

The following sets out assessments against all National Policy Statements and Environmental Standards.

National Policy Statement on Urban Development (NPSUD)

The NPSUD was gazetted on 23 July 2020 and is effective from 20 August 2020. It 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.**

The NPSUD sets out time frames for implementing objectives and policies for three “Tiers” of Councils, with Auckland Council being a “Tier 1” Council.

The summary structure and timeframes of the NPSUD are:

- Objectives and policies take **immediate effect**;
- Plan changes implementing intensification policies must be notified within two years for Tier 1 and 2 Councils, although Housing and Business Assessments (HBAs) on capacity, and Future Development Strategies (FDSs) to inform plan changes, are required to be completed in time to inform 2024 long term plans;
- Plan changes are to follow as soon as monitoring of development supply against demand is completed (being annually), with plan changes to supply additional capacity where needed to be provided within 12 months of the relevant monitoring report. This means new rules in Council plans addressing additional supply are in the order of six years away;
- Planning is required to be **responsive to proposals addressing development capacity**, including unanticipated or out of sequence development; and
- Councils are required to prepare a Future Development Strategy (FDS) every six years and update them every three years and provide an implementation plan for their FDS.

While the timeframes for plan changes implementing **rules** through plan changes are some way off, the NPSUD requires adequate **consideration of its objectives and policies now.**

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.
- 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, as set out in **Objective 6, Policy 6, and Policy 8.**

The proposal will result in a number of benefits, including the provision of 44 apartment (dwelling) units, which will contribute to the choice of those seeking housing in the area, along with 34 visitor accommodation units and a retail tenancy. A range of apartment typologies are proposed, which will contribute to housing choice and affordability in the area, while the accommodation units are well located to support large events at Eden Park, which is the largest stadium in New Zealand and is located a short walk from the site.

The site is excellently served in terms of rail services (being within 150m of Morningside Railway Station) and frequent bus services, which provides access within 20 – 25 minutes to a range of employment centres including the City Centre, Newmarket and New Lynn. The site is also within the Morningside Local Centre, which contains convenience stores and food and beverage retail, and is within a 10 - 12 minute walk of Kingsland Local Centre and St Lukes Town Centre, the former of which includes a number of restaurants and entertainment facilities and the latter of which contains a supermarket and a wide range of small and large format retail stores. Other amenities in the area include Fowlds Park, School Reserve and Mount Albert Primary School.

As such, the site has excellent accessibility to the public transport network, employment opportunities, community facilities and parks/open spaces and is therefore an appropriate location for higher density residential development. While the proposed design provides more intensive residential development than is currently anticipated in the LCZ, this approach strongly aligns with the outcomes anticipated under the NPS-UD. Residential infill and intensification are a known and accepted method for reducing carbon emissions in cities and is recognised as such in the government's Emissions Reduction Plan and the Transport Emissions Reduction Pathway (TERP). In addition, the development will contain provision for alternative modes of transport, including bicycle and scooter parking.

Residential intensification of the site therefore strongly aligns with the government directions as set out in the NPS-UD for urban intensification to occur in locations that would achieve a compact urban form and well-function urban environment.

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;
- Working towards targets for fish abundance, diversity and passage; and
- An integrated approach to management of land and freshwater and coastal water.

The application site is not located within, adjacent to or within a 100m setback of a freshwater stream or natural wetland. The proposal will be readily able to control any sediment runoff into any

receiving waterbodies, particularly given the separation of the site from nearby water bodies. As such, the provisions of the NPS-FW are not considered relevant.

National Policy Statement for Highly Productive Land

This NPS applies to developments near Highly Productive Land, which contains Land Use Capability (LUC) 1, 2 or 3 soils.

This NPS is not relevant to this proposal as the site is urban, and not on highly productive land, being LUC 1, 2 or 3 soils.

New Zealand Coastal Policy Statement 2010 (NZCPS)

The purpose of the NZCPS is to state policies in order to achieve the purpose of the Resource Management Act 1991 in relation to the coastal environment of New Zealand.

The proposal is not located in the coastal environment and therefore the NZCPS is not considered relevant.

National Policy Statement for Renewable Electricity Generation

This NPS applies to renewable electricity generation activities at any scale, including wind, geothermal, solar, biomass and marine. It covers the construction, operation and maintenance of structures associated with renewable electricity generation.

The proposal does not involve the generation of electricity and therefore the NPS-REG is not considered relevant.

National Policy Statement on Electricity Transmission

This NPS applies to developments near high-voltage transmission lines.

This NPS is not relevant to this proposal as the site is not near any high-voltage transmission lines.

National Environmental Standard for Air Quality 2004

The Air Quality NES are regulations made under the Resource Management Act 1991. They aim to set a guaranteed minimum level of health protection for all New Zealanders.

This includes provisions controlling the effects of air discharges from certain activities, e.g. prohibition on discharges from burning of certain materials (e.g. tyres, bitumen etc.). It also addresses effects of discharges in the ambient air quality of certain environments – including carbon monoxide from vehicles.

While the proposed development will result in additional traffic movements, it is unlikely that these would exceed the levels specified in the Air Quality NES. All other aspects of the proposal in terms of air discharges would be consistent with that expected for a typical residential apartment development in the zone.

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.

ENGEO has undertaken a Preliminary Site Investigation and a Detailed Site Investigation confirming the contamination status of the site attached and marked as Appendix 2 of **Appendix 15**. Consent is required under the NESCS, however purpose of the NESCS can be satisfied with implementation of a Site Management and Remediation Action Plan.

National Environmental Standard for Sources of Drinking Water

This NES sets out the requirements for protecting sources of human drinking water from becoming contaminated. The proposal will not have the potential to affect a registered drinking-water supply that provides no fewer than 501 people with drinking water for not less than 60 days each calendar year.

This NES therefore will not apply to the proposal.

National Environmental Standard for Telecommunication Facilities

This is not relevant to this proposal as the development does not involve the deployment of telecommunications infrastructure facility.

National Environmental Standards for Electricity Transmission Activities

This is not relevant to this proposal as the development is not within proximity to the National Grid electrical infrastructure.

National Environmental Standards for Plantation Forestry

This is not relevant to this proposal as the development does not involve or affect plantation forestry.