albany 3 Precinct Analysis

Purpose: The purpose of the precinct is to provide for development and subdivision in a manner that addresses all of the following matters:

- the protection of any significant natural features of the land, including landscape impacts on the Lucas Creek escarpment, and
- impacts arising from the identified ridgeline sites and eventual building heights in this area;
- maintain the water quality for the Lucas Creek catchment; and manage onsite stormwater management.

Zoning: Residential - Single House 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):

Most of the sites are proposed to be rezoned from Residential – Single House Zone land to Residential – Mixed Housing Suburban. 11 sites have retained Residential – Single House Zone as these sites are affected by the Significant Ecological Area Overlay.

The precinct includes a Significant Ecological Area Overlay as a planning constraint and the sites affected have retained Single House zoning.

No sites are within a walkable catchment identified for the purposes of upzoning under NPS UD policy 3(C), and no sites are within an area adjoining a local centre identified for the purposes of upzoning under NPS UD Policy 3(d).

Analysis

To accommodate the proposed rezoning from Residential - Single House Zone to Residential – Mixed Housing Suburban Zone, whilst retaining Residential – Single House Zone based on the residual residential principles updated references to the new zones are required throughout. This will change the character and density of development provided for on these sites. Single house zone will still be present for those sites identified as being affected by Significant Ecological Area Overlay.

The precinct provisions were developed over an extensive period of time which included public consultation, expert assessment and an environment court hearing and a decision was made to include in the North Shore District Plan. Their application was reconsidered in their incorporation into the Auckland Unitary Plan and they were continued to be considered applicable. There are no additional reasons related to the IIPC plan change or any other reason they are no longer considered valid provisions.

There is a planning constraint in support of the value of the significant ecological areas within the precinct. This planning constraint supports the retention of those provisions which seek to manage subdivision, use and development adverse effects on those values. Development and further subdivision consistent with the new zoning can still be achieved outside of these controls. It is recommended to retain these provisions.

The precinct provisions manage the spatial layouts of roads, lots and reserves. These patterns have mostly (if not entirely) been given effect to through zoning, vesting, subdivision and development. These provisions do not conflict with the development patterns consistent with the proposed IIPC zoning, and there is no reason to not retain these. It is recommended to retain these provisions.

However, in order to enable the subdivision around existing or consented development provided for in the Mixed Housing Suburban zones it is recommended the minimum site size standards are amended to apply on to vacant sites.

Precinct provisions for ridgeline protection result in more restrictive height limits than the proposed zoning (one storey as opposed to three) for a series of sites in the north west of the precinct. These provisions conflict with the change in zoning. The sites remain on a ridgeline, and a transition between residential and rural zoning. There is no reason that the potential adverse effects or the value of the ridgeline have changed. It is recommended to retain these provisions.

Precinct provisions	Outcome
Is the precinct affected by the zoning principles resulting in a change to the zone beneath the precinct.	Yes Some areas within the precinct have had their zoning changed from Residential – Single House Zone to Mixed Housing Suburban zone. 11 sites have retained Residential – Single House Zone as these sites are affected by the Significant Ecological Area Overlay.
If the zoning is changed, how does this affect the precinct?	The RMA reasons for the precinct remain even, with the change in zoning as the precinct provisions manage the spatial layouts of roads, lots and reserves. These patterns have mostly (if not entirely) been given effect to through zoning, vesting, subdivision and development. These provisions do not conflict with the development patterns consistent with the proposed PC120 zoning, and there is no reason to not retain these. It is recommended to retain these provisions.
Identify precinct provisions affected by the zoning change or other zoning principles change.	1500.1 Description Amended References updated to include MHS as relevant underlying zone. Single House zone kept in reference as it still applies to sites affected by Significant Ecological Area Overlay. 1500.1 – Objectives Retain – No change required 1500.3 – Policies Amend - Policy 1 amended to reference outcomes for vacant sites only so to maintain outcomes in terms of the precinct plan layout in vacant site subdivision, while allowing for the subdivision around existing and consented development provided for in the MHS zones 1500.4 – Activity Table Amend – Have included RD status to be consistent with other chapters like chapter E38 – Subdivision 1500.5 – Notification Retain – No change required 1500.6.1 – Building height Retain – No change required 1500.6.2 - Location of new buildings and additions to buildings Retain - The precinct policies were developed over an extensive period of time which included public consultation, expert assessment and an environment court hearing and a decision was made to include in the North Shore District Plan. Their application was reconsidered in their incorporation into the Auckland Unitary Plan and they were continued to be considered applicable. There is no additional reasons related to the IIPC plan change or any other reason they are no longer considered valid provisions. The landscape protection mostly relates to an area of significant ecological area which is supported as a planning constraint identified in PC120.

	1500.6.3 – Minimum Site Amend - so provision only applies to vacant sites, to continue to manage subdivision patterns in accordance with the precinct plan, while allowing for the level of subdivision around existing and consented development provided for in the MHS zones. 1500.7 – Assessment – controlled activities Retain – No change required. 1500.8.1 – Matters of description Retain – No change required 1500.8.2 – Assessment criteria Retain – No change required
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Proposed Plan Change 120: Housing Intensification and Resilience (PC120) to the Auckland Unitary Plan (Operative in part)

I501 Albany 9 Precinct

I501 Albany 9 Precinct Analysis

Purpose: The Albany 9 Precinct applies to the Massey University Albany Campus which was established in 1993 and which spreads across 67 hectares of land between the Albany Expressway, Bush Road and the Fernhill Escarpment. The campus is characterised by a coherence in architectural style and building materials. The majority of the campus contains extensive areas of open pasture and regenerating native vegetation and buildings are concentrated along prominent ridgelines.

The purpose of the precinct is to enable tertiary education and the development and operation of a range of activities to cater for the diverse requirements of the student population, employees and visitors. Community use of the facilities is also provided for. The precinct also allows for business, offices, research and laboratory facilities which are increasingly co-locating within these campuses, to the benefit of the tertiary institution, students and the economic development of Auckland. The precinct also enables new tertiary education facilities, new activities, access and physical connections within the site.

Zoning: The zoning of the land within the Albany 9 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 partially located within the Albany Business - Metropolitan Centre Zone walkable catchment 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). Where sub-precincts are located within a walkable catchment, modifications are recommended to enable building heights to align with Height Variation Controls applied throughout the remainder of the walkable catchment. Specifically, sub-precincts A and D are located within the Albany Business – Metropolitan Centre Zone walkable catchment, where building heights of up to 34.5m (10 storeys) are considered appropriate based on accessibility analysis and direction afforded by Policy 3(c) of the NPS-UD.

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
I501.1 Precinct Description	Amend Minor change to clarify that the whole of the Albany 9 Precinct is located within the Business – Mixed Use Zone (reflecting the earlier removal of Sub-precinct C through previous plan change).
Standard I501.6.1 Building Height	Amend It is proposed to delete the maximum building height standard pertaining to Sub-precinct A, thereby enabling building heights in this sub-precinct to be determined by underlying zone provisions as modified by the proposed Height Variation Control.

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 I501 Albany 9 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 <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
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 <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
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 <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)

I516 Kumeū Precinct

I516 Kumeū Precinct Analysis

Purpose: The purpose of the Kumeū Precinct is to enable the establishment of a town centre to serve the Kumeū-Huapai area with a strong commercial core and associated residential and recreational areas.

Zoning: Business – Town Centre, Residential – Mixed Housing Urban, Residential – Single House and Open Space – Conservation.

Precinct provisions	Outcome
Is the precinct affected by the zoning principles resulting in a change to the zone beneath the precinct.	Yes. Some areas within this precinct (parts of sub precincts C and D) have had their zoning changed from Residential – Mixed Housing Urban to Residential – Single House.
If the zoning is changed, how does this affect the precinct?	This precinct’s standards have been retained to maintain the intentions of this precinct. The underlying zone has been changed within sub precincts C and D, to reflect the flooding planning constraint and to therefore limit development in these areas accordingly. The precinct provisions were needed to be updated to reference the new underlying zoning and to make a slight text change within the precinct description of sub-precinct D to signify the need to limit development due to the flooding planning constraint. Additionally, small refinements to update incorrect plan references were made.
Identify precinct provisions affected by the zoning change or other zoning principles change.	Update I516.1 Update I516.6

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

I529. Precinct Orewa 1

I529. Orewa 1 Precinct Analysis

Purpose:

The key purpose of the precinct is to enable the completion of a comprehensive residential community that will incorporate a range of housing typologies, complemented by community facilities, a network of public open spaces, and accessory commercial activity. Future built form and layout will be progressed in a manner that is complimentary to the character of the substantial development progressed on site to date, and provide the landowner and neighbouring properties with suitable certainty as to the overall outcome.

Zoning:

Residential – Mixed Housing Urban Zone, Open

Space – Community Zone

Open Space – Informal Recreation Zone.

Changes to the precinct required by NPS-UD and Schedule 3C of the Resource Management Act (the Act):

The Orewa 1 Precinct is **not** within a walkable catchment (**WC**) of a city centre, metropolitan centre, town centre, local centre or neighbourhood centre zone, nor is the precinct within a WC of an existing or planned rapid transit stop or rapid transit corridor. In this respect, no changes to the precinct are required by Policy 3 of the NPS-UD.

Precinct provisions	Outcome
Is the precinct affected by the zoning principles resulting in a change to the zone beneath the precinct.	No
If the zoning is changed, how does this affect the precinct?	Underlying zonings of this precinct remain unchanged.
Identify precinct provisions affected by the zoning change or other zoning principles change.	
I529.1. Precinct Description The Orewa 1 Precinct is located at the corner of Centreway Road and Puriri Avenue at the northern end of Orewa. It sits within a natural bowl including significant stands of puriri trees at its core. The perimeter is bound by: • Nukumea Stream and Alice Eaves Scenic Reserve to the north; • Orewa North Primary School to the south; and • single dwelling residential development and Puriri Bush reserve to the east.	Amend  Orewa Beach Primary School Primary school • Google Confirm the name of the primary school, confirm whether an update is required. I529.1. Precinct Description The Orewa 1 Precinct is located at the corner of Centreway Road and Puriri Avenue at the northern end of Orewa. It sits within a natural bowl including significant stands of puriri trees at its core. The perimeter is bound by: • Nukumea Stream and Alice Eaves Scenic Reserve to the north; • Orewa Beach Primary School to the south; and • Residential - Mixed Housing Suburban Zone to the west; Residential - Mixed Housing Urban Zone to the east and • Puriri Bush reserve to the east.
I529.3. Policies (4) Require that buildings adjacent to the Orewa North Primary School are setback to minimise dominance and overshadowing.	Amend (Same as above) I529.3. Policies (4) Require that buildings adjacent to the Orewa Beach Primary School are setback to minimise dominance and overshadowing.

I529.6.7. Height in relation to boundary

- (1) No part of any building adjoining Part Lot 1 DP 64430 Part Lot 1 DP 63838 – Orewa North Primary School must exceed a height equal to 3 metres plus 60 degrees between that part of the building and the precinct boundary on which the building is to be located. Standards H5.6.5 Height in relation to boundary, H5.6.6 Alternative height in relation to boundary and H5.6.7 Height in relation to boundary adjoining lower intensity zones do not apply to buildings adjoining Part Lot 1 DP 64430 Part Lot 1 DP 63838 – Orewa North Primary School.
- (2) Buildings must not project beyond a 45-degree recession place measured from a point 3 metres vertically above ground level at the external precinct boundaries other than the boundary in I529.6.7(1) above. Standards [H5.6.5](#) Height in relation to boundary, [H5.6.6](#) Alternative height in relation to boundary and [H5.6.7](#) Height in relation to boundary adjoining lower intensity zones do not apply along the external precinct boundary.

Amend

Property ID	11020122
Address	280 Centreway Road Orewa 0931
Property Name	Orewa North Primary School
Legal Description	Pt Lot 1 SO 47482, Pt Lot 1 SO 47482

Update the legal description of the site: Pt Lot 1 SO 47482, Pt Lot 1 SO 47482

- (1) No part of any building adjoining Part Lot 1 SO 47482, Part Lot 1 SO 47482 – Orewa Beach Primary School must exceed a height equal to 3 metres plus 60 degrees between that part of the building and the precinct boundary on which the building is to be located. H5.6.6 height in relation to boundary and H5.6.7 Height in relation to boundary adjoining lower intensity zones do not apply to buildings adjoining Part Lot 1 SO 47482, Part Lot 1 SO 47482 – Orewa Beach Primary School.
- (2) Buildings must not project beyond a 45-degree recession place measured from a point 3 metres vertically above ground level at the external precinct boundaries other than the boundary in I529.6.7(1) above. H5.6.6 height in relation to boundary and H5.6.7 Height in relation to boundary adjoining lower intensity zones do not apply along the external precinct boundary.

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

I530. Orewa 2 Precinct

I530. Orewa 2 Precinct Analysis

Purpose: The purpose of the precinct is to develop a new residential community on greenfield land in accordance with the Orewa 2: Precinct plan 1 and Orewa 2: Precinct plan 2 – sub-precincts while protecting and enhancing the ecological and amenity value of the receiving environment. A flexible range of residential densities is provided for.

Zoning:

Residential - Single House Zone

Residential - Mixed Housing Suburban Zone

Open Space - Informal Recreation Zone

Open Space - Conservation Zone

Coastal - General Coastal Marine Zone

Business - Neighbourhood Centre Zone

Changes to the precinct required by NPS-UD and Schedule 3C of the Resource Management Act (the Act):

The Orewa 2 Precinct is **not** within a walkable catchment (**WC**) of a city centre, metropolitan centre, town centre, local centre or neighbourhood centre zone, nor is the precinct within a WC of an existing or planned rapid transit stop or rapid transit corridor. In this respect, no changes to the precinct are required by Policy 3 of the NPS-UD.

Precinct provisions	Outcome
Is the precinct affected by the zoning principles resulting in a change to the zone beneath the precinct.	Yes Residential – Mixed Housing Suburban Zone, Coastal – General Coastal Marine Zone, Open Space – Informal Recreation Zone
If the zoning is changed, how does this affect the precinct?	Precinct standards have been mostly retained to guide the development of a new residential community on greenfield land while protecting and enhancing the ecological and amenity values of the Orewa River estuary, Nukumea Stream, and associated native vegetation, riparian areas, and wetlands. The provisions manage a variety of topographical and landscape features, including dominant ridgelines, rolling hills, and natural gullies, to ensure development responds appropriately to the receiving environment. The precinct is divided into eight sub-precincts, with Orewa 2: Precinct plan 1 and Precinct plan 2 identifying the roading and open space network, vegetation to be protected, and Physical Limitation areas where geotechnical conditions constrain the potential for medium-density development. Development in these areas is subject to specific controls to ensure suitability prior to construction. The updated zoning within the precinct includes Residential – Single House Zone, Residential – Mixed Housing Suburban Zone, Coastal – General Coastal Marine Zone, Business – Neighbourhood Centre Zone, Open Space – Informal Recreation Zone, and Open Space – Conservation Zone. Across these residential zones, a consistent building height limit of 9m applies, with specific Height in Relation to Boundary standards modified for sites between 450m² and 650m². These standards retain the intended balance between enabling a flexible range of residential densities, and ensuring that the environmental and amenity values of the precinct are protected over time.
Identify precinct provisions affected by the zoning change or other zoning principles change.	Update I530.1 Precinct Description to include changes to the underlying zonings. Update I530.6 Standards and I530.6.1.1 Table to include ‘except two or more dwellings on a site’. Update I530.6.1 to clarify standard relevance with ‘vacant lot’, and update underlying zonings. Update I530.6.3, I530.6.4, I530.6.5, and Table I530.6.6.1 to reflect on changes in underlying zonings. Update I530.10.1 Orewa 2: Precinct plan 1 to reflect changes to the underlying residential zonings

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

I531. Precinct Orewa 3

I1531. Orewa 3 Precinct Analysis

Purpose: The precinct is constrained by onsite features including geotechnical instability and native biodiversity. To respond to, and manage these constraints, a more intensive form of development is enabled by the precinct in areas free from constraints. The precinct contains eight sub-precincts which control the maximum number of dwellings.

Zoning:

Residential - Single House Zone

Residential - Mixed Housing Suburban Zone

Changes to the precinct required by NPS-UD and Schedule 3C of the Resource Management Act (the Act):

The Orewa 3 Precinct is **not** within a walkable catchment (**WC**) of a city centre, metropolitan centre, town centre, local centre or neighbourhood centre zone, nor is the precinct within a WC of an existing or planned rapid transit stop or rapid transit corridor. In this respect, no changes to the precinct are required by Policy 3 of the NPS-UD.

Precinct provisions	Outcome
Is the precinct affected by the zoning principles resulting in a change to the zone beneath the precinct.	Yes Residential - Mixed Housing Suburban Zone
If the zoning is changed, how does this affect the precinct?	Precinct standards have been retained to respond to the site's constraints, which include areas of geotechnical instability and native biodiversity. The precinct enables a more intensive form of development in parts of the site that are free from these constraints, while limiting development in sensitive areas to manage associated environmental effects. The precinct is divided into nine sub-precincts, each of which controls the maximum number of dwellings to ensure development is located and scaled appropriately. Zoning within the precinct includes Residential – Single House Zone and Residential – Mixed Housing Suburban Zone. For dwellings, the H5 Residential – Mixed Housing Urban Zone standards apply across the precinct, enabling a higher intensity of development than that provided for by the underlying zoning, even following the proposed intensification. These provisions retain the intended balance between enabling development potential in unconstrained areas and managing risks and effects in sensitive locations.
Identify precinct provisions affected by the zoning change or other zoning principles change.	Update I531.1 Precinct Description to include changes to the underlying zonings. Update I531.4.1 Activity Table – remove 'RD' activity status for (A2). Update I531.6 Standards to reflect changes on underlying zonings. Update I531.6.1 to remove (d) H5.6.7 and align with the updated H5 chapter. Update I531.6.10 to clarify standard relevance with 'vacant lot'.

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

I533 Red Beach Precinct

I533 Red Beach Precinct Analysis

Purpose: to provide for comprehensive and integrated residential development with a variety in residential housing options with larger sites than allowed for in the zone around the edge of the site and within a development cap of 570 dwellings. Development is provided at a rate of one dwelling per site and will be integrated with key road links, recreational resources and stormwater infrastructure.

Zoning: Residential - Mixed Housing Urban Zone and Residential – Single House Zone

Precinct provisions	Outcome
Is the precinct affected by the zoning principles resulting in a change to the zone beneath the precinct.	Yes Zoned MHS in the operative AUP
If the zoning is changed, how does this affect the precinct?	Precinct standards have been largely retained to maintain the intentions of the zone. The precinct limits the number of dwellings within the precinct for stormwater and transport management reasons. Maintaining these provisions is required to manage these constraints. The precinct manages height (at 9m)and HIRTB throughout the precinct area with further restrictions in height around the outer edge of the precinct (at 5m) to manage development effects on the surrounding properties. These standards are retained to continue to manage the effects of development. Where sites have been reduced to SHZ (from MHS), we want the standards of the lower intensity zone to take precedence unless the precinct standards are more restrictive and then these should apply. SHZ has been applied to manage flooding and we want to maintain the intention of this reduction in zoning by not allowing any more intensity than that provided by the SHZ or precinct, which ever of the two is less intense. The majority of the precinct area has been upzoned to MHU, while the precinct standards for height, HIRTB and yards apply, all other MHU standards relating to bulk/coverage would apply. This would mean a higher level of development could occur.
Identify precinct provisions affected by the zoning change or other zoning principles change.	Update precinct description Update I533.3.Policy (4) Update I533.6 Standards 'exceptions' list

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

I539. Smales 2 Precinct

I539. Smales 2 Precinct Analysis

Purpose: The purpose of the Smales 2 Precinct is to provide for the comprehensive redevelopment of a 4.8-hectare block of land located on the southern side of Northcote Road and fronting Lake Pupuke, Takapuna. The precinct encompasses two quite distinct areas, for which separate sub-precincts have been developed:

- a 2.7-hectare Sub-precinct A, which is zoned Business – Mixed Use and dominated by the excavations associated with its former quarry use; and
- the adjoining 2.1-hectare Sub-precinct B, which is zoned for residential purposes and comprises a block of more elevated undeveloped land that extends to the edge of Lake Pupuke.

For Sub-precinct A, the purpose is to recognise and respond to the substantial excavations that occurred during quarrying operations in the past (i.e. by minimising further rock excavations) and provide for a suitable mixture of land-uses, including commercial and a range of residential development, such as, apartments and retirement accommodation, recognising the location of the land at the residential/business interface. Medical-related business activities are also encouraged in this sub-precinct – recognising the proximity of the site to the North Shore Hospital and the synergies that could result from such development.

For Sub-precinct B, the purpose is for this area to be developed for intensive residential purposes in a manner that achieves high standards of onsite amenity, and which appropriately responds to the location of the land adjacent to the lake and its elevation above Northcote Road immediately to the north. It is intended that the special character and amenity of Lake Pupuke be protected through a variety of techniques including for instance, the imposition of the 30-metre lake yard setback. Lake Pupuke is an Outstanding Natural Feature (**ONF**) and a recognised constraint over the precinct.

Zoning: The zoning in the Smales 2 precinct is set out accordingly with respect to the two Sub-precincts as follows:

- Sub-precinct A: Business – Mixed Use (no changes proposed)
- Sub-precinct B: Residential – Mixed Housing Suburban (**MHS**)

Changes to the precinct required by NPS-UD and Schedule 3C of the Resource Management Act (the Act): The Smales 2 Precinct is not within a walkable catchment (**WC**) of a city centre, metropolitan centre, town centre, local centre or neighbourhood centre zone, nor is the precinct within a WC of an existing or planned rapid transit stop or rapid transit corridor. In this respect, no changes to the precinct are required by Policy 3 of the NPS-UD.

The Smales 2 Precinct is also not within a WC of the Maungawhau (Mount Eden), Kingsland, or Morningside Stations and therefore is not subject to specific intensification requirements as per clause 4(1)(b) of Schedule 3C of the RMA.

While the Smales 2 Precinct is not within a WC, it is affected by the Lake Pupuke (Pupukemoana) constraint, which has seen the zoning across sub-precinct B retained as MHS, where a Residential – Mixed Housing Urban zone could have otherwise applied.

Precinct provisions	Outcome
Is the precinct affected by the zoning principles resulting in a change to the zone beneath the precinct.	No Sub-precinct B will be retained as Residential – Mixed Housing Suburban (MHS) due to the Lake Pupuke constraint. No changes are proposed to the zoning of Sub-precinct A.
If the zoning is changed, how does this affect the precinct?	While no changes have been made to the underlying zoning of the precinct, general amendments to are proposed: • Amendments to policies I539.3(17)(e) and (21) to respond to the constraint posed by the Outstanding Natural Feature (ONF) that is Lake Pupuke. • Retention of Rules I539.4.1(A1) to (A3), which manage accommodation activities across the precinct and respond to the proximity of these activities with respect to the constraint posed by the ONF - Lake Pupuke. • Retention of Standard I539.6.7 (1)(a) Dwellings, which limits the type of dwellings that can be provided within 10m of the western edge of the lake yard. This standard is proposed to be retained in response to the Lake Pupuke (Pupukemoana) constraint that applies and has retained the MHS zoning across the site. • Retention of Standard I539.6.7 (b) Dwellings, which sets a maximum density of 145 dwellings across the 2.1 ha of Sub-precinct B. This equals an average density of approximately 69 dwellings per hectare, which is a higher density than what is usually achieved in the MHU zone. Also, this standard does not affect the floor area of individual dwellings and in this respect, does not directly affect or limit occupiable floor area. It is considered that this standard will not affect enabled capacity significantly but may encourage larger individual dwellings. • Retention of the minimum yard standards for Sub-precinct B with respect to Northcote Road and from the carriageway of internal roads (as set out in Table I539.6.10.1). This is because these standards relate to specific outcomes sought by the precinct with respect to delivering a high quality, integrated residential development and in managing the bulk and scale of buildings, and reduce the visual dominance to Northcote Road. The minimum lake yard is the same as what would otherwise be provided in the underlying zone and in this respect, does not need to change.
Identify precinct provisions affected by the zoning change or other zoning principles change.	Updates are proposed to: • I539.3 Policies (14)(a): Updates made to the maximum height to respond to changes in the Business – Mixed Use zone • I539.3 Policies (17)(e): Amendments to recognise the values of the ONF (Lake Pupuke) given that this ONF has been used as a constraint to retain the residential zoning of Sub-precinct B. • I539.3 Policies (21): Amendments to recognise the values of the Outstanding Natural Feature (“ONF” / Lake Pupuke) given that this ONF has been used as a constraint to retain the residential zoning of Sub-precinct B. • I539.6.2 Building height: Amendments to enable building heights equal to that provided by the Business - Mixed Use zone. • I539.6.3 Height in relation to boundary: Standard to be removed to respond to the changes made to the zoning and introduction of height variation controls on adjoining and nearby sites. Reliance on zoning provisions are therefore more appropriate to account for these broader changes. • I539.6.4(4) Yards: Removal of minimum setbacks that would be less enabling than what would otherwise be provided in the corresponding zone.

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

I549 Akoranga Precinct

I549 Akoranga Precinct Analysis

Purpose: The purpose of the Akoranga Precinct is to enable tertiary education and the development and operation of a range of activities to cater for the diverse requirements of the student population, employees and visitors.

Zoning:

- Business – Mixed Used Zone

Changes to the precinct required by NPS-UD and Schedule 3C of the RMA:

The precinct land is located within a walkable catchment of the Akoranga Station identified for the purposes of upzoning under NPS UD policy 3(c), and must provide for at least 6 storeys (22m) or have a modifying QM. A Council promoted additional height in walkable catchments is proposed to apply, with a Height Variation Control (HVC) of 34.5 metres. There is a portion of the precinct outside of the walkable catchment that the HVC is not proposed to apply to.

Akoranga Walkable catchment is not within walkable catchments of Maungawhau (Mt Eden), Kingslands, and Morningside Stations (catchments identified for specific outcomes in clause 4(1)(b) of Schedule 3C of the RMA.

The site is not within an area adjoining a local centre identified for the purposes of upzoning under NPS UD Policy 3(d).

Changes required

There is no additional planning reason to reduce the height below that proposed HVC applied to walkable catchments, and there is no QM to reduce the height below the minimum 22m required by NPS UD policy 3(c).

The precinct provisions were developed during the development of the AUP and were supported by expert evidence and public consultation process. Changes have been made to accommodate the new HVC height and all other provisions have been retained.

Precinct provisions affected by Policy 3 and/or Schedule 3C	Outcome
I549.1 Precinct description	Retain No changes are required to these sections as the height or intensity of use of the site is not described in a way inconsistent with the new form of development enabled under the increased HVC.
I549.2 Objectives	Retain Objectives and policies remain the same they are describing outcomes for the site but are not detailed in a way that requires them to be changed to reflect an increased height and capacity.
I549.3 Policies	Retain Objectives and policies remain the same they are describing outcomes for the site but are not detailed in a way that requires them to be changed to reflect an increased height and capacity.
I549.4 Activity table	Retain Mostly permissive activity status, (A28), (A29) and (A30) require consents to manage design outcome for some built forms, including requiring particular outcomes for interaction with the public realm and surrounding residential. Reason for consent does not limit the ability to achieve development, and the matters of discretion are proposed to be slightly amended to ensure the assessment does not limit height or capacity below the 34.5m HVC.
I549.5 Notification	Retain No changes as no reference to height or capacity
I549.6.1 Building Height	Amend Maximum building height is amended to 34.5m where the HVC is shown in the planning maps, there is a portion of the precinct outside of the walkable catchment and HVC.
I549.6.2 Building coverage	Retain The standard is more restrictive than the underlying zoning, (50% compared to 100%) and is applied in combination with the zone to create the planning provisions for the site. It is not in conflict with developing to the council promoted HVC of 34.5m or the 22m height required by NPS UD policy 3(c) or the increase in capacity provided by the additional height.
I549.6.3 Height in relation to boundary	Retain There is no conflict with the proposed HVC changes as the standard only applies to sites adjoining residential boundaries which is the portion of the precinct not within the walkable catchment HVC control.
I549.6.3 Screening	Retain No conflict with HVC height increase, able to achieve development with new height and the standard.
I549.6.4 Yards	Retain Standard is still relevant and there is no conflict with developing to new HVC heights. Side and rear yard standards are the same as the underlying MU zone, only front yard is a additional constraint.
I549.7 assessment - controlled activities	Retain No relevant provisions conflicting with the HVC increase in height.
I549.8 assessment – restricted discretionary activities I549.8.1 Matters of discretion	Amend (1)(a) and (2) Remove reference to assessment for responding to the existing context, as this may result in assessments that limit height (3) provide clarity that assessment relates to proposal that exceed the maximum height standard so to not asses adverse effects of height from proposal that are less than the standard.
I549.8.2 Assessment criteria	Amend (1)(a)(i) remove assessment criteria which relate to managing the adverse effects of height from buildings which comply with the new standard

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

I550. Millwater South Precinct

I550. Millwater South Precinct Analysis

Purpose: The purpose of the Millwater South precinct is to ensure that the development is carried out in an integrated way and that the urban form is consistent with the rest of the already developed Millwater area to the north. The precinct enables a mix of housing densities. The rules also apply a consistent approach to the development controls under which the rest of the Millwater area was developed.

Zoning: Residential – Mixed Housing Suburban.

Precinct provisions	Outcome
Is the precinct affected by the zoning principles resulting in a change to the zone beneath the precinct.	Yes. The precinct is now zoned Residential – Mixed Housing Suburban instead of Residential – Single House.
If the zoning is changed, how does this affect the precinct?	This precinct’s standards have been retained to maintain the intentions of this precinct. The entire precinct area has had its underlying zoning change from Residential – Single House, to Residential – Mixed Housing Suburban. The precinct limits the extent of dwellings within the precinct, for the reasons of wastewater capacity, local character, local views and local amenity. It is necessary to constrain development in this precinct in accordance with these planning constraints. The precinct provisions were needed to be updated to solely reference the new underlying zoning.
Identify precinct provisions affected by the zoning change or other zoning principles change.	Update I550.1 Update I550.6.1 Update I550.6.3 Update I550.6.5 Update I550.6.6.1

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

I556 Takapuna 2 Precinct

I556 Takapuna 2 Precinct Analysis

Purpose: To provide for the comprehensive and integrated redevelopment of the site. The precinct enables a new residential community comprising a mixture of accommodation types and supporting activities within a unique urban setting of high quality. The precinct also sets aside an approximately 20 metre wide coastal margin that is to become zoned Public Open Space – Conservation zone.

Zoning: Residential - Terrace Housing and Apartment Building Zone and Open Space – Conservation 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 walkable catchment of the Takapuna Metropolitan Centre and therefore is affected by Policy 3(c) and must provide for 6 storeys (22m) or have a modifying QM. A Coastal Setback qualifying matter applies to the precinct area, and precinct provisions that set a lower minimum height and restricted building dimensions are retained to accommodate the qualifying matter.

The precinct is not subject to specific intensification requirements applying to walkable catchments of the Maungawhau (Mount Eden), Kingsland, and Morningside Stations in clause 4(1)(b) of Schedule 3C of the RMA and the intensification requirements applying to walkable catchments of the Baldwin Avenue and Mount Albert Stations in clause 4(1)(c) of Schedule 3C of the RMA

Precinct provisions affected by Policy 3 and/or Schedule 3C	Outcome
I556.6.1 Building Height and Building Length	Retain To accommodate Coastal Setback Qualifying Matters
I556.6.3 Building Coverage	Retain To accommodate Coastal Setback Qualifying Matters
I556.6.5 Maximum building dimension and separation	Retain To accommodate Coastal Setback Qualifying Matters
I556.10.2 Precinct Plan 2 - Building Height and Coverage	Retain To accommodate Coastal Setback Qualifying Matters

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 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 [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 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 PC 120 - Housing Intensification and Resilience 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 I556 Takapuna 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	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</u> 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 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.

Qualifying matters in section 77I(a) to (i)	Section 77I(a), (b) and (d) - Coastal environment
Relevant precinct provisions supporting QMs	1556.6.1 Building Height and Building Length 1556.6.3 Building Coverage 1556.6.5 Maximum building dimension and separation 1556.10.2 Precinct Plan 2 - Building Height and Coverage
Effects managed	Development responds positively to its immediate surrounds and coastal setting with exemplary high quality architectural and urban design responses.
Applies to any zone in an urban environment in relation to Policy 3 and / or clause 4(1)(b) or (c) Schedule 3C	Residential – Terrace Housing and Apartment Building Zone
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	Application of the coastal environment QM limits development capacity of Takapuna 2 Precinct by not increasing building height limits to enable at least 6 storeys across the whole precinct. However, the precinct plan does provide for the majority of the site to be developed to at least 6 storeys or greater. Development capacity is not limited by retaining the precinct provisions.
Assess costs/broader impacts of imposing those limits	Development capacity is not limited.
Conclusion	Retain precinct provision. Provides the required development capacity in a form that accommodates the Coastal Setback qualifying matter.

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 N/A.

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