

Planning Memorandum
Proposed Fast-track consent under *Covid 19 Recovery (Fast Track consenting) Act 2020*
Integrated residential development at No. 20 Melia Place, Stanmore Bay

This memorandum is to support a proposed fast-tracked consent for an integrated residential development ('IRD') which our client, Kvest Investment Partners Group Ltd, wishes to undertake at No. 20 Melia Place, Stanmore Bay, the relevant details of which are noted in **Table 1** below:

Table 1: Relevant Features and Notations of the Auckland Unitary Plan (AUP) relating to the site

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|-----------------------|--|
| Site Addresses: | No. 20 Melia Place and part of 43A Vipond Road, Stanmore Bay, 0932 |
| Legal Description: | Lots 1 and 2 DP 169527 |
| Property Area: | 18,257m ² |
| District Plan: | Auckland Unitary Plan – Operative in Part 2016 (updated 20 th May 2021) ('AUP') |
| Appeals/Modification: | - |
| Zoning: | Residential – Single House Zone ('SHZ') |
| Overlays/Precinct | - |
| Controls | Macroinvertebrate Community Index - Urban |
| Designations | |

The location of the proposed IRD consists of #20 Melia Place (Lot 2 DP 169527) and part of #43A Vipond Road (Lt 1 DP 169527). A resource consent for a boundary adjustment between the two sites has recently been approved (Ref: SUB60372117) and the scheme plans are included with the application at **Appendix F**. The existing bowling club house and lawn on the site will be removed. The Hibiscus Coast Community RSA is located on the adjacent site at No. 43A Vipond Road and the proposed development will not affect this existing community facility.

The proposal is described fully within this *Planning Memorandum* which includes assessment at Sections 3 and 4. The assessment demonstrates that the proposal aligns with the relevant objectives and policies of the AUP and that any adverse effects on the environment associated with this proposal are less than minor. In particular, the proposal provides a relatively low density of development when compared with similar IRD developments and is therefore compatible with both the planning outcome for the SHZ as well as the existing character of surrounding residential activity. Furthermore, IRD is specifically enabled by the SHZ as set out in the AUP provided the built form generally complies with development standards and the intention of built form for the zone. As this memorandum demonstrates the IRD is in keeping with the planned outcomes for the SHZ, the proposal is therefore entirely acceptable from a planning perspective.

It is deemed that the Ministry for the Environment should therefore accept this application for processing, with the complete Assessment of Effects report and all other comprehensive documentation to be included at the next stage of the *Fast Track* process.



Figure 1: Aerial view of the site showing details. The boundaries of the development area based on the approved subdivision SUB60372117 are clarified in red (Source: Auckland Council Geomaps).



The proposal and reasons for consent identified are provided in the following sections with the concept plans for the development by 'Archaus Ltd' attached at **Appendix D**, and Landscaping plans by 'SOLA Ltd' provided in **Appendix E**.

1.0 Proposal

The client intends to remove the existing bowling club and develop 59 dwellings provided in 21 blocks in a variety of terraced housing typologies, with associated communal space which will include:

- Community hall building;
- Nature-based playground;
- Footpath connection to the adjacent Shadon Reserve;
- BBQ and Petanque area; and
- Multi-Use Games Area (MUGA).

The proposed development will meet the criteria to be considered as an *Integrated Residential Activity* under the AUP criteria as:

- The proposed development area is well over 2,000m², being approximately 1.8257ha in total.
- A community facility that supports the primary residential facility is proposed, being the Community Hall building which fits within the definition of 'Community Facilities' under the AUP. The GFA of this building will be 96m², not counting an additional foyer area which is in the early design stages, and therefore this

building will form a notable part of the development.

- Recreation and leisure facilities have been provided by way of the outdoor communal areas, the BBQ and Petanque area, as well as the nature-based playground which has been appropriately located adjacent to an existing olive grove (to be retained) and the adjacent Shadon Reserve.

Access to the site will be via the two existing entrances; from Melia Place at the south of the site and from Vipond Place on the adjacent RSA site. A Right of Way ('ROW') easement has been formed over the entrance way from Vipond Place as shown on the scheme plan approved by SUB60372117 (**Appendix C**). Car parking will be provided via internal garages for some units and uncovered areas with visitor parking included. One car parking space will be provided per unit. Bicycles will be able to be parked in garages and private yards.

The development will be serviced via private rubbish collection and the bin storage areas are shown on the Landscaping Plans – **Appendix E**.

2.0 Reasons for Consent

The proposal will require resource consent for the following reasons:

- Integrated Residential Developments requires consent as a discretionary activity in the SHZ zone (Rule H3.4.1(A9)).
- New Buildings and Additions to Buildings have the same activity status and standards as applies to the land use activity that the new building or addition to a building is designed to accommodate, therefore require consent as a discretionary activity (Rule H3.4.1(A36)).
- Stormwater discharges from impervious areas exceeding 5,000m² are a restricted discretionary activity under Rule E8.4.1(A10). While the exact amount of impervious area is yet to be determined, it is expected to exceed the permitted level given the scale of development proposed.
- Land disturbance exceeding 2,500m² in area and 2,500m³ in volume requires consent as a restricted discretionary activity under Rule E12.4.1(A6) & (A10) respectively. While the exact area and volume of earthworks are yet to be determined, it is expected they will exceed these parameters given the scale of the proposed development and area of the development site.
- Vegetation removal within 10m of streams requires consent as a restricted discretionary activity (Rule E15.4.1(A19)). The proposed nature-based playground will require vegetation removal within 7m of the stream on the site to accommodate.
- New Buildings and structures, and the use of new buildings to accommodate 'more vulnerable activities' (dwellings) within the 1% AEP floodplain requires consent as a restricted discretionary activity (Rules E36.4.1.(A36) & (A37) respectively). Proposed Blocks R and S in the centre of the site will be located over the existing floodplain.
- New buildings and structures located within or over an overland flow path ('OLFP') requires consent as a restricted discretionary activity (Rules E36.4.1(A42)). Proposed Blocks Q, R, U and S in the centre of the site will be located over the existing overland flow path.
- Subdivision in accordance with an approved land use consent is a restricted discretionary activity (Rule E38.4.2(A14)). A 59-lot freehold subdivision will be sought for the residential component, with additional jointly-owned lots to cover the communal areas.

None of the activities requiring consent have a prohibited activity status. In particular, this type of development is provided for in the SHZ by way of Rule H3.4.1(A9) which confirms a Discretionary Activity status and there are no overlays or precincts applicable to the site. Furthermore, there are no rules and standards pertaining to the extent of earthworks proposed which would require the development to be considered a prohibited activity under the AUP. Rather, the earthworks and all other Auckland-Wide rules applicable to the development have a Restricted Discretionary activity Status which confirms they are enabled



and provided for by the plan.

The activity table for the SHZ does not specify any standards to be complied with for IRD. For completeness, it is noted the proposal will result in minor infringements to the Building Height standard (H3.6.6) for the SHZ.

There will also be the other consent aspects applicable which will be clarified as the documentation is advanced to enable an accurate assessment against all rules of the AUP.

In particular, the proposal may require consent under the NESCS due to potential contamination of the site, however a Detailed Site Investigation report ('DSI') is in the process of being prepared to confirm whether this is applicable – refer to *Section 5* below.

3.0 Assessment of Effects

At a broad level, the proposal is consistent with the underlying SHZ zone intention which confirms buildings of one to two storeys in height is enabled. The proposed built form and density is consistent with this intention for the following reasons:

- The dwellings will either be two storeys in height or read as two storeys high from adjacent properties where basement levels (i.e. three storeys) are provided due to the slope of the land. This is indicated on the sections provided with the architectural set.
- The proposed building blocks are well spaced and each block will have the building footprint generally expected for a standalone dwelling in the SHZ. This is noting the proposed subsequent subdivision of the land will result in a freehold allotment per dwelling which is consistent with the expectations for density in the zone.
- There are existing terraced housing developments present in the surrounding environment, the closest being 3-9 Melia Place which is south of the proposed development. As such, the proposed development comprising 22 blocks of terraced and duplex-form dwellings is consistent with the existing character of the area.

While the development standards of SHZ do not apply for a IRD they provide a useful guide for development intensity envisaged. The expected Height infringements will occur on centrally-located units only and will therefore be well clear of any common boundary. The small height infringements will not generate adverse effects on surrounding properties and will be indiscernible from a complying built form noting the buffering of proposed surrounding residential units which comply with the height standard.

The development is significantly below permitted building coverage and impermeable area and over on landscaping provision. The development would also be fully compliant against yards and HiRB standards.

In terms of the potential effects resultant from infringements to Auckland-Wide provisions in the AUP, the following is noted:

- Erosion and sediment control measures will be provided with a full *Infrastructure Report* and provided to the MfE for the next stage of the Fast-Track process in order to confirm how the proposed earthworks will be managed;
- Proposed stormwater mitigation measures will also be detailed in the *Infrastructure Report* to address the extent of impervious area required for the driveway and building coverage;
- An assessment on flooding of the site will also be provided in the *Infrastructure Report* and confirmation that the houses have been set at a specific FFL above the AEP flood plain and OLFP will be provided as part of this assessment.
- An ecological report has been provided as part of this application (refer **Appendix Q**) to confirm the level of riparian vegetation removal required for the nature-based playground and how this will be



managed.

Finally, it is noted a subdivision scheme plan will be provided as part of the next stage of the process in order to confirm the proposed boundaries for the freehold subdivision, the jointly-owned-access-lots and easements for communal areas.

4.0 Objectives and Policies assessment – Single House Zone

The proposed development accords with the objectives and policies for the SH zone as follows:

| H3.2. Objectives | |
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| (1) <i>Development maintains and is in keeping with the amenity values of established residential neighbourhoods including those based on special character informed by the past, spacious sites with some large trees, a coastal setting or other factors such as established neighbourhood character.</i> | The proposed development will provide residential dwellings with a built form of two and three storeys in height in a variety of terraced housing typologies. This is consistent with the established neighbourhood context. It is further noted the three-storey buildings are located further within the boundaries of the site and will be read as two-storey buildings due to the slope of the land, therefore avoiding amenity effects to neighbouring properties. |
| (2) <i>Development is in keeping with the neighbourhood's existing or planned suburban built character of predominantly one to two storeys buildings.</i> | The development provides a terraced houses with heights of two and three storeys. While this typology exceeds the heights expected for the SHZ, it is noted there is an existing terraced housing development at the nearby site of No. 3-9 Melia Place which forms part of the existing environment in which the development is assessed. As such, there is an existing precedent for the scale of development proposed in the immediate area. |
| (3) <i>Development provides quality on-site residential amenity for residents and for adjoining sites and the street.</i> | All units will have sufficient outdoor living areas in addition to the communal facilities proposed, and high-quality landscaping is proposed over the entirety of the development area. |
| (4) <i>Non-residential activities provide for the community's social, economic and cultural well-being, while being in keeping with the scale and intensity of development anticipated by the zone so as to contribute to the amenity of the neighbourhood.</i> | The communal facilities associated with the proposed dwellings will provide for the social wellbeing of residents. In particular, the outdoor nature-based play area will ensure families with young children are provided for as potential future residents of the site. |
| H3.3. Policies | |
| (1) <i>Require an intensity of development that is compatible with either the existing suburban built character where this is to be maintained or the planned suburban built character of predominantly one to two storey dwellings.</i> | The proposed development is consistent with the existing suburban built character, inclusive of the development on the adjacent site at No. 3-9 Melia Place. |
| (2) <i>Require development to:</i> (a) <i>be of a height, bulk and form that maintains and is in keeping with the character and amenity values of the established residential neighbourhood; or</i> | The development will be generally compliant with the development standards of the zone so as to ensure adverse effects on adjacent properties are avoided. Specifically, the yard setbacks will be compliant and the development is being designed |



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| <i>(b) be of a height and bulk and have sufficient setbacks and landscaped areas to maintain an existing suburban built character or achieve the planned suburban built character of predominantly one to two storey dwellings within a generally spacious setting.</i> | to avoid HIRB non-compliances. The dwellings that are three storeys in height are either located well away from external site boundaries or will be read as two storeys from adjacent sites due to the topography of the land. As such, the proposal will avoid detracting from the character and amenity values of the zone. |
| <p>(3) <i>Encourage development to achieve attractive and safe streets and public open spaces including by:</i></p> <p>(a) <i>providing for passive surveillance</i></p> <p>(b) <i>optimising front yard landscaping</i></p> <p>(c) <i>minimising visual dominance of garage doors.</i></p> | The development has been designed to ensure passive surveillance is achieved to all communal areas. Car parking is provided via a combination of uncovered parking and garages so as to minimise the extent of garage doors fronting the private lanes for the development. High-quality front yard landscaping is proposed for all units. |
| (4) <i>Require the height, bulk and location of development to maintain a reasonable level of sunlight access and privacy and to minimise visual dominance effects to the adjoining sites.</i> | The buildings are designed to avoid any HIRB non-compliance and any instance of Height infringements will be restricted to buildings set further within the site, away from external site boundaries. |
| (5) <i>Encourage accommodation to have useable and accessible outdoor living space.</i> | Functional private outdoor living spaces will be provided for all units on site by way of decks and lawn area as specified on the landscape concept plans. |
| (6) <i>Restrict the maximum impervious area on a site in order to manage the amount of stormwater runoff generated by a development and ensure that adverse effects on water quality, quantity and amenity values are avoided or mitigated.</i> | The proposal will be entirely compliant with this policy as the total amount of impervious area only amounts to 24.4% (4,640.m ²) of the total development site area. It is noted stormwater mitigation will still be provided to address the non-compliance of Chapter E8 of the AUP. |
| <p>(7) <i>Provide for non-residential activities that:</i></p> <p>(a) <i>support the social and economic well-being of the community;</i></p> <p>(b) <i>are in keeping with the scale and intensity of development anticipated within the zone;</i></p> <p>(c) <i>avoid, remedy or mitigate adverse effects on residential amenity; and</i></p> <p>(d) <i>will not detract from the vitality of the Business – City Centre Zone, Business – Metro Centre Zone and the Business – Town Centre Zone.</i></p> | All proposed communal facilities that support the residential component of the development will be well in keeping with the scale of development both existing and planned for the area, being a community hall of a single level and outdoor communal recreation areas, and will therefore enhance the level of residential amenity for the site and surrounds. |
| (8) <i>To provide for integrated residential development on larger sites.</i> | The proposal is entirely consistent with this policy as an integrated residential development is provided on a site of over 2,000m ² . This policy also confirms that the type and scale of development is not prohibited but is, in fact, <i>encouraged</i> for the SHZ as set out in the AUP. |



5.0 Other Planning Documents

The following higher-order planning documents are identified as being potentially applicable to the proposed development:

National Policy Statement on Urban Development

The NPSUD took effect on 20 July 2020 and replaces the National Policy Statement on Urban Capacity 2016. The NPSUD sets out the objectives and policies for planning for well-functioning urban environments under the Resource Management Act 1991 and seeks the provision of sufficient development capacity to meet the different needs of people and communities.

It contributes to the Urban Growth Agenda (UGA) which aims to remove barriers to the supply of land and infrastructure to make room for cities to grow up and out. The NPSUD does this by addressing constraints in our planning system to ensure growth is enabled and well-functioning urban environments are supported.

The MFE website on the NPSUD states that it contains objectives and policies that Councils must give effect to in their resource management decisions.

In this regard, there are several objectives and policies in support of intensification satisfying certain criteria such as:

- Provision of a variety of homes in terms of price, location, and different households.
- Enabling Māori to express their cultural traditions and norms.
- Proximity to urban centres or rapid transport.
- Supporting reductions in greenhouse gas emissions.
- Responding to the effects of climate change.

The overall intent of the NPSUD is clear in that where intensification is practical, Councils are required to be responsive to such proposals – particularly in relation to proposals that would supply significant development capacity.

The proposed design responds in terms of anticipated residential amenity under the AUPOIP provisions relating to more intensive residential developments in the SHZ by way of approval to applications for IRD's on larger sites (refer Policy H3.3(8) in Section 4 above).

The proposal aligns strongly with the outcomes anticipated under the NPSUD.

National Policy Statement for Fresh Water Management 2020.

This sets out the objectives and policies for freshwater management, including:

- Recognition of Te Mana o te Wai in freshwater management.
- Reflection of tangata whenua values and interests in decision making.
- Improving degraded water bodies using bottom lines as defined in the NPS.
- Safeguarding and enhancing the life-supporting capacity of water and associated ecosystems, including threatened ecosystems.
- Work towards targets for fish abundance, diversity and passage.



- An integrated approach to management of land and freshwater and coastal water.

The site accommodates a stream but no wetlands. While it is acknowledged there will be vegetation removal within 10m of the stream on the site, the proposal will be readily able to control any sediment runoff, given the mostly gentle topography, and the application of appropriate sediment control measures.

As such, the proposal does not compromise any outcomes anticipated in the NPSFWM.

National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NESCS)

The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NESCS) is a nationally consistent set of planning controls and soil contaminant values. It ensures that land affected by contaminants in soil is appropriately identified and assessed before it is developed – and if necessary, the land is remediated, or the contaminants contained to make the land safe for human use.

It is proposed to complete a detailed site investigation in order to determine if there are any contaminants in the soil to levels requiring remediation, and if this is the case there will be an associated remediation action plan implemented prior to construction.

This is standard practice, and the methods to be followed to remediate and validate any contaminated soil will respond to the outcomes anticipated under the NESCS.

6.0 Summary

The proposed development is for an integrated residential development in the Single House zone which requires consent as a discretionary activity.

From a planning perspective, the consent is supportable as:

- Integrated Residential Developments are enabled in the Single House Zone as they are specifically provided for via both Rule H3.4.1(A9) and Policy H3.3(8) in the AUP;
- The proposed built form and density of the development is compatible with the existing character of the area;
- The anticipated infringements to the development standards of the zone will be minor and easily mitigated; and
- Infringements to Auckland-Wide (regional plan) provisions in the AUP will be sufficiently addressed via mitigation detailed in future reporting.

Overall, subject to detailed design and resolution of specialist inputs, the consent is supportable.

Kind regards



Imogen Trupinic

Civix Limited – Planning and Engineering

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