

## Planning Memorandum Supplementary

### Proposed Fast-track consent under *Covid 19 Recovery (Fast-track Consenting) Act 2020* 115 Residential Units and Subdivision, 1 Sels Road, Papatoetoe

This is a supplementary planning memorandum to that provided with the Referral application on 21 December 2021. The purpose of this is to advise of additional construction related consents in response to the following Request for Information from the MFE of 26 January 2021:

1. Will the project require any discharge, or other construction-related consents, under the Auckland Unitary Plan?

After further review of the application plans and the provisions relating to Chapter E26 – Infrastructure, it is noted that additional consents are required for earthworks to establish wastewater, water, and stormwater infrastructure within ONF 22, and also for the service connections for these in the ONF. The applicable rules are:

- The restricted discretionary activity of “Network Utilities” in the ONF under Rule E26.14.3.1(A195); and
- The restricted discretionary activity of “Earthworks for service connections” in the ONF under Rule E26.7.3.1(A113).

In addition to these applications, now that we have the draft earthworks cut and fill plans, I note that there are some locations where retaining walls are located within 1.5m of Portage and Sels Roads, so we need to also include a further application for the infringement of the front and side yard for these as a restricted discretionary activity under Rule C1.9(2) and (3).

Stormwater is to be applied for under the NDC upon provision of the Stormwater Management Plan.

## 1.0 Network Utilities and Earthworks for Services Connections – S104 RMA Statutory Assessment

It is not considered necessary to include a detailed planning assessment of relevant objectives and policies and restricted discretionary activity assessment criteria for the additional infrastructure activities identified above. On review of these, the summary of the considerations and assessments required relate to:

- Recognising the benefits of the provision of infrastructure, including enabling growth and development while also protecting the environment.
- That safe and efficient infrastructure is enabled and provided to service the needs of existing and authorised subdivision and development.
- The adverse effects of infrastructure are avoided, remedied, or mitigated, including potential adverse effects on the values of a site that is included within any overlay (in this instance ONF 22).
- Protection of outstanding features from inappropriate subdivision, use, and development.
- That ancestral relationships of Mana Whenua with outstanding natural features are recognised and provided for.
- Where practicable, the restoration and enhancement of natural features is promoted.

- The degree of geological modification.
- The need for and purpose of the proposed use or development.
- Alternative locations and methods.
- Effects on mana whenua values.

## Assessment

The proposed infrastructure relates to connections to service the proposed development, noting that the site is located within the Mixed Housing Suburban Zone, and there is a strong desire from central government to provide additional housing in as efficient a manner as possible as set out in the National Policy Statement for Urban Development, and as identified in the Resource Management (Enabling Housing Supply and Other Matters) Amendment Bill, seeking to introduce more relaxed development standards for residentially zoned sites under new Medium Density Residential Standards (MDRS) to become operative in August 2022.

The requirement for the subdivision and development of the land with this zoning is clear under today's planning framework and proposed future direction.

The inclusion of the overlay of ONF 22 Crater Hill is a factor to be considered in the design and implementation of the development and subdivision, and this has been the approach for the development under this Fast-Track process from the outset, with consultation with iwi implemented at the early design phase, and currently on-going.

In addition to this consultation, the landscape experts (Boffa Miskell) have assisted to formulate a design for the dwellings and subdivision such that the landscape effects of the proposal on the ONF ridgeline are less than minor, and that the sloping landform of the crater hill remains recognizable. Further to this, the proposal seeks to retain a wide landscaped recreation reserve along the ridgeline, incorporating design elements to be agreed with iwi, and for iwi to have an on-going relationship with this reserve through consent conditions. This includes the creation of a resident's incorporated society with rules for the maintenance of the reserve and associated landscape elements, including iwi cultural elements (sculptures, plant species etc.), and for appropriate consultation with iwi for the maintenance and replacement of any such elements. These incorporated society rules are included in consent notice conditions requiring these to be adhered to on an on-going basis.

The most impacting aspects on the ONF are the more substantive development works for the preparation of the site and then the subsequent construction of the roads and dwellings – noting there are high amenity landscape solutions to these impacts, and the development complies with most development controls. The connections required for the services and the associated earthworks are integral to the whole development, and iwi have been involved in consultation on the infrastructure aspect as part of the discussions around the whole development proposal. This includes advice from iwi that raingardens are preferred for the treatment of stormwater runoff from the Commonly Owned Access Lots (COAL's) and that suitable native species are utilised in these raingardens. Once the detailed engineering plans are provided for the full Fast-Track application these will also be provided to iwi for comment.

In terms of assessing the impacts of construction of infrastructure for wastewater, stormwater, and water supply on the ONF, the site is to be subject to an archaeological assessment and report prior to full construction, which will identify areas of concern enabling items of interest to be managed in consultation with iwi and Heritage New Zealand, including protocols for identification, protection, and relocation. Further to that, the standard accidental discovery protocols will be applied during construction.

## Summary

The proposal has respected the location within ONF 22 from the outset, in terms of sensitive architectural and landscape design, and comments from iwi during consultation.

The need for the development is clear, being the provision of additional housing in a zone anticipating higher intensity, and on consideration of the current planning framework and Government policy direction for the provision of additional housing in Auckland.

The proposed infrastructure connections and associated earthworks are integral to the overall development and have also been designed and considered with the ONF values and iwi interests included as part of the design process.

The proposal includes the provision of the ridgeline walkway to assist mitigation of the visual impacts of the development, and this incorporates elements of cultural significance to be agreed with iwi and provides for an on-going relationship with this land by iwi into the future.

Based on the above, it is considered the effects of the proposed infrastructure connections and associated earthworks for these can be considered less than minor on the values of the ONF. This is because an acceptable balance is achieved between utilising this land resource for the provision of additional housing, and a reasonable level of preservation of the values of the ONF in this location.

## 2.0 Retaining walls within the front and side yard – S104 RMA Statutory Assessment

This additional consent component relates to the development control of not meeting the setbacks for retaining walls of any height within 1.5m of a front or side yard to a public road or other public space.

### Assessment

It is noted that the objectives and policies are identified and summarily addressed in the planning memo provided within Appendix T to the application for Referral, and the assessments of these remain pertinent to these infringements, as these retaining walls are considered to have less than minor effects.

The latest earthworks cut and fill plans are included in **Appendix 1**. These include details of the locations and heights of the retaining walls along Portage and Selfs Roads, and the Road Reserve to the east. These show the retaining walls within 1.5m of these locations as:

- From 0.1m to 1m high along Portage Road.
- From 0.3m to 0.9m high along Selfs Road.
- Only 0.6m at one location at the eastern road reserve being the end of that wall.

Further, there are very few locations along Selfs Road and the eastern road reserve where these infringements occur, and while these occur more often along Portage Road, these are considered less than minor due to the lower heights of these and the landscape mitigation for the related sites along this Road. The effects at Portage Road are illustrated on the architectural plans – Sheet 401 Rev 01-WIP shown below.



The related assessment criteria under Rule C1.9(3) of the AUP state discretion must be restricted to the following:

- (a) any objective or policy which is relevant to the standard;
- (b) the purpose (if stated) of the standard and whether that purpose will still be achieved if consent is granted;
- (c) any specific matter identified in the relevant rule or any relevant matter of discretion or assessment criterion associated with that rule;
- (d) any special or unusual characteristic of the site which is relevant to the standard;
- (e) the effects of the infringement of the standard; and
- (f) where more than one standard will be infringed, the effects of all infringements considered together

The retaining wall infringements are of such minor effect that they align with the objectives and policies as commented previously, and the purpose of the yard setbacks is not compromised by these infringements, noting this is described as:

Purpose:

- to maintain the suburban built character of the streetscape and provide sufficient space for landscaping within the front yard;
- to maintain a reasonable standard of residential amenity for adjoining sites;
- to ensure buildings are adequately set back from lakes, streams and the coastal edge to maintain water quality and provide protection from natural hazards; and
- to enable buildings and services on the site or adjoining sites to be adequately maintained.

The other matters for consideration do not impact the conclusion that the effects are less than minor.



The retaining as designed enables the best overall design outcomes for the development, and it is appropriate that approval to these minor infringements is provided on consideration of the substantial benefits accruing from the proposal as set out above.

Kind regards

A handwritten signature in black ink that reads 'Lance Hessell'.

Lance Hessell

Civix Limited

s 9(2)(a)

[Redacted]

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