

Friday, 13 January 2023

Ministry for the Environment
Fast-Track Consenting Team
Private Bag 10362
Wellington 6143

Attention: Zen Gerente, Senior Analyst, Fast Track Consenting Team **by Email**

Dear Zen,

I refer to your letter detailing a request for further information received 9th December 2022.

This letter serves as a response to those requests, and is supported by accompanying documents, which should be read in conjunction with this letter:

| Name | Author |
|----------------|-------------------|
| Ecology Memo | Bioresearches |
| Transport Memo | Abley Limited |
| Economic Memo | Insight Economics |

In addition to the information provided below, it is confirmed that the Tōtara Landing application does relate to the Coastal Marine Area in part as discharge to the CMA is included as part of this application.

Our response in reply to the comments are as follows:

1. Project details/scope

- a. Part I of the application form states the applicant is Neil Construction Limited, however in Part II you state the applicants are Neil Construction Limited and Maraetai Land Development Limited. Confirm the correct applicant/s for this referral application.*

Response:

We can confirm that the applicants are Neil Construction Limited (NCL) and Maraetai Land Development Limited (MLDL).

- b. Part III of the application form states the project will create 229 vacant lots and 15 medium density lots that will undergo house design at the resource consent stage. Please respond to the following:*

- i. *will the 15 medium density lots accommodate a single residential unit per lot, and will the applicants construct these residential units, or will they be delivered by third parties?*

Response:

The 15 medium density lots will accommodate a single residential unit per lot. Building designs for these 15 lots will be included in the resource consent application. The medium density lots will be on-sold to Neil Construction Limited's build partners, who will build in accordance with the granted resource consent. The homes will be sold by the NCL build partners on completion.

- ii. *will the applicants construct 229 residential units on the 229 'vacant' lots, or will these be on-sold as vacant lots and the residential units delivered by third parties?*

Response:

The 229 'vacant' lots will be on-sold and residential units will be delivered by NCL's build partners. NCL currently has a database of 200 active builders and is experienced in pre-selling large residential subdivisions efficiently.

- iii. *where residential units are intended to be constructed by the applicants, will these all be detached units as indicated on the illustrative masterplan or will a range of typologies be provided (and if so, what are the details of these typologies)?*

Response:

No residential units are intended to be constructed by the applicants; however, it is anticipated that the houses will primarily be detached units. Consent notices will apply to all residential lots to impose AUP Mixed Housing Urban planning rules. This will give NCL's build partners maximum flexibility to ensure the housing typologies built are suitable to market demands at the time.

- 2. Record of Title.** *The record of title for Lot 3 DP 77541 (NA 33D/951) is subject to a land covenant. Provide further details of this land covenant and whether it will have any impact on project delivery.*

Response:

A copy of the land covenant is **attached**.

However, the covenant has been cancelled and the Cancellation Notice is also **attached**. Therefore, the covenant will not impact the proposed development. The applicant will also apply to remove it from the title. It is anticipated that the covenant can be removed from the title before the completion of the project and will not impact the delivery timeframes of the project.

- 3. Zoning.** *We note that 101 Totara Road (Lot 1 DP 170291) has a small area on the coastal edge zoned Coastal – General Coastal Marine Zone under the Auckland Unitary Plan (which is not noted in your application). Identify any relevant additional rules and rule infringements for this zone, including the applicable activity status.*

Response:

The below figure shows the area of 101 Totara Road that is subject to the Coastal – General Coastal Marine Zone (outlined in red).

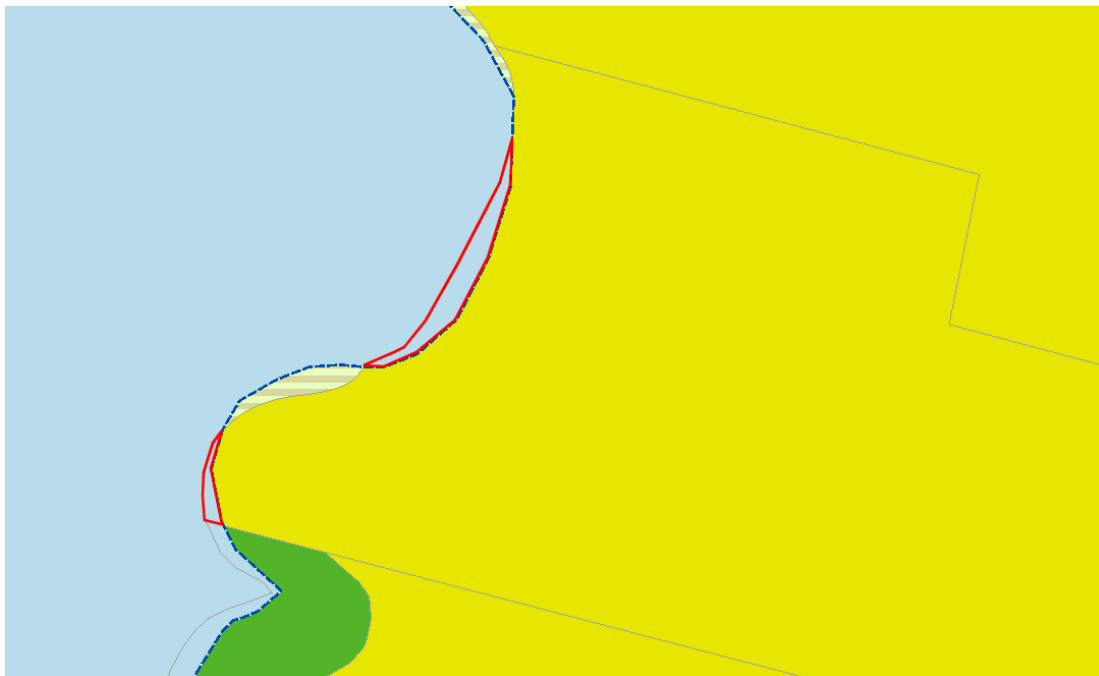


Figure 5: Area of the site subject to the Coastal – General Coastal Marine Zone (Source: GeoMaps)

It is noted that these areas are outside of the development area and are not within the landmass of the site. Therefore, will not be altered as part of the proposal and no additional reasons for consent are anticipated to be required at this stage. It is also noted that under the General Coastal Marine zone, all activities related to stormwater discharge refer back to Chapter E8 of the AUP and the relevant reasons for consent have already been applied for.

The proposal will have two discharge points, one via the existing stream to the Waitemata Harbour and the other directly to the Waitemata Harbour (Rawawaru Creek). However, due to the high-level nature of this stage of the FTCA process, the exact locations of the two discharge points are not

currently known. These will be determined at the resource consent stage and will be designed in accordance with best practice.

4. National Environmental Standard/National Policy Statement

- a. *You have provided a contaminated soils due diligence investigation of the project site; however, it does not assess whether resource consent is required under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES-CS). Advise whether consent is likely to be required under the NES-CS, and under which clauses and resulting activity status, so this can be included within the project scope if required*

Response:

The following are excerpts from the submitted application:

“The provided Due Diligence Investigation on the potential contamination of the site concluded that whilst additional detailed investigation will likely be required to satisfy the NES-SC, particularly in relation to the potential sources of contamination identified, it is generally considered that areas of surface soil investigated within the report do not show any significant defined impacts from current or historic horticultural land use, and with the exception of sample 4 (where a concentration of arsenic in excess of the expected background concentrations for non-volcanic soils of the Auckland Region was found), are generally consistent with the MfE definition of clean fill. In light of this, it is anticipated that consent may be required under the NES-SC and further investigations will be conducted at the resource consent stage but that any potential contamination will not inhibit the development of the site.”

“Based on this, further investigations will be conducted but the investigation found that the areas of soils investigation generally do not show any significant defined impacts from current or historic horticultural land use.”

The application has outlined that there is potential for consent to be required under the NES-CS, however, any reasons for consent that may be required will not be of a scale that would inhibit the proposed development from occurring. Therefore, the scope of the development is proposed to include the requirement for further investigations to be undertaken and the ability to apply for any reasons for consent identified under the NES-CS. This will allow any potential contamination matters to be effectively addressed and resolved at the resource consent stage. This approach is considered appropriate as the provided initial investigations have found that any potential contamination will not inhibit the development of the site.

- b. You have provided a summary assessment against the National Policy Statement for Freshwater Management 2020 (NPS-FM), however given the project involves works in proximity to a natural wetland and stream reclamation, provide further assessment against the objectives and policies of the NPS-FM.*

Response:

The following provides an assessment against the objectives and policies of the National Policy Statement for Freshwater Management 2020 (NPS-FM).

The NPS-FM contains one objective, as outlined below:

- 1. The objective of this National Policy Statement is to ensure that natural and physical resources are managed in a way that prioritises:*
 - a. first, the health and well-being of water bodies and freshwater ecosystems*
 - b. second, the health needs of people (such as drinking water)*
 - c. third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.*

As concluded in the Ecological Memo prepared by Bioresarches, the proposed development of the site is considered to be consistent with the outcomes expected of the NPS-FM. The proposal has been designed to avoid works with 10m of the natural wetlands identified on the site and all works will be effectively designed and/or mitigated to ensure there is no partial drainage of the any of the natural wetlands or loss of ecological value.

Reclamation of approximately 45m of the on-site stream is required in order to construct the proposed main access off Totara Road a safe distance away from the existing McKean/Totara Road intersection. Where this reclamation is proposed, significant offset mitigation, such as extensive riparian and wetland planting, will be undertaken to ensure there is no net environmental loss from the reclamation of part of the stream. The full details of the offsetting approach will be provided at the resource consent stage, but it is anticipated that off-site stream restoration works/enhancement, and the purchasing of Ecobank credits from Healthy Waters will be utilised to appropriately off-set the total or partial loss of aquatic habitat and is to be included in the scope of the proposed development.

The memo also outlines that whilst stream reclamation should be avoided, if a functional need is proven, as is the case for this proposal, adverse effects can be appropriately mitigated and off-set under the NPS-FM. Therefore, it is considered that the proposal will not result in an overall reduction in the health and wellbeing of waterbodies and freshwater ecosystems.

The proposal manages the freshwater resources of the site in a way that will not have any direct effect on the health needs of people (clause (b)), but it will assist in enabling people and communities to provide for their social, economic, and cultural well-being through the providing of additional housing, infrastructure, and public open space.

It is therefore considered, based on the above, that the proposed development is consistent with the objective of the NPS-FM.

It is also considered that the proposal is consistent with the relevant policies of the NPS-FM, as summarised below:

- The proposal will include extensive riparian and wetland planting and the creation of a coastal esplanade reserve to assist in ensuring the overall health and wellbeing of the freshwater resource is maintained and/or enhanced. This in turn gives effect to the concept of Te Mana o te Wai (Policy 1).
- The applicants have undertaken continuous collaboration with mana whenua in regard to the proposed development and have sought feedback from all relevant iwi. This is considered to ensure that Māori freshwater values are effectively identified and provided for through the development (Policy 2).
- The proposed development will include extensive planting and the creation of a coastal esplanade reserve to ensure the ecological values and features of the site are enhanced and maintained. Further offsetting will be proposed under the resource consent stage, including potential off-site enhancement planting and restoration works, will be outlined at the resource consent stage to ensure the integrated management of the freshwater resources across the site is achieved (Policy 3).
- A public stream reserve is proposed in the areas of the site where 1% AEP floodplains associated with the stream are located to protect the development against the risks associated with flooding. The public stream reserve and the areas subject to flooding have been designed conservatively to accommodate for the future effects of climate change. Substantial planting that is proposed around the stream network will be of benefit in offsetting carbon release arising from the development activity (Policy 4).
- The existing stream on the site has been modified and artificially deepened and widened with very little flow. It is considered that the extensive planting proposed, the creation of a public stream and coastal esplanade reserves, and further off-site mitigation, will greatly enhance the ecological values and health of the freshwater resources on the site and off the site (Policy 5).
- The proposal will not result in the loss (or reduction in extent) of any natural wetlands (Policy 6).
- Whilst approximately 45m of the on-site stream will be reclaimed, the majority of freshwater features are to be retained, improved, and permanently protected through their location within public stream or esplanade reserves. It is not considered practical in this instance to retain all existing freshwater features on the site, given the need to create a functional and safe access to the site, but any loss is to be appropriately mitigated or offset (Policy 7).
- No existing water bodies that could be classified as outstanding are located on the site (Policy 8).
- Species identified in the wetland will not be affected due to the natural wetland being fully retained and any species identified in the stream will be effectively managed through the appropriate methods at the resource consent stage. In addition, after the extensive enhancement planting has been undertaken, is anticipated to provide an improved habitat for indigenous freshwater species than currently provided for (Policy 9).

- Overall, the proposed development enables communities to provide for their social, economic, and cultural well-being (through the creation of a considerable number of new homes) and in a way that is consistent with the NPS-FM (Policy 15).

Clause 3.2.4(1) also requires the following policy to be included in the Regional Plan:

The loss of river extent and values is avoided, unless the Council is satisfied:

- a) That there is a functional need for the activity in that location; and*
- b) The effects of the activity are managed by applying the effects management hierarchy*

In regard to subclause (a) of this policy, the proposed stream reclamation is required to undertake the proposed residential development on the site. Under clause 3.21' Definitions relating to wetlands and rivers; 'functional need' is defined as "the need for a proposal or activity to traverse, locate or operate in a particular environment because the activity can only occur in that environment." The proposed development has been designed to retain as much of the stream as possible and the remainder will be located in a public stream reserve to provide further, ongoing protection. The proposed stream reclamation is considered to be a functional need as it enables safe access to be provided to the site. It is therefore considered that the loss of the stream extent has been minimised as much as practically possible and is recognised as a functional need in order for the development to occur.

In response to subclause (b) of this policy, the definition of 'Effects management hierarchy' is copied below:

In relation to natural inland wetlands and rivers, means an approach to managing the adverse effects of an activity on the extent or values of a wetland or river (including cumulative effects and loss of potential value) that requires that:

- a) adverse effects are avoided where practicable; and*
- b) where adverse effects cannot be avoided, they are minimised where practicable; and*
- c) where adverse effects cannot be minimised, they are remedied where practicable; and*
- d) where more than minor residual adverse effects cannot be avoided, minimised, or remedied, aquatic offsetting is provided where possible*
- e) if aquatic offsetting of more than minor residual adverse effects is not possible, aquatic compensation is provided; and*
- f) if aquatic compensation is not appropriate, the activity itself is avoided*

As outlined above, the length of stream reclamation required has been minimised by the proposed development as much as practicably possible. The reclamation that is proposed is required in order to implement the residential activities sought and in order to provide safe and functional access to the

site. Therefore, reclamation of a portion of the stream and the associated effects cannot be entirely avoided. The adverse effects have however, been minimised by ensuring the remaining portion of the stream is further protected by the creation of a public stream reserve. The public stream reserve will have extensive planting to further enhance the stream. Whilst it is acknowledged that the loss of part of the stream will generate adverse effects, offsetting such as utilising the Healthy Waters' Ecobank scheme and off-site stream restoration works, will be utilised to appropriately offset the proposed partial loss of the stream.

The specific approach will be determined prior to works commencing on the site and conditions recommended as part of the resource consent stage.

Overall, it is considered that the proposed development meets the requirements stated in clause 3.24(1) of the NPS-FM.

- c. The site is partly bounded by the coastal waters. Provide an assessment against the objective and policies of New Zealand Coastal Policy Statement 2010.*

Response:

The following provides an assessment against the objectives and policies of the New Zealand Coastal Policy Statement 2010 (NZ-CPS):

| Objective | Assessment |
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| <p>1. To safeguard the integrity, form, functioning and resilience of the coastal environment and sustain its ecosystems, including marine and intertidal areas, estuaries, dunes and land, by:</p> <ul style="list-style-type: none"><i>maintaining or enhancing natural biological and physical processes in the coastal environment and recognising their dynamic, complex and interdependent nature;</i><i>protecting representative or significant natural ecosystems and sites of biological importance and maintaining the diversity of New Zealand's indigenous coastal flora and fauna; and</i><i>maintaining coastal water quality, and enhancing it where it has deteriorated from what would otherwise be its natural condition, with significant adverse effects on ecology and habitat, because of discharges associated with human activity.</i> | <p>The existing esplanade reserve and the proposed extension of the reserve to be continuous along the entire coastal boundary of the site is considered to safeguard the form and function of the coastal environment. Development of the site is not focused along the coastline and any works within proximity to the coast will be managed in accordance with the appropriate erosion and sediment control measures to maintain water quality. It is therefore considered that the proposal will result in acceptable effects in regard to the coastal environment.</p> |

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| <p>2. To preserve the natural character of the coastal environment and protect natural features and landscape values through:</p> <ul style="list-style-type: none"> • <i>recognising the characteristics and qualities that contribute to natural character, natural features and landscape values and their location and distribution;</i> • <i>identifying those areas where various forms of subdivision, use, and development would be inappropriate and protecting them from such activities; and</i> • <i>encouraging restoration of the coastal environment.</i> | <p>The proposed dwellings are concentrated away from the coast and the dwellings located closest to the coast are setback by over approximately 20m to ensure the natural character and features of the landscape are retained and not dominated by built form. The esplanade reserve will be vested with Council to ensure ongoing protection of the area. Extensive planting will also be undertaken to further enhance the coastal environment.</p> |
| <p>3. To take account of the principles of the Treaty of Waitangi, recognise the role of tangata whenua as kaitiaki and provide for tangata whenua involvement in management of the coastal environment by:</p> <ul style="list-style-type: none"> • <i>recognising the ongoing and enduring relationship of tangata whenua over their lands, rohe and resources;</i> • <i>promoting meaningful relationships and interactions between tangata whenua and persons exercising functions and powers under the Act;</i> • <i>incorporating mātauranga Māori into sustainable management practices; and</i> • <i>recognising and protecting characteristics of the coastal environment that are of special value to tangata whenua.</i> | <p>Engagement with mana whenua has been undertaken and the applicant is committed to on-going collaboration during the detailed design process. The applicant will continue to foster their relationship with mana whenua to ensure any adverse cultural effects on Māori arising from the proposal can be appropriately addressed and mitigated.</p> |
| <p>4. To maintain and enhance the public open space qualities and recreation opportunities of the coastal environment by:</p> <ul style="list-style-type: none"> • <i>recognising that the coastal marine area is an extensive area of public space for the public to use and enjoy;</i> • <i>maintaining and enhancing public walking access to and along the coastal marine area without charge, and where there are exceptional reasons that mean this is not practicable providing alternative linking access close to the coastal marine area; and</i> | <p>The coastal area will be open to the public and easily accessed via footpaths. The potential for a public walkway to also be located down the length of the esplanade reserve to further increase the functionality and enjoyability of the coastal area has been provided for. A neighbourhood park is proposed off the esplanade reserve to provide further space for the public to use. The esplanade reserve is considered to be of a sufficient size that public access can continue to be</p> |

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| <ul style="list-style-type: none"> • <i>recognising the potential for coastal processes, including those likely to be affected by climate change, to restrict access to the coastal environment and the need to ensure that public access is maintained even when the coastal marine area advances inland</i> | <p>maintained even if climate change events alter the landform.</p> |
| <p>5. To ensure that coastal hazard risks taking account of climate change, are managed by:</p> <ul style="list-style-type: none"> • <i>locating new development away from areas prone to such risks;</i> • <i>considering responses, including managed retreat, for existing development in this situation; and</i> • <i>protecting or restoring natural defences to coastal hazards.</i> | <p>The proposed development of the site is concentrated away from the coastline and the closest proposed lots are considered to be sufficiently setback from the coast. The proposed esplanade reserve is considered to provide a buffer between the coastline and the proposed lots to ensure an additional layer of protection is provided.</p> |
| <p>6. To enable people and communities to provide for their social, economic, and cultural wellbeing and their health and safety, through subdivision, use, and development, recognising that:</p> <ul style="list-style-type: none"> • <i>the protection of the values of the coastal environment does not preclude use and development in appropriate places and forms, and within appropriate limits;</i> • <i>some uses and developments which depend upon the use of natural and physical resources in the coastal environment are important to the social, economic and cultural wellbeing of people and communities;</i> • <i>functionally some uses and developments can only be located on the coast or in the coastal marine area;</i> • <i>the coastal environment contains renewable energy resources of significant value;</i> • <i>the protection of habitats of living marine resources contributes to the social, economic and cultural wellbeing of people and communities;</i> | <p>The proposal provides for the social and cultural wellbeing of the community by providing public open space in the form of an esplanade reserve and neighbourhood park. The proposal has been designed with the coastline at the forefront and provides pedestrian connections to the coastal area throughout the development. The proposed development will enable the entire coastline of the site to be vested as an esplanade reserve and will ensure the ongoing protection of the coastal area, including the protection of habitats and water quality. The proposal creates a significantly larger space for recreation and enhanced pedestrian connectivity for the general public. No heritage structures/sites have been identified in the area; however, accidental discovery protocols will be followed if anything of significance is discovered during site works. Overall, it is considered that the social and cultural wellbeing of the community is maintained through the provision of public access to</p> |

| <ul style="list-style-type: none"> • <i>the potential to protect, use, and develop natural and physical resources in the coastal marine area should not be compromised by activities on land;</i> • <i>the proportion of the coastal marine area under any formal protection is small and therefore management under the Act is an important means by which the natural resources of the coastal marine area can be protected; and</i> • <i>historic heritage in the coastal environment is extensive but not fully known, and vulnerable to loss or damage from inappropriate subdivision, use, and development.</i> | <p>the coastline and the addition of further recreational space to ensure the values of the coastal environment are not compromised by the proposed development.</p> |
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| Policy | Assessment |
| <p><i>Policy 1 Extent and characteristics of the coastal environment</i></p> <ol style="list-style-type: none"> 1. <i>Recognise that the extent and characteristics of the coastal environment vary from region to region and locality to locality; and the issues that arise may have different effects in different localities.</i> 2. <i>Recognise that the coastal environment includes:</i> <ol style="list-style-type: none"> a. <i>the coastal marine area;</i> b. <i>islands within the coastal marine area;</i> c. <i>areas where coastal processes, influences or qualities are significant, including coastal lakes, lagoons, tidal estuaries, saltmarshes, coastal wetlands, and the margins of these;</i> d. <i>areas at risk from coastal hazards;</i> e. <i>coastal vegetation and the habitat of indigenous coastal species including migratory birds;</i> f. <i>elements and features that contribute to the natural character, landscape, visual qualities or amenity values;</i> | <p>The proposal has been designed to avoid development along the coastline as much as practically possible. The Coastal Marine Area borders the site, however, no buildings/structures for the proposed development will be located directly in the area. Therefore, coastal processes are not considered to be impacted by the proposal. The proposed esplanade reserve will retain the elements and features that contribute to the coastal character of the area. Overall, the proposal is considered to positively contribute to the natural landscape of the coastline and will not impact the coastal processes.</p> |

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| <ul style="list-style-type: none"> <i>g. items of cultural and historic heritage in the coastal marine area or on the coast;</i> <i>h. inter-related coastal marine and terrestrial systems, including the intertidal zone; and</i> <i>i. physical resources and built facilities, including infrastructure, that have modified the coastal environment</i> | |
| <p><i>Policy 2 The Treaty of Waitangi, tangata whenua and Māori heritage</i></p> <p><i>In taking account of the principles of the Treaty of Waitangi (Te Tiriti o Waitangi), and kaitiakitanga, in relation to the coastal environment:</i></p> <ul style="list-style-type: none"> <i>a. recognise that tangata whenua have traditional and continuing cultural relationships with areas of the coastal environment, including places where they have lived and fished for generations;</i> <i>b. involve iwi authorities or hapū on behalf of tangata whenua in the preparation of regional policy statements, and plans, by undertaking effective consultation with tangata whenua; with such consultation to be early, meaningful, and as far as practicable in accordance with tikanga Māori,</i> <i>c. with the consent of tangata whenua and as far as practicable in accordance with tikanga Māori, incorporate mātauranga Māori¹ in regional policy statements, in plans, and in the consideration of applications for resource consents, notices of requirement for designation and private plan changes;</i> <i>d. provide opportunities in appropriate circumstances for Māori involvement in decision making, for example when a consent application or notice of requirement is dealing with cultural localities or issues of cultural significance, and Māori experts, including pūkenga², may have knowledge not otherwise available;</i> | <p>There are no specific sites or places of significance to mana whenua identified in the AUP in the vicinity of the proposed works, although the coastal area is located within a Statutory Acknowledgement Area and the cultural, historic and spiritual importance of the water to mana whenua is acknowledged and recognised. The applicant is committed to ongoing engagement with mana whenua and has initiated collaboration by reaching out to all relevant iwi in the area and the surrounds. The applicant will continue their engagement with mana whenua throughout the design process.</p> |

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| <p><i>e. take into account any relevant iwi resource management plan and any other relevant planning document recognised by the appropriate iwi authority or hapū and lodged with the council, to the extent that its content has a bearing on resource management issues in the region or district; and</i></p> <p><i>i. where appropriate incorporate references to, or material from, iwi resource management plans in regional policy statements and in plans; and</i></p> <p><i>ii. consider providing practical assistance to iwi or hapū who have indicated a wish to develop iwi resource management plans;</i></p> <p><i>f. provide for opportunities for tangata whenua to exercise kaitiakitanga over waters, forests, lands, and fisheries in the coastal environment through such measures as:</i></p> <p><i>i. bringing cultural understanding to monitoring of natural resources;</i></p> <p><i>ii. providing appropriate methods for the management, maintenance and protection of the taonga of tangata whenua;</i></p> <p><i>iii. having regard to regulations, rules or bylaws relating to ensuring sustainability of fisheries resources such as taiāpure, mahinga mātaītai or other non-commercial Māori customary fishing; and</i></p> <p><i>g. in consultation and collaboration with tangata whenua, working as far as practicable in accordance with tikanga Māori, and recognising that tangata whenua have the right to choose not to identify places or values of historic, cultural or spiritual significance or special value:</i></p> <p><i>i. recognise the importance of Māori cultural and heritage values through such methods as historic heritage,</i></p> | |
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| <p><i>landscape and cultural impact assessments; and</i></p> <p><i>ii. provide for the identification, assessment, protection and management of areas or sites of significance or special value to Māori, including by historic analysis and archaeological survey and the development of methods such as alert layers and predictive methodologies for identifying areas of high potential for undiscovered Māori heritage, for example coastal pā or fishing villages</i></p> | |
| <p>Policy 3 Precautionary approach</p> <p><i>a. Adopt a precautionary approach towards proposed activities whose effects on the coastal environment are uncertain, unknown, or little understood, but potentially significantly adverse.</i></p> <p><i>b. In particular, adopt a precautionary approach to use and management of coastal resources potentially vulnerable to effects from climate change, so that:</i></p> <p><i>a. avoidable social and economic loss and harm to communities does not occur;</i></p> <p><i>b. natural adjustments for coastal processes, natural defences, ecosystems, habitat and species are allowed to occur; and</i></p> <p><i>c. the natural character, public access, amenity and other values of the coastal environment meet the needs of future generations.</i></p> | <p>Public access and amenity will be retained and further enhanced through the proposed esplanade reserve and wider development. The proposal also includes the addition of further recreational space and potential public walkways to further enhance the amenity and values of the coastal environment for the public. The esplanade reserve will be vested with Council to ensure its ongoing protection and preservation for future generations.</p> |
| <p>Policy 4 Integration</p> <p><i>Provide for the integrated management of natural and physical resources in the coastal environment, and activities that affect the coastal environment. This requires:</i></p> | <p>It is considered that the proposal provides for the integrated management of natural and physical resources in the coastal environment. The proposal will significantly enhance the public use and</p> |

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| <p><i>a. co-ordinated management or control of activities within the coastal environment, and which could cross administrative boundaries, particularly:</i></p> <ul style="list-style-type: none"> <i>i. the local authority boundary between the coastal marine area and land;</i> <i>ii. local authority boundaries within the coastal environment, both within the coastal marine area and on land; and</i> <i>iii. where hapū or iwi boundaries or rohe cross local authority boundaries;</i> <p><i>b. working collaboratively with other bodies and agencies with responsibilities and functions relevant to resource management, such as where land or waters are held or managed for conservation purposes; and</i></p> <p><i>c. particular consideration of situations where:</i></p> <ul style="list-style-type: none"> <i>i. subdivision, use, or development and its effects above or below the line of mean high water springs will require, or is likely to result in, associated use or development that crosses the line of mean high water springs; or</i> <i>ii. public use and enjoyment of public space in the coastal environment is affected, or is likely to be affected; or</i> <i>iii. development or land management practices may be affected by physical changes to the coastal environment or potential inundation from coastal hazards, including as a result of climate change; or</i> <i>iv. and use activities affect, or are likely to affect, water quality in the coastal environment and marine ecosystems through increasing sedimentation; or</i> <i>v. significant adverse cumulative effects are occurring, or can be anticipated</i> | <p>enjoyment of the public space in the coastal environment.</p> |
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| <p>Policy 5 Land or waters managed or held under other Acts</p> | <p>N/A</p> |
| <p>Policy 6 Activities in the coastal environment</p> <p>1. <i>In relation to the coastal environment:</i></p> <ul style="list-style-type: none"> a. <i>recognise that the provision of infrastructure, the supply and transport of energy including the generation and transmission of electricity, and the extraction of minerals are activities important to the social, economic and cultural well-being of people and communities;</i> b. <i>consider the rate at which built development and the associated public infrastructure should be enabled to provide for the reasonably foreseeable needs of population growth without compromising the other values of the coastal environment;</i> c. <i>encourage the consolidation of existing coastal settlements and urban areas where this will contribute to the avoidance or mitigation of sprawling or sporadic patterns of settlement and urban growth;</i> d. <i>recognise tangata whenua needs for papakāinga, marae and associated developments and make appropriate provision for them;</i> e. <i>consider where and how built development on land should be controlled so that it does not compromise activities of national or regional importance that have a functional need to locate and operate in the coastal marine area;</i> f. <i>consider where development that maintains the character of the</i> | <p>The proposed development does not include buildings/structures within the coastal marine area and any minimal works that may have to occur along the coastline would be solely related to the stormwater discharge outlets and will be comprehensively designed at the resource consent stage and are included within the scope of the development. The proposed esplanade reserve will make a significant contribution to the social and cultural wellbeing of people and communities by enhancing the coastal area through planting, potential walkways, and additional recreational space. The provision of recreational areas is considered essential to creating a sense of place and community that connects with the remainder of the proposed development. The proposed development is considered to be sufficiently setback from the coastline as to not overwhelm the natural character and amenity values of the coastline.</p> |

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| <p><i>existing built environment should be encouraged, and where development resulting in a change in character would be acceptable;</i></p> <ul style="list-style-type: none"> <i>g. take into account the potential of renewable resources in the coastal environment, such as energy from wind, waves, currents and tides, to meet the reasonably foreseeable needs of future generations;</i> <i>h. consider how adverse visual impacts of development can be avoided in areas sensitive to such effects, such as headlands and prominent ridgelines, and as far as practicable and reasonable apply controls or conditions to avoid those effects;</i> <i>i. set back development from the coastal marine area and other water bodies, where practicable and reasonable, to protect the natural character, open space, public access and amenity values of the coastal environment; and</i> <i>j. where appropriate, buffer areas and sites of significant indigenous biological diversity, or historic heritage value.</i> <p><i>2. Additionally, in relation to the coastal marine area</i></p> <ul style="list-style-type: none"> <i>a. recognise potential contributions to the social, economic and cultural wellbeing of people and communities from use and development of the coastal marine area, including the potential for renewable marine energy to contribute to meeting the energy needs of future generations:</i> <i>b. recognise the need to maintain and enhance the public open space and recreation qualities and values of the coastal marine area;</i> | |
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| <p>c. recognise that there are activities that have a functional need to be located in the coastal marine area, and provide for those activities in appropriate places;</p> <p>d. recognise that activities that do not have a functional need for location in the coastal marine area generally should not be located there; and</p> <p>e. promote the efficient use of occupied space, including by:</p> <ul style="list-style-type: none"> i. requiring that structures be made available for public or multiple use wherever reasonable and practicable; ii. requiring the removal of any abandoned or redundant structure that has no heritage, amenity or reuse value; and iii. considering whether consent conditions should be applied to ensure that space occupied for an activity is used for that purpose effectively and without unreasonable delay | |
| Policy 7 Strategic planning | N/A |
| Policy 8 Aquaculture | N/A |
| Policy 9 Ports | N/A |
| Policy 10 Reclamation and de-reclamation | N/A |
| <p>Policy 11 Indigenous biological diversity (biodiversity)</p> <p>To protect indigenous biological diversity in the coastal environment:</p> <p>a. avoid adverse effects of activities on:</p> | <p>The proposed development is not anticipated to affect any potential indigenous biological biodiversity in the coastal marine area and the proposed esplanade reserve will ensure the ecological values of the coastal area are</p> |

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| <ul style="list-style-type: none"> i. <i>indigenous taxa that are listed as threatened or at risk in the New Zealand Threat Classification System lists;</i> ii. <i>taxa that are listed by the International Union for Conservation of Nature and Natural Resources as threatened;</i> iii. <i>indigenous ecosystems and vegetation types that are threatened in the coastal environment, or are naturally rare,</i> iv. <i>habitats of indigenous species where the species are at the limit of their natural range, or are naturally rare;</i> v. <i>areas containing nationally significant examples of indigenous community types; and</i> vi. <i>areas set aside for full or partial protection of indigenous biological diversity under other legislation; and</i> b. <i>avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on:</i> <ul style="list-style-type: none"> i. <i>areas of predominantly indigenous vegetation in the coastal environment;</i> ii. <i>habitats in the coastal environment that are important during the vulnerable life stages of indigenous species;</i> iii. <i>indigenous ecosystems and habitats that are only found in the coastal environment and are particularly vulnerable to modification, including estuaries, lagoons, coastal wetlands, dunelands, intertidal zones, rocky reef systems, eelgrass and saltmarsh;</i> iv. <i>habitats of indigenous species in the coastal environment that are important for recreational,</i> | <p>retained. The proposal has been designed to avoid development directly along the coastline and extensive planting will further enhance the area. The proposed esplanade reserve creates a buffer between the coastal habitat and the development that enables protection of any indigenous biodiversity.</p> |
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| <p><i>commercial, traditional or cultural purposes;</i></p> <p>v. <i>habitats, including areas and routes, important to migratory species; and</i></p> <p>vi. <i>ecological corridors, and areas important for linking or maintaining biological values identified under this policy.</i></p> | |
| Policy 12 Harmful aquatic organisms | N/A |
| <p>Policy 13 Preservation of natural character</p> <p>1. <i>To preserve the natural character of the coastal environment and to protect it from inappropriate subdivision, use, and development:</i></p> <p>a. <i>avoid adverse effects of activities on natural character in areas of the coastal environment with outstanding natural character; and</i></p> <p>b. <i>avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on natural character in all other areas of the coastal environment; including by:</i></p> <p>c. <i>assessing the natural character of the coastal environment of the region or district, by mapping or otherwise identifying at least areas of high natural character; and</i></p> <p>d. <i>ensuring that regional policy statements, and plans, identify areas where preserving natural character requires objectives, policies and rules, and include those provisions</i></p> <p>2. <i>Recognise that natural character is not the same as natural features and landscapes or amenity values and may include matters such as:</i></p> <p>a. <i>natural elements, processes and patterns;</i></p> <p>b. <i>biophysical, ecological, geological and geomorphological aspects;</i></p> <p>c. <i>natural landforms such as headlands, peninsulas, cliffs, dunes, wetlands, reefs, freshwater springs and surf breaks;</i></p> | <p>The natural character of the coastal area is considered to be maintained through the creation of the esplanade reserve, extensive planting and the proposed lots being sufficiently setback from the coastline. The proposed esplanade reserve will provide ongoing protection of the coastal area and it is considered that any adverse effects on to the character of the coast have been efficiently mitigated or avoided.</p> |

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| <ul style="list-style-type: none"> <i>d. the natural movement of water and sediment;</i> <i>e. the natural darkness of the night sky;</i> <i>f. places or areas that are wild or scenic;</i> <i>g. a range of natural character from pristine to modified; and</i> <i>h. experiential attributes, including the sounds and smell of the sea; and their context or setting.</i> | |
| <p>Policy 14 Restoration of natural character <i>Promote restoration or rehabilitation of the natural character of the coastal environment, including by :</i></p> <ul style="list-style-type: none"> <i>a. identifying areas and opportunities for restoration or rehabilitation;</i> <i>b. providing policies, rules and other methods directed at restoration or rehabilitation in regional policy statements, and plans;</i> <i>c. where practicable, imposing or reviewing restoration or rehabilitation conditions on resource consents and designations, including for the continuation of activities; and recognising that where degraded areas of the coastal environment require restoration or rehabilitation, possible approaches include:</i> <ul style="list-style-type: none"> <i>i. restoring indigenous habitats and ecosystems, using local genetic stock where practicable; or</i> <i>ii. encouraging natural regeneration of indigenous species, recognising the need for effective weed and animal pest management; or</i> <i>iii. creating or enhancing habitat for indigenous species; or</i> <i>iv. rehabilitating dunes and other natural coastal features or processes, including saline wetlands and intertidal saltmarsh; or</i> <i>v. restoring and protecting riparian and intertidal margins; or</i> | <p>The proposal will include extensive planting and the extension of the existing esplanade reserve to ensure the entire coastline of the site will retain its coastal features and values. It is considered the restoration and management of the area can be effectively managed through conditions at the resource consent stage to ensure the protection and ongoing enhancement of the coastal area.</p> |

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| <ul style="list-style-type: none"> vi. <i>reducing or eliminating discharges of contaminants; or</i> vii. <i>removing redundant structures and materials that have been assessed to have minimal heritage or amenity values and when the removal is authorised by required permits, including an archaeological authority under the Historic Places Act 1993; or</i> viii. <i>restoring cultural landscape features; or</i> ix. <i>redesign of structures that interfere with ecosystem processes; or</i> x. <i>decommissioning or restoring historic landfill and other contaminated sites which are, or have the potential to, leach material into the coastal marine area.</i> | |
| <p>Policy 15 Natural features and natural landscapes <i>To protect the natural features and natural landscapes (including seascapes) of the coastal environment from inappropriate subdivision, use, and development:</i></p> <ul style="list-style-type: none"> a. <i>avoid adverse effects of activities on outstanding natural features and outstanding natural landscapes in the coastal environment; and</i> b. <i>avoid significant adverse effects and avoid, remedy, or mitigate other adverse effects of activities on other natural features and natural landscapes in the coastal environment; including by:</i> c. <i>identifying and assessing the natural features and natural landscapes of the coastal environment of the region or district, at minimum by land typing, soil characterisation and landscape characterisation and having regard to:</i> | <p>The site is not located within an area of outstanding natural features or landscapes as identified in the AUP. As previously discussed, the proposed planting and implementation of the esplanade reserve are considered to have a positive impact on the coastal area, with only temporary visual amenity effects resulting during the construction period. It is considered that the proposal will have significant positive effects on the quality of the coastal environment and positive visual effects. The esplanade reserve and neighbourhood park will provide an area for people to enjoy that is well connected to the remainder of the proposed development.</p> |

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| <ul style="list-style-type: none"> i. <i>natural science factors, including geological, topographical, ecological and dynamic components;</i> ii. <i>the presence of water including in seas, lakes, rivers and streams;</i> iii. <i>legibility or expressiveness—how obviously the feature or landscape demonstrates its formative processes;</i> iv. <i>aesthetic values including memorability and naturalness;</i> v. <i>vegetation (native and exotic);</i> vi. <i>transient values, including presence of wildlife or other values at certain times of the day or year;</i> vii. <i>whether the values are shared and recognised;</i> viii. <i>cultural and spiritual values for tangata whenua, identified by working, as far as practicable, in accordance with tikanga Māori; including their expression as cultural landscapes and features;</i> ix. <i>historical and heritage associations; and</i> x. <i>wild or scenic values;</i> d. <i>ensuring that regional policy statements, and plans, map or otherwise identify areas where the protection of natural features and natural landscapes requires objectives, policies and rules; and</i> e. <i>including the objectives, policies and rules required by (d) in plans.</i> | |
| <p>Policy 16 Surf breaks of national significance</p> | <p>N/A</p> |
| <p>Policy 17 Historic heritage identification and protection</p> | <p>N/A</p> |
| <p>Policy 18 Public open space <i>Recognise the need for public open space within and adjacent to the coastal marine area, for public use</i></p> | <p>The proposal is considered to recognise, maintain and significantly enhance the level of public access along the coastline</p> |

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| <p><i>and appreciation including active and passive recreation, and provide for such public open space, including by:</i></p> <ul style="list-style-type: none"> <i>a. ensuring that the location and treatment of public open space is compatible with the natural character, natural features and landscapes, and amenity values of the coastal environment;</i> <i>b. taking account of future need for public open space within and adjacent to the coastal marine area, including in and close to cities, towns and other settlements;</i> <i>c. maintaining and enhancing walking access linkages between public open space areas in the coastal environment;</i> <i>d. considering the likely impact of coastal processes and climate change so as not to compromise the ability of future generations to have access to public open space;</i> <i>e. recognising the important role that esplanade reserves and strips can have in contributing to meeting public open space needs</i> | <p>and improves the ability of people to use this area for recreational purposes. The proposed esplanade reserve maintains the character of the existing esplanade reserve and is well-connected to the remainder of the proposed development and greater surrounding area. The potential walkway along the length of the esplanade reserve will further enhance the accessibility of the area and recognises the importance of esplanade reserves as a place for people to meet and enjoy. The coastal area can also be accessed via multiple points from the proposed development and the roading has been designed to have frontage directly on to the esplanade reserve rather than private dwellings that would restrict access.</p> |
| <p>Policy 19 Walking access</p> <ul style="list-style-type: none"> <i>1. Recognise the public expectation of and need for walking access to and along the coast that is practical, free of charge and safe for pedestrian use.</i> <i>2. Maintain and enhance public walking access to, along and adjacent to the coastal marine area, including by:</i> <ul style="list-style-type: none"> <i>a. identifying how information on where the public have walking access will be made publicly available;</i> <i>b. avoiding, remedying or mitigating any loss of public walking access resulting from subdivision, use, or development; and</i> | <p>Refer above.</p> |

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| <p><i>c. identifying opportunities to enhance or restore public walking access, for example where:</i></p> <ul style="list-style-type: none"> <i>i. connections between existing public areas can be provided; or</i> <i>ii. improving access would promote outdoor recreation; or</i> <i>iii. physical access for people with disabilities is desirable; or</i> <i>iv. the long-term availability of public access is threatened by erosion or sea level rise; or</i> <i>v. access to areas or sites of historic or cultural significance is important; or</i> <i>vi. subdivision, use, or development of land adjacent to the coastal marine area has reduced public access, or has the potential to do so</i> | |
| <p>Policy 20 Vehicle access</p> <ul style="list-style-type: none"> <i>1. Control use of vehicles, apart from emergency vehicles, on beaches, foreshore, seabed and adjacent public land where:</i> <ul style="list-style-type: none"> <i>a. damage to dune or other geological systems and processes; or</i> <i>b. harm to ecological systems or to indigenous flora and fauna, for example marine mammal and bird habitats or breeding areas and shellfish beds; or</i> <i>c. danger to other beach users; or</i> <i>d. disturbance of the peaceful enjoyment of the beach environment; or</i> <i>e. damage to historic heritage; or</i> | <p>Construction traffic will be managed through a Construction Traffic Management Plan and no private vehicle access is proposed to the coastal area.</p> |

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| <p><i>f. damage to the habitats of fisheries resources of significance to customary, commercial or recreational users; or</i></p> <p><i>g. damage to sites of significance to tangata whenua; might result.</i></p> <p><i>2. Identify the locations where vehicular access is required for boat launching, or as the only practicable means of access to private property or public facilities, or for the operation of existing commercial activities, and make appropriate provision for such access.</i></p> <p><i>3. Identify the locations where vehicular access is required for boat launching, or as the only practicable means of access to private property or public facilities, or for the operation of existing commercial activities, and make appropriate provision for such access.</i></p> | |
| <p>Policy 21 Enhancement of water quality</p> <p><i>Where the quality of water in the coastal environment has deteriorated so that it is having a significant adverse effect on ecosystems, natural habitats, or water based recreational activities, or is restricting existing uses, such as aquaculture, shellfish gathering, and cultural activities, give priority to improving that quality by:</i></p> <p><i>a. identifying such areas of coastal water and water bodies and including them in plans;</i></p> <p><i>b. including provisions in plans to address improving water quality in the areas identified above;</i></p> <p><i>c. where practicable, restoring water quality to at least a state that can support such activities and ecosystems and natural habitats;</i></p> <p><i>d. requiring that stock are excluded from the coastal marine area, adjoining intertidal areas and other water bodies and riparian</i></p> | <p>The proposal will be effectively managed to ensure the water quality of the coastal area is maintained. Best practice erosion and sediment control measures will be utilised and no structures are proposed in the coastal area that will impact the hydrology of the area. The applicant has engaged with mana whenua and is open to ongoing collaboration to ensure the water quality of the coastal area is maintained and enhanced wherever possible.</p> |

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| <p><i>margins in the coastal environment, within a prescribed time frame; and</i></p> <p><i>e. engaging with tangata whenua to identify areas of coastal waters where they have particular interest, for example in cultural sites, wāhi tapu, other taonga, and values such as mauri, and remedying, or, where remediation is not practicable, mitigating adverse effects on these areas and values.</i></p> | |
| <p>Policy 22 Sedimentation</p> <ol style="list-style-type: none"> <i>1. Assess and monitor sedimentation levels and impacts on the coastal environment.</i> <i>2. Require that subdivision, use, or development will not result in a significant increase in sedimentation in the coastal marine area, or other coastal water.</i> <i>3. Control the impacts of vegetation removal on sedimentation including the impacts of harvesting plantation forestry.</i> <i>4. Reduce sediment loadings in runoff and in stormwater systems through controls on land use activities.</i> | <p>The proposed development will utilise best practice erosion and sediment control measures to ensure there are no significant increases of sedimentation in the coastal marine area.</p> |
| <p>Policy 23 Discharge of contaminants</p> <ol style="list-style-type: none"> <i>1. In managing discharges to water in the coastal environment, have particular regard to:</i> <ol style="list-style-type: none"> <i>a. the sensitivity of the receiving environment;</i> <i>b. the nature of the contaminants to be discharged, the particular concentration of contaminants needed to achieve the required water quality in the receiving environment, and the risks if that concentration of contaminants is exceeded; and</i> <i>c. the capacity of the receiving environment to assimilate the contaminants; and:</i> <i>d. avoid significant adverse effects on ecosystems and habitats after reasonable mixing;</i> | <p>The proposal is not anticipated to create adverse effects in terms of discharge, which can be managed so adverse effects are less than minor. All proposed stormwater infrastructure will utilise best practice and low impact design principles to minimise the impact on to the coastal area as much as possible. All stormwater systems and discharge points will be designed in accordance with best practice to minimise their impact on to the coastal areas.</p> |

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| <p><i>e. use the smallest mixing zone necessary to achieve the required water quality in the receiving environment; and</i></p> <p><i>f. minimise adverse effects on the life-supporting capacity of water within a mixing zone.</i></p> <p><i>2. In managing discharge of human sewage, do not allow:</i></p> <p><i>a. discharge of human sewage directly to water in the coastal environment without treatment; and</i></p> <p><i>b. the discharge of treated human sewage to water in the coastal environment, unless</i></p> <p><i>i. there has been adequate consideration of alternative methods, sites and routes for undertaking the discharge; and</i></p> <p><i>ii. informed by an understanding of tangata whenua values and the effects on them</i></p> <p><i>3. Objectives, policies and rules in plans which provide for the discharge of treated human sewage into waters of the coastal environment must have been subject to early and meaningful consultation with tangata whenua.</i></p> <p><i>4. In managing discharges of stormwater take steps to avoid adverse effects of stormwater discharge to water in the coastal environment, on a catchment by catchment basis, by:</i></p> <p><i>a. avoiding where practicable and otherwise remedying cross contamination of sewage and stormwater systems;</i></p> <p><i>b. reducing contaminant and sediment loadings in stormwater at source,</i></p> | |
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| <p><i>through contaminant treatment and by controls on land use activities;</i></p> <p><i>c. promoting integrated management of catchments and stormwater networks; and</i></p> <p><i>d. promoting design options that reduce flows to stormwater reticulation systems at source.</i></p> <p>5. In managing discharges from ports and other marine facilities:</p> <p><i>a. require operators of ports and other marine facilities to take all practicable steps to avoid contamination of coastal waters, substrate, ecosystems and habitats that is more than minor;</i></p> <p><i>b. require that the disturbance or relocation of contaminated seabed material, other than by the movement of vessels, and the dumping or storage of dredged material does not result in significant adverse effects on water quality or the seabed, substrate, ecosystems or habitats;</i></p> <p><i>c. require operators of ports, marinas and other relevant marine facilities to provide for the collection of sewage and waste from vessels, and for residues from vessel maintenance to be safely contained and disposed of; and</i></p> <p><i>d. consider the need for facilities for the collection of sewage and other wastes for recreational and commercial boating</i></p> | |
| <p>Policy 24 Identification of coastal hazards</p> <p>1. Identify areas in the coastal environment that are potentially affected by coastal hazards (including tsunامي), giving priority to the identification of areas at high risk of being</p> | <p>The coastline of the site has been identified as having stability issues in the initial Geotechnical Report and further investigations will be undertaken at the resource consent stage.</p> |

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| <p><i>affected. Hazard risks, over at least 100 years, are to be assessed having regard to:</i></p> <ul style="list-style-type: none"> <i>a. physical drivers and processes that cause coastal change including sea level rise;</i> <i>b. short-term and long-term natural dynamic fluctuations of erosion and accretion;</i> <i>c. geomorphological character;</i> <i>d. the potential for inundation of the coastal environment, taking into account potential sources, inundation pathways and overland extent;</i> <i>e. cumulative effects of sea level rise, storm surge and wave height under storm conditions;</i> <i>f. influences that humans have had or are having on the coast;</i> <i>g. the extent and permanence of built development; and</i> <i>h. the effects of climate change on:</i> <ul style="list-style-type: none"> <i>i. matters (a) to (g) above;</i> <i>ii. storm frequency, intensity and surges; and</i> <i>iii. coastal sediment dynamics; taking into account national guidance and the best available information on the likely effects of climate change on the region or district.</i> | |
| <p><i>Policy 25 Subdivision, use, and development in areas of coastal hazard risk</i></p> <p><i>In areas potentially affected by coastal hazards over at least the next 100 years:</i></p> <ul style="list-style-type: none"> <i>a. avoid increasing the risk of social, environmental and economic harm from coastal hazards;</i> | <p>Development has been avoided along the coastal area and the proposed lots are considered to be sufficiently setback from the coastal environment. This is considered to greatly reduce the risk for future occupants and minimise harm from coastal hazards. The use of the area as an esplanade reserve is considered the most appropriate and reduces adverse</p> |

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| <ul style="list-style-type: none"> <i>b. avoid redevelopment, or change in land use, that would increase the risk of adverse effects from coastal hazards;</i> <i>c. encourage redevelopment, or change in land use, where that would reduce the risk of adverse effects from coastal hazards, including managed retreat by relocation or removal of existing structures or their abandonment in extreme circumstances, and designing for relocatability or recoverability from hazard events;</i> <i>d. encourage the location of infrastructure away from areas of hazard risk where practicable;</i> <i>e. discourage hard protection structures and promote the use of alternatives to them, including natural defences; and</i> <i>f. consider the potential effects of tsunami and how to avoid or mitigate them.</i> | <p>environmental effects for the remaining development. No buildings are proposed directly along the coastline to further reduce adverse environmental effects.</p> |
| <p>Policy 26 Natural defences against coastal hazards</p> <ul style="list-style-type: none"> <i>1. Provide where appropriate for the protection, restoration or enhancement of natural defences that protect coastal land uses, or sites of significant biodiversity, cultural or historic heritage or geological value, from coastal hazards.</i> <i>2. Recognise that such natural defences include beaches, estuaries, wetlands, intertidal areas, coastal vegetation, dunes and barrier islands.</i> | <p>The existing coastal edge of the site contains mangroves that provide natural defences against coastal hazards.</p> |
| <p>Policy 27 Strategies for protecting significant existing development from coastal hazard risk</p> <ul style="list-style-type: none"> <i>1. In areas of significant existing development likely to be affected by coastal hazards, the range of options for reducing coastal hazard risk that should be assessed includes:</i> <ul style="list-style-type: none"> <i>a. promoting and identifying long-term sustainable risk reduction approaches including the relocation</i> | <p>Further investigations will be undertaken at the resource consent stage to determine if any further strategies are required for the coastal protection of the site.</p> |

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| <p><i>or removal of existing development or structures at risk;</i></p> <p><i>b. identifying the consequences of potential strategic options relative to the option of 'do-nothing</i></p> <p><i>c. recognising that hard protection structures may be the only practical means to protect existing infrastructure of national or regional importance, to sustain the potential of built physical resources to meet the reasonably foreseeable needs of future generations</i></p> <p><i>d. recognising and considering the environmental and social costs of permitting hard protection structures to protect private property; and</i></p> <p><i>e. identifying and planning for transition mechanisms and timeframes for moving to more sustainable approaches</i></p> <p><i>2. In evaluating options under (1)</i></p> | |
| Policy 28 Monitoring and reviewing the effectiveness of the NZCPS | N/A |
| Policy 29 Restricted Coastal Activities | N/A |

5. Technical Reports

- a. Provide a copy of the full ecological report (if available), including:*
- i. supporting worksheets and assessment for the delineation of the natural wetland on the project site*
 - ii. calculations and additional details of the proposed offset for the 45 metres of stream reclamation.*

Response:

Please refer to the attached memo prepared by Bioresarches that responds to the above points.

- b. *The transport assessment from Abley appears to rely on new and upgraded infrastructure forming part of the Supporting Growth Programme (SGP) for Whenuapai, however the funding for such infrastructure is uncertain. We also understand that Auckland Council has recently withdrawn Proposed Plan Change 5 (Whenuapai) to the Auckland Unitary Plan, due to no funding budgeted in the next 10 years for the upgrading of wider transport networks (amongst other reasons). Provide further assessment on:*
- i. *the likelihood (including reasons) of the wider transport upgrades identified in the Abley report proceeding*
 - ii. *the implications for, and effects of this project, if the wider transport upgrades do not proceed and*
 - iii. *the relevance (if any) of Auckland Council's withdrawal of Proposed Plan Change 5 for this project.*

Response:

Please refer to the attached memo provided by Abley that responds to the above points.

- c. *Advise whether an economic assessment has been prepared by a suitably qualified person in support of this referral application and provide a copy if this is available. If this has not been undertaken, confirm that Insight Economics Limited (or a suitably qualified expert in the field of economics) has reviewed the supporting document containing details of project employment to confirm that the methodology, including spending multipliers, and estimated direct and indirect full-time equivalent job numbers are appropriate.*

Response:

Please refer to the attached memo provided by Insight Economics that responds to the above.

6. Infrastructure. *With respect to three-waters infrastructure, please advise:*

- a. *does the project include the construction of the new Whenuapai Green Pumping Station, or is it reliant on yet to be consented or delivered infrastructure under the Whenuapai Green Project?*

Response:

The project does not include the construction of the new Whenuapai Green Pumping Station. The proposed pumping station will be constructed under the Whenuapai Green project, which is currently at the resource consent stage under the FTCA. Whilst it is envisioned that this proposal will utilise the pumping station constructed under the Whenuapai Green project, in the event that this cannot be

provided for, the applicant wishes to include the delivery of the proposed pumping station within the scope of the Tōtara Landing Project. Therefore, Tōtara Landing can be fully serviced and operate independently of Whenuapai Green.

- b. will the applicant fully fund and deliver all off-site infrastructure detailed in the infrastructure report?*

Response:

The applicant will fully fund and deliver all off-site infrastructure detailed in the infrastructure report.

- c. are additional approvals required from third parties (Auckland Council, Auckland Transport, Watercare Services Limited, etc) to undertake off-site infrastructure works, and will such approvals potentially impact on timing or delivery of the project?*

Response:

As outlined in the application, the applicant has undertaken consultation with multiple third parties.

The applicant has informed Watercare Services Limited (WSL) of the proposed development. WSL shared that upgrades to the external watermain are required in order to provide further capacity to the existing watermain along Totara Road. The applicant agreed that if these works had not been undertaken by others at the time of the development, NCL will fund these works. It is anticipated that these works will be carried out in accordance with WSL standards and the relevant works over approvals obtained.

Asset owner approval will be required from Auckland Transport prior to undertaking road upgrading and works within the legal road reserve. It is anticipated these authorisations will be applied for prior to the construction works occurring on the site.

Consultation with Council has already been undertaken regarding the provision of a wastewater line through the esplanade reserve to the south of the site. The applicant is waiting on a response to this matter but anticipates receiving one in the near future. An alternative option for a new line following the roading network exists in the event that the shorter alignment through the esplanade reserve is not acceptable to Council's Parks team.

Engineering Plan Approval (EPA) will also be required to be obtained.

The above matters are not anticipated to impact on the timing or delivery of the project as they are anticipated to be addressed within the timeframes. These 'approvals' are standard requirements from network utility operators and are required simply to confirm that the engineering design is consistent with standards that must be met in order for the new infrastructure to be accepted as a public asset.

- 7. Time saved.** *The application is not specific with respect to how much time is anticipated to be saved using the FTCA process rather than standard processes under the Resource Management Act 1991 (i.e., in years/months). Please clarify.*

Response:

Utilising the FTCA process will save approximately 3 years compared to using processes under the Resource Management Act 1991. Please refer to the **attached** economic memo for further details.

- 8. Other approval.** *The application identifies that Overseas Investment Office approval is required by Neil Construction Limited to deliver the project. Advise whether you anticipate this could potentially delay or otherwise impact on project delivery.*

Response:

Neil Construction Limited was originally granted an OIO consent to purchase the land in its own right which MLDL now has under contract and for which NCL is now looking to enter into a Joint Venture. NCL was required to obtain an OIO consent as the land is otherwise sensitive under the Act due to its proximity to the coastal margin. NCL were unable to proceed with the purchase as it could not meet the delivery timeframes that formed part of the OIO consent conditions, as subsequent to the OIO application, Auckland Council excluded Whenuapai Stage 2 from Plan Change 5 to rezone Whenuapai, despite having identified the area as suitable for urban residential development in the adopted Whenuapai Structure Plan.

As a result of excluding Stage 2 from Plan Change 5, this land would have required a private plan change to rezone it, which would have taken longer than the delivery dates required under the OIO consent. Now that NCL has a consenting route through the COVID-19 Recovery Fast-track Consenting Act it is able to enter into a Joint Venture with MLDL (the new purchasers) in order to undertake a residential development of the land.

The land will still require a one-off OIO consent as it remains otherwise sensitive under the Act, however the application will be similar to that for which consent was originally granted given that the residential development proposal is similar. The application will not add to the development timeframes as it is likely that an OIO consent would be granted ahead of any work being able to commence on site in the earthworks season of 2023 - 2024.

- 9. Structure Plan.** *The Whenuapai Structure Plan 2016 identifies the site for predominately low-density residential development, whereas the project proposes to apply the Residential – Mixed Housing Urban zone rules to the site (by way of consent notices to control future built form). How does the proposed project outcomes compare to the anticipated outcomes for the site (with respect to site layout and built form), under a low-density scenario (as per the Structure Plan)?*

Response:

The proposed development of the site is considered to achieve the residential outcomes sought under the Whenuapai Structure Plan and is generally in keeping with the level of intensity anticipated under the plan. The following figure shows that the site is envisaged to have a mix of low-to-medium density residential housing. The south-eastern part of the site is anticipated to be medium density housing (shown in orange) and the remainder of the site is envisaged as low-density housing (shown in yellow).



Figure 6: Site Area in Whenuapai Structure Plan

Under the structure plan, whilst there is no explicit definition of low-density housing, it is considered to include detached houses in a spacious setting. Whilst the use of the Mixed Housing Urban zone rules is acknowledged, it is anticipated that the future dwellings on the proposed lots will be detached dwellings and not more intense forms of housing, such as terraced housing. This is reflected in the below figure from the masterplan drawings, which denotes one detached dwelling per lot. This is considered to be in keeping with the anticipated low-density residential nature for the site and is significantly less than what would be enabled if higher density typologies were utilised. Therefore, the proposed development is considered to be more reflective of lower density housing and the anticipated outcomes for the site.

It is also noted that the Whenuapai Structure Plan was prepared prior to the more recent Government initiatives for residential intensification and the efficient use of urban land, comprised in the National Policy Statement for Urban Development 2020 and the Medium Density Residential Standards derived from amendments to the RMA. The outcomes proposed on the site are reflective of the changed legislative emphasis, while also respecting the Structure Plan's reasons for a somewhat restrained approach to density on the site.



Figure 7: Site Masterplan

It is also noted that the proposed lot sizes respond to the outcomes anticipated under the structure plan and vary in size accordingly. Towards the south-east of the site, where the structure plan envisions medium-density housing, the smallest lot sizes are located which are more reflective of a greater level of density. In the remainder of the site, where the structure plan anticipates lower density, the lot sizes are larger and have greater variation in shape and form. The larger lot sizes enable greater opportunities for separation between dwellings and will add to creating a more spacious setting, which is more reflective of lower-density housing.

The structure plan also seeks for low-density residential development on coastal edges. The proposal reflects this by the largest lots being located closer to the coastal edge of the site, rather than the area of the site anticipated to be medium density under the structure plan.

Overall, it is considered the proposed development is reflective of the residential outcomes sought under the Whenuapai Structure Plan and is reflective of low and medium density housing sought for the site.

10. Auckland Unitary Plan. *For the Minister to accept a project for referral, he must be satisfied that the project will help to achieve the purpose of the FTCA under section 4, being to urgently promote employment to support New Zealand's recovery from the economic and social impacts of COVID-19 and to support the certainty of ongoing investment across New Zealand, while continuing to promote the sustainable management of natural and physical resources. As the project proposes urban development within a Future Urban zone (that is yet to be live-*

zoned), provide a more detailed assessment against the objectives and policies of the Auckland Unitary Plan.

Response:

The purpose of the Stage 1 fast-track consent application process is to assess whether the project meets the eligibility criteria in sections 18(2) and 18(3) of the COVID-19 Recovery (Fast-track Consenting) Act 2020 (FTCA). Should the Minister be satisfied that the application meets the eligibility criteria, it may be referred to a Panel by an amendment to the COVID-19 Recovery (Fast-track Consenting) Referred Projects Order 2020, subject to Cabinet's agreement. This allows the applicant to lodge a resource consent application with the Environment Protection Authority (EPA) for consideration by an Expert Consenting Panel (Stage 2).

Before granting RMA approvals as part of the Stage 2 process, it is the Expert Consenting Panel's role to conduct a merits-based assessment of the project's actual and potential effects and test these against the requirements of both Part 2 of the RMA and the purpose of the FTCA.

Whilst an assessment of the objectives and policies of the Auckland Unitary Plan (Operative in Part) (AUP) at Stage 1 of the process is not generally required, the applicant understands that this request has arisen given the recent Flint's Park, Ladies Mile – Te Pūtahi Project (Flint's Park Project) decision, dated 30 November 2022. We note that this decision has subsequently been appealed to the High Court.

The applicant has reviewed and is familiar with the Flint's Park decision. We note there are a number of key differences between the Flint's Park project and the Tōtara Landing project that distinguish the two proposals, and we highlight these below:

In summary, the Flint's Park Expert Consenting Panel determined that:

- (a) The Flint's Park project is contrary to a set of important and directively worded objectives and policies in the Proposed District Plan (PDP). Those provisions inter alia seek to:*
 - (i) Avoid the urbanisation of rural land outside the Urban Growth Boundary (UGB), such as the Application site, until the PDP is changed to amend the UGB and re-zone additional land for urban development purposes; and*
 - (ii) Protect the landscape values of ONFs, such as Slope Hill.*
- (b) The Project will have adverse effects on the environment that are more than minor. Specifically, the Panel has determined that the Project will have adverse landscape and visual effects and adverse traffic and transport effects that are more than minor, including when taking into account potential mitigation.*
- (c) Consequently, neither limb of the gateway test in s 104D of the RMA is passed and the Panel cannot grant resource consent for the Project.*

It is important to note that each application must be assessed on its merits. Whilst the Tōtara Landing project proposes residential development on Future Urban Zoned Land (that is yet to be live zoned), we note the following key differences:

- The proposed Tōtara Landing project will be undertaken well within the Rural Urban Boundary (the Flint's Park Project was proposed on rurally zoned land outside of the Urban Growth Boundary).
- No development will be undertaken within an Outstanding Natural Feature.
- The application does not rely on new or upgraded infrastructure of wider transport networks by a third party, the applicant is funding all transport upgrades required as part of this project. The traffic and transport effects of the project will be less than minor.
- The landscape and visual effects of the project will be less than minor.
- The proposed development of the site is consistent with the use that is anticipated in the Whenuapai Structure Plan 2016, and is consistent with the intended development outcome for land that is within the Future Urban Zone.

In terms of s104D, it is not necessary to resolve the question as to whether the proposal is contrary to the objectives and policies of the operative district plan. Only one of the two limbs of s104D must be passed for an application to be eligible to be considered on its merits in accordance with the matters set out in s104. In this instance it is considered that the effects of the proposal on the environment are clearly no more than minor, therefore jurisdiction to grant consent is established. Notwithstanding this we have undertaken an assessment (below) of the relevant objectives and policies of the AUP and consider that the project is consistent with these.

As discussed with Zen Gerente (Senior Analyst, Fast Track Consenting Team) the assessment has focussed on Urban Growth and Form, Future Urban Zone and Subdivision objectives and policies. We are confident that the Tōtara Landing project will achieve the purpose of the FTCA and Part 2 of the RMA. We note that both laws shall be applied equally in the consideration of the application at Stage 2.

Auckland Unitary Plan (Operative in Part) 2016

The Auckland Unitary Plan (Operative in Part) 2016 (AUP) comprises Auckland's Regional Policy Statement (RPS), and regional and district plans.

The RPS sets out the overall strategic statutory framework to achieve integrated management of the natural and physical resources of the Auckland Region. The RPS broadly gives effect to the strategic direction set out in the Auckland Plan.

Regional Policy Statement

In terms of the Regional Policy Statement, Part 1, Chapter B of the Plan sets out the strategic RMA framework for the identified issues of significance and resultant priorities and outcomes sought. These also align with the strategic direction contained within the Auckland Plan.

The primary approach of Section B2 (Urban Growth and Form) is a focus on residential and business growth in centres, within neighbourhoods, and along frequent transport routes. With regard to

Chapter B2 Tāhuhu whakaruruhau ā-taone - Urban growth and form, in the RPS, it is considered the proposed development addresses the following issues outlined in Chapter B2.1:

Growth needs to be provided for in a way that does all of the following:

- (1) enhances the quality of life for individuals and communities;*
- (2) supports integrated planning of land use, infrastructure and development;*
- (3) optimises the efficient use of the existing urban area;*
- (4) encourages the efficient use of existing social facilities and provides for new social facilities;*
- (5) enables provision and use of infrastructure in a way that is efficient, effective and timely;*
- (6) maintains and enhances the quality of the environment, both natural and built;*

....

With regard to the Objectives set out in B2.2.1, the proposal would contribute to a quality compact urban form that enables a high-quality urban environment, economic growth, and better use of existing infrastructure and efficient provision of new infrastructure. It would provide additional development capacity and land supply, and the growth is contained within the Rural Urban Boundary. The proposed development is integrated with the provision of appropriate infrastructure.

It is considered that Policy B2.2.2(1) and Policy B2.2.2(7) are of particular relevance to this application:

B2.2.2. Policies

Development capacity and supply of land for urban development

- (1) Include sufficient land within the Rural Urban Boundary that is appropriately zoned to accommodate at any one time a minimum of seven years' projected growth in terms of residential, commercial and industrial demand and corresponding requirements for social facilities, after allowing for any constraints on subdivision, use and development of land.*

....

- (7) Enable rezoning of land within the Rural Urban Boundary or other land zoned future urban to accommodate urban growth in ways that do all of the following:*
 - (a) support a quality compact urban form;*
 - (b) provide for a range of housing types and employment choices for the area;*
 - (c) integrate with the provision of infrastructure; and*
 - (d) follow the structure plan guidelines as set out in Appendix 1.*

In addition, there are a number of objectives and policies that relate to residential growth that are of particular relevance:

B2.4.1. Objectives

- (1) Residential intensification supports a quality compact urban form.*
- (2) Residential areas are attractive, healthy and safe with quality development that is in keeping with the planned built character of the area.*

- (3) Land within and adjacent to centres and corridors or in close proximity to public transport and social facilities (including open space) or employment opportunities is the primary focus for residential intensification.*
- (4) An increase in housing capacity and the range of housing choice which meets the varied needs and lifestyles of Auckland’s diverse and growing population.*

....

B2.4.2. Policies

Residential intensification

- (1) Provide a range of residential zones that enable different housing types and intensity that are appropriate to the residential character of the area.*
- (2) Enable higher residential intensities in areas closest to centres, the public transport network, large social facilities, education facilities, tertiary education facilities, healthcare facilities and existing or proposed open space.*
- (3) Provide for medium residential intensities in area that are within moderate walking distance to centres, public transport, social facilities and open space.*

....

- (6) Ensure development is adequately serviced by existing infrastructure or is provided with infrastructure prior to or at the same time as residential intensification.*
- (7) Manage adverse reverse sensitivity effects from urban intensification on land with existing incompatible activities.*

....

- (11) Enable a sufficient supply and diverse range of dwelling types and sizes that meet the housing needs of people and communities, including:*
 - (a) households on low to moderate incomes; and*
 - (b) people with special housing requirements.*

The proposal enables the provision of additional housing capacity in a location where land for this function is in high demand. While the land is currently identified as being within the FUZ rather than a ‘live’ residential zone, it has been identified for that purpose through the Council’s planning work and the proposed land use is consistent with the Whenuapai Structure Plan.

The proposal provides for development that has been determined to be appropriate following a structure planning exercise undertaken in accordance with AUP Appendix 1. The residential growth is needed in this location to assist in meeting significant demand, particularly given that the withdrawal of PC5 means that Council is unable to deliver the housing capacity that was identified and relied upon in the FULSS. The proposal will promote economic development and provide for efficient use of the land. It is also considered that the Tōtara Landing site is located in relatively close proximity to a significant sub-regional centre at Westgate and is well-served by, and has efficient access to, the Auckland motorway network via SH18. In addition, public transport services directly

pass the site, and the development proposed can be effectively served by (and integrated with) existing and proposed infrastructure.

The proposed housing provides new/additional housing type and intensity that is appropriate to the character of the area and density anticipated within the Whenuapai Structure Plan.

It is also noted that the site does not impact in any significant way on matters pertaining to B4 Natural Heritage, B5 Historic Heritage, B6 Mana Whenua, B7 Natural Resources, B9 Rural Environment, or B10 Environmental Risk.

For these reasons, it is considered that the proposal fully accords with the approach set out in the relevant Regional Policy Statement objectives and policies. It will provide for growth in a quality compact urban form and will satisfy the relevant objectives and policies in Chapter B. The proposal delivers on the need to provide for housing growth within Auckland in an appropriate location, with ready access to a range of transport options and community services. At the same time, the proposal will avoid effects on those features and qualities that require protection.

Regional and District Objectives and Policies

There are a number of objectives and policies from the AUP that are particularly relevant to this application. The following comments are made in respect to the relevant and pertinent objectives and policies of the AUP.

Future Urban Zone (Chapter H18)

The AUP states that *“the Future Urban Zone is applied to greenfield land that has been identified as suitable for urbanisation. The Future Urban Zone is a transitional zone. Land may be used for a range of general rural activities but cannot be used for urban activities until the site is rezoned for urban purposes.”*

It is clear from this zone description that the FUZ exists only to facilitate the transition from rural land use to urban land use for an area that has been accepted as being suitable for urbanisation. The FUZ is focused on ensuring that the transition is orderly and efficient, by preventing fragmentation or intensification of land prior to urban use and by enabling rural uses in the interim.

The objectives and policies are as follows:

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.*
- (2) Rural activities and services are provided for to support the rural community until the land is rezoned for urban purposes.*

- (3) Future urban development is not compromised by premature subdivision, use or development.*
- (4) Urbanisation on sites zoned Future Urban Zone is avoided until the sites have been rezoned for urban purposes.*

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).*
- (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.*
- (3) Require subdivision, use and development to maintain and complement rural character and amenity.*
- (4) Avoid subdivision that will result in the fragmentation of land and compromise future urban development.*
- (5) Prevent the establishment of more than one dwelling on a site except for the provision for minor dwellings and workers' accommodation.*
- (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 objectives of the FUZ provide for interim rural land uses, prior to urbanisation, and seeks to avoid subdivision that may compromise future urban development. The wording in three of the four objectives reflects the transitional nature of the zone by stating that any development restrictions apply only until such time as the land has been “*rezoned for urban purposes*”. While the application does not seek to “*rezone*” the land, it is considered that the FTCA provides an alternative pathway to a substantially similar outcome and therefore will be consistent with the objectives and policies. The application effectively provides for the result that the FUZ is intended to achieve, but utilises a process that did not exist when the objectives were drafted so could not be referenced in the specific wording used in the objectives.

The policies are similar in their approach. Policies 1-3, and 5, are not relevant to the proposal as they are intended to apply to ongoing rural activities. Policy 4 seeks to avoid subdivision that will compromise future urban development. In this instance, it is considered that the proposal is consistent with Policy 4 because it provides for and enables the final form of urban development and

is not an interim step that might be misaligned with the optimum future urban land use. The land use that is enabled and the pattern of subdivision are consistent with the Whenuapai Structure Plan outcomes for the Tōtara Landing land.

With regard to Policy 6, it is considered that the proposal will not hinder or prevent future urban development, compromise the operation of the transport network, require upgrades to infrastructure or inhibit infrastructure provision (all upgrades are either funded and underway or will be paid for by the applicant), create reverse sensitivity effects, or undermine the form or nature of future urban development. The reference to reverse sensitivity effects is clearly in the context of avoiding rural activities that might compromise urban development (such as a poultry farm) or other rural uses in the interim. For these reasons, it is considered that the requirements of Policy 6 are satisfied by the proposal.

On the basis of the above discussion, it is considered that the proposal is consistent with the objectives and policies of the FUZ.

Subdivision (Chapter E39)

A fundamental aspect of the proposal is subdivision of the land to create residential lots around the proposed housing, and roads and reserves to vest. The provisions of Chapter E39 apply to subdivision in the FUZ. Key objectives and policies are as follows:

E39.2 Objectives

- (1) Land is subdivided to achieve the objectives of the zones, the relevant overlays and Auckland-wide provisions.*
- (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.*
- (3) Land is vested to provide for esplanades, reserves, roads, stormwater, infrastructure and other purposes.*
- (4) Infrastructure supporting subdivision and development is planned and provided for in an integrated and comprehensive manner and provided for to be in place at the time of the subdivision or development.*

E39.3 Policies

- (1) Provide for subdivision which supports the policies of the zones.*
- (2) Require subdivision to manage the risk of adverse effects resulting from natural hazards in accordance with the objectives and policies in E36 Natural hazards and flooding, and to provide safe and stable building platforms and vehicle access.*
-*
- (5) Provide for subdivision around existing development and subdivision where it enables creation of sites for uses that are in accordance with an approved land use resource consent,*

where there is compliance with Auckland-wide and zone rules and appropriate provision is made for areas of common use.

....

(29) Require all sites capable of containing a building, in areas where service connections are available to a public reticulated network, to be able to connect to the following networks:

- (a) wastewater;*
- (b) stormwater; and*
- (c) potable water.*

....

The objectives and policies are primarily concerned with protection of rural character and amenity, given that they relate to land in rural areas. In this context, the proposal is not a comfortable fit because it is proposing urban subdivision of land identified for that purpose in strategic planning documents. However, there are some principles that can be derived from the objectives and policies that are more general and are relevant therefore to the proposed subdivision.

The proposal would facilitate a subdivision that is consistent with the objectives of the FUZ, as it seeks to enable urban use and development of the land, provides for the long-term needs of the community, and minimises adverse effects from development that will occur on the lots. It also provides for the vesting of roads, reserves, and other new infrastructure that will be established as part of the subdivision. Safe and stable building platforms and vehicle access will be provided to all lots. Each residential lot will be provided with reticulated public services including wastewater, stormwater, and potable water.

Overall, it is considered that the application will be consistent with the relevant objectives and policies because it enables subdivision that supports the outcome anticipated in the FUZ, being the development of land for urban purposes of a nature and pattern that is consistent with an approved structure plan, with services in place.

Conclusion

Based on the above, it is considered that the proposal will be consistent with (and give effect to) the objectives and policies of the FUZ and the Auckland-wide policy framework.

I trust that this information is sufficient to address the above issues. We are happy to discuss further if necessary.

Yours sincerely,



Philip Brown

Director / BTP/ MNZPI
Campbell Brown Planning Limited