

Auckland Unitary Plan (Operative in Part) – High Level Objectives and Policies Assessment

Section 104 of the Resource Management Act – Consideration of Application

The Resource Management Act 1991 (RMA) requires applications for resource consent to be considered under s104. This is a broader assessment of the actual and potential effects on the environment (including positive and adverse effects), the relevant provisions of policy statements and plans, and any other matters the authority considers relevant. This is a holistic assessment of the application and requires a balanced consideration of the effects of the proposal on the environment and the relevant policy documents. While the Future Urban zone objectives and policies will form an important part of the assessment, they are not the only consideration.

Notwithstanding our conclusion regarding the degree of consistency with the Future Urban zone policy framework (refer to Part IX of the application form and table below), when viewed in the wider context of s104, in our view, the proposal will have positive effects on the environment. It will expedite the provision of residential and commercial 'development ready' land while avoiding or mitigating any adverse effects on the environment (refer to Part VII of the application form). It will also be consistent with the relevant national direction, including the NPS-UD in particular, and the AUP policy framework as a whole as outlined at a high level below.

OBJECTIVE / POLICY	ASSESSMENT
Chapter B Regional Policy Statement (RPS) B2 Urban growth and form, B3 Infrastructure transport and energy, B9 Rural environment, B10 Environmental risk	The key objectives and policies of the above chapters include: • B2 Urban growth and form – B2.2.1(1) – (5), B2.2.2(1), (3), (4), (7), (8) • B3 Infrastructure transport and energy – B3.3.1(1), B3.3.2(1), (2), (4), (5) • B9 Rural environment – B9.2.1(5), B9.2.2(1), B9.4.1(1) – (3), B9.4.2(2) • B10 Environmental risk – B10.2.1(1), B10.2.1(3) – (5), B10.2.2(5), (7) – (9) While a full assessment of the above objectives and policies is not included in this application, we have reviewed these and are of the opinion that the project is generally consistent with the above provisions and overall policy framework of the RPS within the AUP.
E1 Water quality and integrated management, E11 Land disturbance – Regional, E12 Land disturbance – District, E25 Noise and Vibration, E27 Transport, E30 Contaminated Land, E36 Natural hazards and flooding	The key objectives and policies of the above chapters include: • E1 Water quality and integrated management - E1.2(1) – (3), E1.3(1) – (17), (26) • E11 Land disturbance – Regional - E11.2(1) – (3), E11.3(1) – (8) • E12 Land disturbance – District - E12.2(1), E12.3(1) – (6) • E23 Signs - E23.2(1) – (2), E23.3(1) – (5) • E25 Noise and Vibration - E25.2(1), (4), E25.3(1), (10) • E27 Transport - E27.2(1) – (6), E27.3(1) – (3), (8), (17) – (18), (20), • E30 Contaminated land - E30.2(1), E30.3(2) • E36 Natural hazards and flooding - E36.2(1) – (3), (5), E36.3(3), (17) – (30) While a full assessment of the above objectives and policies is not included in this application, we have reviewed these and are of the opinion that the project is generally consistent with the above provisions and overall policy framework and direction of the AUP.

E39 Subdivision – Rural	
E39.2. Objectives	
(1) Land is subdivided to achieve the objectives of the zones, the relevant overlays and Auckland-wide provisions.	As assessed below.
(2) Land is subdivided in a manner that provides for the long-term needs of the community and minimises adverse effects of future development on the environment.	The development will provide for the long-term needs of the community by providing much needed housing, commercial activities and employment opportunities related to the development of the land. Adverse effects of future development will be minimised through the development being in accordance with the Drury-Opāheke structure plan.
E39.3. Policies	
(1) Provide for subdivision which supports the policies of the zones.	As assessed below.
H18 Future Urban Zone	
H18.2. Objectives	
(1) Land is used and developed to achieve the objectives of the Rural – Rural Production Zone until it has been rezoned for urban purposes.	As per Policy B2.2.2(8) above.
(3) Future urban development is not compromised by premature subdivision, use or development.	The masterplan for the project has been designed to align with, and enable future development in the wider area in accordance with the Drury-Opāheke structure plan.
(4) Urbanisation on sites zoned Future Urban Zone is avoided until the sites have been rezoned for urban purposes.	The development will result in the urbanisation of land zoned Future Urban Zone before the site is rezoned for urban purposes, and therefore will not meet this objective in a strict sense. Notwithstanding this, the assessment in the remainder of this table identifies that the proposal generally meets the remainder of the relevant objectives and policies of the AUP(OP), including the policies in H18.3 which give effect to, and provide context for the purpose of the objectives under H18.2, including this objective.
H18.3. Policies	
(1) Provide for use and development which supports the policies of the Rural – Rural Production Zone unless that use and development is inconsistent with policies H18.3(2) to (6).	As per Policy B2.2.2(8) above.
(2) Enable activities that are reliant on the quality of the soil or require a rural location to operate or which provide for the day to day needs of the local rural community.	Urban development of the site will not impact on wider rural character and amenity given the logical location and proximity to urban development and planned public transport upgrades (rail). These policies are intended to be transitionally applicable to the sites prior to urbanisation. Specifically, in relation to the Drury Centre, this area is largely comprised of rural residential / lifestyle
(3) Require subdivision, use and development to maintain and complement rural character and amenity.	

	properties, and therefore it does not directly contribute to the wider rural productive capacity.
(4) Avoid subdivision that will result in the fragmentation of land and compromise future urban development.	The proposal is for comprehensive urban development in general accordance with the Drury-Opāheke structure plan. The applications will fragment the land, however, the applications will demonstrate that the subdivision will not compromise future urban development.
(6) Avoid subdivision, use and development of land that may result in one or more of the following: (a) structures and buildings of a scale and form that will hinder or prevent future urban development; (b) compromise the efficient and effective operation of the local and wider transport network; (c) require significant upgrades, provisions or extension to the wastewater, water supply, or stormwater networks or other infrastructure; (d) inhibit the efficient provision of infrastructure; (e) give rise to reverse sensitivity effects when urban development occurs; (f) give rise to reverse sensitivity effects in relation to existing rural activities or infrastructure; or (g) undermine the form or nature of future urban development.	The development/subdivision of sites would not result in any of the situations in (a) to (g) as it will be enabling urban development to occur.