

# Memo

11 December 2015

To: Judge David Kirkpatrick

cc: Katherine Anderson, Director Legal and Risk  
James Hassall, Manager Litigation and Regulatory  
Celia Davison, Manager Unitary Plan

From: John Duguid, General Manager Plans and Places

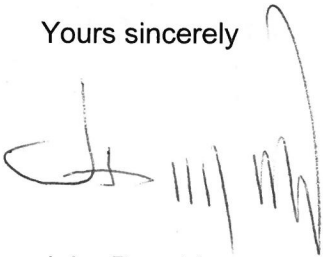
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Subject: Direction of Auckland Unitary Plan Independent Hearings Panel in relation to Topics 080 and 081

1. The Council has received your directions, dated 3 December 2015, which seek that the Council obtain from each of its planning witness the answers to the following three questions for each of the precincts to be considered in Topics 080 and 081, and provide those to the Panel in writing by 5pm on 11 December 2015:
  - a. What are the main differences between the precinct and the relevant overlays, zone(s) or Auckland-wide rules?
  - b. For each main difference, is the precinct more enabling or more restrictive than the other PAUP controls that apply to this site or area?
  - c. Why use a precinct in this situation rather than a zone (existing or new) or other PAUP method (existing or new) for these differences?
2. The directions request that each question be responded to with principal points, with each answer to be no more than five sentences long, and that the detail be provided by planners in their statements of evidence in chief.
3. As you will be aware, the Council's evidence for Topic 080 has recently been filed with the Independent Hearings Panel (**Panel**). As such, a full analysis has been undertaken in relation to each of the Topic 080 precincts, and the information you have requested is attached to this memo in accordance with your directions. We understand from the Panel's Planning Manager that the information to be provided by the Council is to be made available on the Panel's website.
4. However, with regard to the Topic 081 precincts, the Council's evidence is not due to be filed with the Panel until 26 January 2016. As a result, the Council's planners are currently in the process of completing their analysis of each of the 149 existing precincts and the various new precinct requests, and are at varying stages with regard to the preparation of their evidence. As a result, unfortunately the Council is not in a position to comply with your directions as they relate to the Topic 081 precincts.
5. As a potential way forward for the Topic 081 precincts, I suggest that the Council's planners for Topic 081 answer the questions in your directions in the executive summary of their evidence in chief, and that the detail be provided in their evidence in chief, which is to be filed with the Panel on 26 January 2016. By taking this approach, the Council can ensure that the information provided to the Panel is as accurate as possible, as the planners will have had the opportunity to complete their full analysis of each of the precincts by that stage.
6. Alternatively, if this way forward is not acceptable to the Panel, the Council could endeavour to provide the information for as many of the Topic 081 precincts as possible to

the Panel in the week of 18 January 2016, with the remainder to be provided in the manner proposed in paragraph 5 above.

Yours sincerely

A handwritten signature in black ink, appearing to read 'John Duguid', with a large, sweeping flourish extending upwards and to the right.

John Duguid  
**General Manager Plans and Places**

## Topic 080 – Ardmore 3 precinct

- 1. What are the main differences between this precinct and the relevant overlays, zone(s) or Auckland-wide rules?**
  - Precinct is in the Mixed Rural zone, where Tertiary Education Facilities are not provided for. Precinct provides specifically for tertiary education facilities, which are limited to tertiary education facilities for scientific research and technology.
  
- 2. For each main difference, is the precinct more enabling or more restrictive than the other PAUP controls that apply to this site or area?**
  - Precinct is more enabling than the Mixed Rural zone activity rules
  
- 3. Why use a precinct in this situation rather than a zone (existing or new) or other PAUP method (existing or new) for these differences?**
  - the Mixed Rural zone provisions do not provide for the scientific research and technology facilities sought by the submitter
  - the use of the site is unique and it has specific functional and operational requirements
  - the Ardmore Research Facility is a low-scale operation, and fits into its surrounding Mixed Rural zone environment
  - the Tertiary Education Zone is not considered appropriate for this precinct area, as it is more appropriately used for large-scale campuses with extensive buildings rather than for the Ardmore Research Facility.

## Topic 080 – Lincoln precinct

- 1. What are the main differences between this precinct and the relevant overlays, zone(s) or Auckland-wide rules?**
  - Laidlaw College (formerly the Bible College of New Zealand) has been located on Lincoln Road for more than 50 years.
  - Tertiary Education Facilities and Residential Living are the primary land use activities on the site and other accessory activities that support these functions.
  - The current underlying zoning is Light Industry zone.
  - The Lincoln precinct provides for activities not allowed for in the underlying zone and provides precinct mechanisms to mitigate reverse sensitivity impacts from adjoining sites.
  
- 2. For each main difference, is the precinct more enabling or more restrictive than the other PAUP controls that apply to this site or area?**
  - The precinct is more restrictive than the other PAUP controls.
  
- 3. Why use a precinct in this situation rather than a zone (existing or new) or other PAUP method (existing or new) for these differences?**
  - A zone change is recommended for the site 213-225 Lincoln Road from Light Industry zone to Mixed Use zone. The Mixed Use zone is more aligned to the lawfully established activities on the site.
  - A precinct is still required to mitigate reverse sensitivity impacts from adjoining Light Industry zone uses.

## Topic 080 – Cornwall Park precinct

- 1. What are the main differences between this precinct and the relevant overlays, zone(s) or Auckland-wide rules?**
  - This precinct provides for additional activities and more permissive development than provided for in the underlying public open space zones. The overlays relate to the management of section 6 and section 7 (RMA) values. All Auckland-wide rules apply to the precinct.
  
- 2. For each main difference, is the precinct more enabling or more restrictive than the other PAUP controls that apply to this site or area?**
  - The main additional or more permissive activities the precinct provides for are 'farming', 'visitor centre', 'restaurants and cafes', 'parks depot storage and maintenance' and activities relating to sport and active recreation. The maximum GFA is larger than the underlying zone and varies dependant on the sub-precinct. The precinct does not override any overlays but there may be an exceptional circumstance whereby the precinct could override one rule in the ONF overlay in relation to grazing of cattle on identified flat areas in order to be more permissive. This is dependent on more information.
  
- 3. Why use a precinct in this situation rather than a zone (existing or new) or other PAUP method (existing or new) for these differences?**
  - The purpose of the precinct is to provide for additional activities that are not provided for within the underlying public open space zones while protecting the amenity values of Cornwall Park. The Public Open Space - Informal Recreation zone description, objectives and policies do not support the scale of farming or associated activities undertaken in the precinct. The focus of the Public Open Space - Informal Recreation objectives and policies is to provide for informal recreation activities and to ensure that development is compatible within and/or enhances the natural character. This is not at odds with farming per se (i.e. farming is a permitted activity if part of a management programme for the public open space) but the scale of the existing farm within the Park requires additional activities and structures associated with farming rather than informal recreation.

## **Topic 080 – Observatory precinct**

- 1. What are the main differences between this precinct and the relevant overlays, zone(s) or Auckland-wide rules?**
  - This precinct provides for additional activities and slightly more permissive development than provided for in the underlying public open space zone. The overlays relate to the management of section 6 and section 7 (RMA) values and the precinct does not vary these provisions. All Auckland-wide rules apply to the precinct except one relating to the number of car parking spaces.
  
- 2. For each main difference, is the precinct more enabling or more restrictive than the other PAUP controls that apply to this site or area?**
  - The precinct is more permissive than the underlying public open space zone. It provides for the Observatory and Planetarium and some accessory activities. Development is also more permissive because the following zone development controls do not apply: yards, height in relation to boundary, screening and application of rules, and the precinct does not contain these development controls either. The precinct applies a maximum number of parking spaces rather than a minimum as per the Auckland-wide rules.
  
- 3. Why use a precinct in this situation rather than a zone (existing or new) or other PAUP method (existing or new) for these differences?**
  - A public open space zone is the most appropriate zone for this facility and location (Observatory and Planetarium within One Tree Hill Domain). The precinct is within the middle of the Public Open Space - Informal Recreation zone. The Public Open Space - Community zone was considered for the area covered by the precinct but that zoning would provide for additional activities not intended for this location.

## **Topic 080 – Akoranga 1 New precinct**

### **1. What are the main differences between this precinct and the relevant overlays, zone(s) or Auckland-wide rules?**

i. Precinct has a height limit of 30m for tertiary education, sports, learning and research buildings 20m from Akoranga Drive, while the underlying zone allows 24m 20m from an external boundary.

ii. Enabling features include making parks maintenance, sport and recreation structures and waste management facilities accessory to tertiary education facilities permitted activities which would otherwise be discretionary activities.

iii. Additional controls include making buildings greater than 500m<sup>2</sup> GFA, Parking buildings and or structures, roads, vehicle parking, vehicle access and pedestrian connections that are subject of a framework plan restricted discretionary activities or non-complying activities.

The precinct seeks to encourage the preparation of an integrated and coordinated framework plan for the precinct to be consented prior to subdivision and development and has tailored assessment criteria addressing them.

### **2. For each main difference, is the precinct more enabling or more restrictive than the other PAUP controls that apply to this site or area?**

Differences i. and ii. above are more enabling than the underlying zone controls, Point iii. above is more restrictive than the zone and region wide controls.

### **3. Why use a precinct in this situation rather than a zone (existing or new) or other PAUP method (existing or new) for these differences?**

Relying on the Special Purpose Tertiary Education Zone would not encourage the preparation of an integrated and coordinated framework plan for development of the site.

The 30m height limit aligns with the designation for the site. The designation on this site is only in the name of AUT, which would not provide for tertiary education if part of the site were sold.

A new place specific framework plan rule could address the majority of the precinct content but wouldn't have the adaptability of a precinct to include place specific objectives, policies and assessment criteria tailored to the key resource management issues for the Akoranga 1 precinct.

## **Topic 080 – Albany 9 New precinct**

### **1. What are the main differences between this precinct and the relevant overlays, zone(s) or Auckland-wide rules?**

i. The Precinct has a height limit of 32.5m for buildings, while the underlying zone allows 24m 20m from an external boundary.

ii. Enabling features include making carnivals, concerts, fairs, markets and festivals, parks maintenance, recreation trails and facilities, marae and fale complexes, sport and recreation structures and waste management facilities accessory to tertiary education facilities permitted activities which would otherwise be discretionary activities.

iii. Additional controls include making buildings greater than 500m<sup>2</sup> GFA, Parking buildings and or structures, roads, vehicle parking, vehicle access and pedestrian connections that are subject of a framework plan restricted discretionary activities or non-complying activities.

The precinct seeks to encourage the preparation of an integrated and coordinated framework plan for the precinct to be consented prior to subdivision and development and has tailored assessment criteria addressing them.

### **2. For each main difference, is the precinct more enabling or more restrictive than the other PAUP controls that apply to this site or area?**

Differences i. and ii. above are more enabling than the underlying zone controls, Point iii. above is more restrictive than the zone and region wide controls.

### **3. Why use a precinct in this situation rather than a zone (existing or new) or other PAUP method (existing or new) for these differences?**

It is reasonable to expect the site to be further developed and or redeveloped in the life of the PAUP in response to changing needs of the institution. Existing use rights and individual resource consents won't optimise the site for tertiary education and related complementary activities.

Relying on the special purpose tertiary education zone would not encourage the preparation of an integrated and coordinated framework plan for development of the site.

The 32.5m [32.5m above in i] height limit aligns with the largest existing buildings on the site

A new place specific framework plan rule could address the majority of the precinct content but wouldn't have the adaptability of a precinct to include place specific objectives, policies and assessment criteria tailored to the key resource management issues for the Albany 9 precinct.



## **Topic 080 – Boat Building precinct**

### **1. What are the main differences between this precinct and the relevant overlays, zone(s) or Auckland-wide rules?**

- There are no zones or Auckland-wide rules that can adequately manage boat building in these specific coastal locations. The precinct continues existing planning approaches from legacy plans for these sites and provides for their ongoing operation. It recognises the benefits to boat building of having a location that has direct access to the Coastal Marine Area (CMA).
- The main difference from the underlying zone is that the precinct limits the use to boat-building related industry only and prevents activities that would be inappropriate on sites adjacent to the CMA or adjacent to residential areas.

### **2. For each main difference, is the precinct more enabling or more restrictive than the other PAUP controls that apply to this site or area?**

- The Boat Building precinct is more restrictive than the notified underlying Light Industry zone.

### **3. Why use a precinct in this situation rather than a zone (existing or new) or other PAUP method (existing or new) for these differences?**

- There were no appropriate zones for the activities at these sites. The closest fit is the Light Industry zone but if only the zone is used, any type of industrial activity would be provided for. The Rame Road, Greenhithe site is surrounded by residential sites and other industrial activities may not be appropriate. A precinct successfully restricts the underlying Light Industry zone to only boat building related industry. The precinct also includes specific rules to manage boat building effectively while enabling their continued operation in these two coastal locations.

## Topic 080 – Mana Whenua Management precinct

- 1. What are the main differences between this precinct and the relevant overlays, zone(s) or Auckland-wide rules?**
  - The precinct recognises that two inlets of the Manukau Harbour have been reserved under the Te Ture Whenua Maori Act as having particular significance for the adjacent marae and iwi.
  - The policies give explicit support to enabling mana whenua management of these inlets.
  - All discharge of wastewater is a prohibited activity in the precinct. In the General Coastal Marine zone it is a restricted discretionary, discretionary or non-complying activity depending on whether the wastewater is treated or untreated and whether it is in an overlay.
  
- 2. For each main difference, is the precinct more enabling or more restrictive than the other PAUP controls that apply to this site or area?**
  - Policies – more enabling for mana whenua in that the significance of the inlets is not recognised in any other way. Both inlets have numerous ‘sites and places of value to mana whenua’ around the coastline but these do not extend over the whole inlet.
  - Wastewater provisions are more restrictive than the zone controls.
  
- 3. Why use a precinct in this situation rather than a zone (existing or new) or other PAUP method (existing or new) for these differences?**
  - An alternative approach would be to incorporate the precinct provisions into the Coastal zones discharge section of the plan (D5.1.10 and I6.1.7) with a diagram map illustrating the spatial areas that it applies to. An advantage of that approach would be that the provisions may be more visible to plan users considering the requirements for wastewater discharges in the relevant inlets. At present, a plan user must turn on the precinct maps before becoming aware of these provisions. The disadvantages of that approach are: people may not find it as it would not be in GIS; it would probably not include the background information which explains the context of the precinct; and it would limit the objective and policies to only discharge matters. At present the objective and policies 1, 2 and 4 can be applied to activities in the precinct, or its catchments, that may affect the values of the inlets. This wider application may be of particular benefit to mana whenua in opposing development or activities of concern.
  - The precinct has wider value in identifying the values of the inlets than is implied by the one line in the activity table.

## Topic 080 – Rowing and Paddling precinct

- 1. What are the main differences between this precinct and the relevant overlays, zone(s) or Auckland-wide rules?**
  - The precinct recognises the significance of these three sites for rowing, waka ama and kayaking training and regattas. There are very few sites in Auckland that have long straight stretches of water of adequate length.
  - The precinct makes moorings a non-complying activity. Moorings are the key structures or activities of concern for use of these sites.
  - The underlying General Coastal Marine zone does not provide for these activities.
  
- 2. For each main difference, is the precinct more enabling or more restrictive than the other PAUP controls that apply to this site or area?**
  - The policy recognition of the significance of the areas for rowing and paddling is more enabling than the zone.
  - The provision of moorings is more restrictive than the underlying General Coastal Marine zone.
  
- 3. Why use a precinct in this situation rather than a zone (existing or new) or other PAUP method (existing or new) for these differences?**
  - Only a limited range of matters need to be addressed in a different way to the General Coastal Marine zone so it does not warrant a whole new zone.
  - A similar outcome could be achieved by incorporating the precinct provisions into the General Coastal Marine zone but it would need a diagram map to show where it applied. At present there is no mapping tool that is shown on the GIS maps other than zones and precincts. If a map was only in a diagram in the text, it would be hard to find unless someone was looking in the General Coastal Marine zone sections for structures, and looking for the provisions on moorings. This would limit the scope of the rowing and paddling provisions to only moorings and would not give a broader policy recognition that could be applied to other activities in the area.

## **Topic 080 – Mt Wellington 1 New (Gabador Place) precinct**

### **1. What are the main differences between this precinct and the relevant overlays, zone(s) or Auckland-wide rules?**

There are two types of differences between the precinct and the underlying Light Industry zone:

- the precinct provides for marine and port activities and facilities to ensure integration across mean high water springs, and to encourage the retention of marine-related activities in an industrial site that is adjacent to the CMA
- the precinct restricts various activities (trade suppliers (Bunnings), wholesalers, care centres, etc) that would not be appropriate in an industrial area with a hazardous bulk liquids facility. This also encourages the retention of the land for marine-related uses.

There are site-specific controls for coastal hazards and flood hazards.

### **2. For each main difference, is the precinct more enabling or more restrictive than the other PAUP controls that apply to this site or area?**

- Providing for marine-related activities – more enabling.
- Restricting non-industrial uses – more restrictive.
- Coastal hazards and flood hazards – more enabling.

### **3. Why use a precinct in this situation rather than a zone (existing or new) or other PAUP method (existing or new) for these differences?**

- The precinct site is located in an industrial area so the underlying Light Industry zone is generally appropriate but would allow for incompatible activities and would not give explicit recognition to the marine and port activities that operate at the site.

## Topic 080 – Saint Johns Theological College precinct

### 1. What are the main differences between this precinct and the relevant overlays, zone(s) or Auckland-wide rules?

- There are existing Theological education facilities on site. The precinct has an underlying Mixed Housing Suburban zone where tertiary education facilities and other associated land uses will complement campus activities and its physical environment. Tertiary Education facilities require Discretionary activity consent in the underlying zone.
- The Saint Johns Theological College precinct also enables the provisions that are specific to the site and either restricts or increases the scope beyond those provided for in the Tertiary Education zone or the underlying Mixed Housing Suburban zone.
- The Tertiary Education zone (**TEZ**) is not recommended to be applied to sites outside of the city centre, metropolitan centres and town centres for the reasons set out in Trevor Mackie's topic 055 Tertiary Education zone evidence.

### 2. For each main difference, is the precinct more enabling or more restrictive than the other PAUP controls that apply to this site or area?

- The range of activities within the precinct are generally more enabling than the recommended underlying zone of Mixed Housing Suburban for the reasons outlined above.
- The maximum building height is also more enabling than the underlying zone but is more restrictive than the TEZ to reflect the local environment.
- There are some activities which are more restrictive (eg Conference facilities) than the TEZ (or Mixed Housing Suburban zone) because of the potential scale and transport effects on the local environment.

### 3. Why use a precinct in this situation rather than a zone (existing or new) or other PAUP method (existing or new) for these differences?

- The precinct enables specific activities supported by an appropriate form of development to optimise the campus site in this location. The site specific precinct provisions cannot be provided for by the Tertiary Education zone.
- The use of a TEZ would enable a maximum building height of 24m which is not appropriate in context with the surrounding residential area. The surrounding Mixed Housing Suburban zone maximum building height of 9m and specific additional height of 16m in the 'core' of the site is recommended.
- The use of the precinct enables an appropriate mix of activities and development controls that is appropriate for the site and surrounding context.
- The lack of a precinct would mean Tertiary education facilities would be relying on existing use rights and incremental resource consents. This would significantly curtail their ability to redevelop and optimise the use of the site and will not achieve the enabling RPS objectives/policies relating to social infrastructure.

## Topic 080 – Epsom precinct

### 1. What are the main differences between this precinct and the relevant overlays, zone(s) or Auckland-wide rules?

- There are existing tertiary education facilities on site. The precinct is applied with an underlying Mixed Housing Urban zone where tertiary education facilities and other associated land uses will complement campus activities and its physical environment. Tertiary Education facilities require Discretionary activity consent in the underlying zone.
- This precinct also enables the provisions that are specific to the site and either restricts or increases the scope beyond those provided for in the Tertiary Education zone or the underlying Mixed Housing Urban zone.
- The Tertiary Education zone (TEZ) is not applied to this site as the zone is not recommended to be applied to tertiary Education sites outside of the city centre, metropolitan centres and town centres for the reasons set out in Trevor Mackie's topic 055 Tertiary education zone evidence.

### 2. For each main difference, is the precinct more enabling or more restrictive than the other PAUP controls that apply to this site or area?

- The range of activities within the precinct are generally more enabling than the recommended underlying zone of Mixed Housing Urban for the reasons outlined above.
- The maximum building height is also more enabling than the underlying zone but is more restrictive than the TEZ to reflect the local environment.
- There are some activities which are more restrictive (eg Conference facilities) than the TEZ (or Mixed Housing Urban zone) because of the potential scale and transport effects on the local environment.

### 3. Why use a precinct in this situation rather than a zone (existing or new) or other PAUP method (existing or new) for these differences?

- The precinct enables specific activities supported by an appropriate form of development to optimise the campus site in this location. The site specific precinct provisions cannot be provided for by the Tertiary Education zone.
- The use of a TEZ would enable a maximum building height of 24m which is not appropriate in context with the surrounding residential area. The surrounding Mixed Housing Urban maximum building height of 12m and specific additional height of 16m in the 'core' of the site is recommended.
- The use of the precinct enables an appropriate mix of activities and development controls that is appropriate for the site and surrounding context.
- The lack of a precinct would mean Tertiary education facilities would be relying on existing use rights and incremental resource consents. This would significantly curtail their ability to redevelop and optimise the use of the site and will not achieve the enabling RPS objectives/policies relating to social infrastructure

## Topic 080 – Manukau 2 precinct

### 1. What are the main differences between this precinct and the relevant overlays, zone(s) or Auckland-wide rules?

The precinct enables tertiary education to co-locate on sites with an underlying General Business zone with activities that will complement campus activities and its physical environment. This precinct enables provisions that are specific to the site and either restricts or increases the scope beyond those provided for in the Tertiary Education zone (TEZ) or the underlying General Business zone which also surrounds the site.

The precinct will:

- i. Enable additional permitted activities that would otherwise be discretionary activities or not provided for in the Tertiary Education zone. These include conference facilities, entertainment, offices, light manufacturing and servicing accessory to tertiary education facilities.
- iii. Enable an underlying General Business zone with additional permitted activities that would otherwise be discretionary activities. These include tertiary education, offices accessory to tertiary education facilities, organised sport and recreation, public amenities, displays and exhibitions, artworks and information centres, parks maintenance and waste management facilities accessory to education facilities.
- iii. Exclude dwellings and student accommodation, retail and supermarkets greater than 450m<sup>2</sup> per tenancy.
- iv. Enable site specific controls:
  - a 50% site coverage to ensure the campus qualities of buildings within open space is retained. This differs from the underlying zone which has no site coverage restrictions.
  - a height limit of 24m for tertiary education across the site (same as the TEZ) while the proposed General Business underlying zone allows 16m.
- v. Restrictive site specific controls:
  - Vehicle entry to the site restricted to a single specified location in response to traffic issues in this area.
  - requirement for an Integrated Transport Assessment (ITA) when the campus exceeds specified student/worker numbers to manage access and parking.

### 2. For each main difference, is the precinct more enabling or more restrictive than the other PAUP controls that apply to this site or area?

Differences in points i., ii. and iv. above are more enabling than the underlying zone controls, Points iii. and v. above are more restrictive than the underlying zone and region wide controls.

**3. Why use a precinct in this situation rather than a zone (existing or new) or other PAUP method (existing or new) for these differences?**

- The precinct enables a specific range of activities complementary to tertiary education, supported by an appropriate form of development, to optimise the campus site in this location. The site specific precinct provisions cannot be provided for by the Tertiary Education zone or General Business zone alone. A precinct includes place specific objectives, policies, rules and assessment criteria tailored to the key resource management issues for the Manukau 2 precinct.



## Topic 080 – Mount Wellington 5 (New) precinct

### 1. What are the main differences between this precinct and the relevant overlays, zone(s) or Auckland-wide rules?

The main differences of the precinct compared with the underlying zone and Auckland-wide provisions include:

- Events and special events such as concerts, conferences, functions etc.
- Noise controls
- Lighting controls
- Car parking
- Grandstands

### 2. For each main difference, is the precinct more enabling or more restrictive than the other PAUP controls that apply to this site or area?

- The precinct is more enabling than the underlying Public Open Space - Sport and Active Recreation zone in terms of the activities identified above.

### 3. Why use a precinct in this situation rather than a zone (existing or new) or other PAUP method (existing or new) for these differences?

- The nature of the netball centre provides for a unique activity type, which distinguishes the area as a precinct through the need for major events and a wider range of activities and buildings than the underlying Sport and Active Recreation zone provides for.
- The precinct gives effect to an Environment Court consent order (August 2004).

## Topic 080 – Monte Cecilia precinct

### 1. What are the main differences between this precinct and the relevant overlays, zone(s) or Auckland-wide rules?

After comparison of the precinct activity table with the underlying Public Open Space - Conservation zone, overlay and Auckland wide rules, the main differences related to the following activities:

- Arts and cultural activities
- conferences, meetings and functions,
- food and beverage,
- offices up to 200m<sup>2</sup>,
- retail activities up to 25m<sup>2</sup>
- temporary marquees, stages and structures, and
- visitor accommodation up to 105m<sup>2</sup>

### 2. For each main difference, is the precinct more enabling or more restrictive than the other PAUP controls that apply to this site or area?

- The precinct is more enabling in terms of each of the above named activities.

### 3. Why use a precinct in this situation rather than a zone (existing or new) or other PAUP method (existing or new) for these differences?

- The underlying zone (Public open space: Conservation) does not fit the activities of the Pah Homestead well and would be too restrictive in terms of any future development that may take place, particularly within the Pah Homestead sub-precinct.
- The precinct more appropriately provides for particular activities (existing and future) than the underlying zone. Where the precinct duplicates zone, Auckland wide or overlay provisions, these activities and controls have been removed (for example, earthworks, tree alteration, new buildings).

## **Topic 080 – Auckland Museum precinct**

**1. What are the main differences between this precinct and the relevant overlays, zone(s) or Auckland-wide rules?**

- The key difference is that the precinct provides a permitted activity for the 'primary activity' of the Auckland Museum i.e. those activities that fall within the ordinary and ancillary activities of Auckland Museum.
- The precinct also deviates from the Auckland-wide provisions with respect to the required number of parking and loading spaces. The precinct would not require additional parking for increased activities within the precinct.

**2. For each main difference, is the precinct more enabling or more restrictive than the other PAUP controls that apply to this site or area?**

- In relation to the permitted 'primary activity', the precinct is more enabling.
- In relation to the parking space requirements, the precinct is more enabling.

**3. Why use a precinct in this situation rather than a zone (existing or new) or other PAUP method (existing or new) for these differences?**

- The Auckland Museum is a site of regional significance that is akin to MOTAT and other regional facilities that undertake a special purpose which is unique to that facility. To that extent, the underlying Public Open Space – Informal Recreation zone does not provide the level of specificity to provide for the particular activities of the Auckland Museum.

## Topic 080 – Mt Albert 2 precinct

### 1. What are the main differences between this precinct and the relevant overlays, zone(s) or Auckland-wide rules?

At Topic 055 Social Infrastructure, Council supported replacing the Special Purpose - Tertiary Education zone (TEZ) over some sites with an underlying residential, business or rural zoning, augmented by a precinct that provides for the enablement of tertiary activities

The underlying zone is Mixed Housing Suburban. A precinct is required to:

- Carry across the provisions of Concept Plan D05-07 to the Auckland Council District Plan – Isthmus Section 1999, which provides for tertiary education of a scale compatible with the surrounding residential area.
- Enable tertiary education and accessory activities, the former of which is a discretionary activity in the Mixed Housing Suburban zone.
- Provide for the scale and type of development expected on the site through the use of a concept plan and associated development controls.
- Limit the intensity of activities on site, and require the university to undertake community engagement.

### 2. For each main difference, is the precinct more enabling or more restrictive than the other PAUP controls that apply to this site or area?

- The range of activities is less enabling than the underlying zone. This reflects the activities approved within the operative concept plan, which was carried forward to the notified precinct.
- However, the activity status for tertiary education and accessory or related activities is more enabling than the MHS zone.

### 3. Why use a precinct in this situation rather than a zone (existing or new) or other PAUP method (existing or new) for these differences?

- The TEZ is an alternative option for the site. This however does not reflect the nuances of the operative concept plan, and would require a similar precinct to limit the range of activities, intensity of use and scale of development.

## Topic 080 – Grafton NEW precinct

### 1. What are the main differences between this precinct and the relevant overlays, zone(s) or Auckland-wide rules?

At Topic 055 Social Infrastructure, Council supported replacing the Special Purpose - Tertiary Education zone (TEZ) over some sites with a underlying residential, business or rural zoning, augmented by a precinct that provides for the enablement of tertiary activities.

The underlying zones are Mixed Use, Local Centre and Terrace Housing and Apartment Buildings. These zones do not provide for the full range of activities and scale of development anticipated within the TEZ, and do not sufficiently align with the existing activities and development on the site.

Specifically, the key activities that the precinct enables compared with the underlying zones are:

- Laboratories, which are a critical component of UOA's medical research facilities on the site. These are not provided for in the underlying zones
- Tertiary Education facilities, which are a discretionary activity in the THAB zone
- A range of associated activities, including student accommodation, community facilities and care centres, which are subject to scale controls in the THAB zone.
- Organised sport and recreation, informal recreation, public amenities and similar activities which are not provided for in the underlying zones.

In addition, the underlying Mixed Use zone does not provide for the existing scale of buildings on the site. UOA seek a 30m height control over the Mixed Use component of the site, compared with 18m for the underlying zone and 24m for the TEZ.

### 2. For each main difference, is the precinct more enabling or more restrictive than the other PAUP controls that apply to this site or area?

- The precinct is more enabling where it differs from the underlying zones.
- The exception is maximum building coverage, where the precinct carries across the TEZ control of 50%. The underlying Mixed Use and Local Centre zones do not impose a building coverage limit. The TEZ control better reflects the typology of development on the site.

### 3. Why use a precinct in this situation rather than a zone (existing or new) or other PAUP method (existing or new) for these differences?

- The use of a precinct compared with the TEZ appropriately provides UOA with the flexibility to dispose of land or develop the site for alternative purposes.

## Topic 080 – Hillsborough precinct

1. **What are the main differences between this precinct and the relevant overlays, zone(s) or Auckland-wide rules?**
  - Provides for greater building height than the underlying zone
  - Identifies the location of building platforms, which the zone does not.
  - Identifies the list of 123 trees to be protected, which were not included in the Auckland-wide notable trees list.
  - Identifies the location of heritage and archaeological matters which are not protected under any other Auckland-wide or zone provisions.
  
2. **For each main difference, is the precinct more enabling or more restrictive than the other PAUP controls that apply to this site or area?**
  - Building heights within the precinct are more enabling
  - As development is limited to identified building platforms, it is more restrictive than the underlying zone.
  - The inclusion of additional trees to be protected, introduces a more restrictive layer to the underlying zone and Auckland-wide tree provisions.
  - The consideration of additional heritage matters as part of assessment criteria makes it more restrictive than the underlying zone.
  
3. **Why use a precinct in this situation rather than a zone (existing or new) or other PAUP method (existing or new) for these differences?**
  - There is no other zone or mechanism available in the PAUP to address the matters outlined above.

## Topic 080 – Wairaka precinct

### 1. What are the main differences between this precinct and the relevant overlays, zone(s) or Auckland-wide rules?

- Precinct has specific controls on the location, size and agglomeration of retail activities within the Mixed Use zone
- Changes to industrial activities within the underlying Mixed Use zone
- Provision for dwellings within the Special Purpose: Tertiary Education zone
- Provision for additional development controls in the Mixed Housing Urban and Terrace Housing and Apartment Buildings zone to address boundary issues to other residential and open space zones
- Precinct plan showing indicative road network, key infrastructure elements, walking and cycling networks
- Provisions for subdivisions to match zone boundaries

### 2. For each main difference, is the precinct more enabling or more restrictive than the other PAUP controls that apply to this site or area?

- Retail provisions in the underlying Mixed Use zone: more restrictive in location but more enabling in size
- Industrial activities: more restrictive
- Dwellings: more enabling
- Residential development controls: more restrictive
- Subdivision: more enabling

### 3. Why use a precinct in this situation rather than a zone (existing or new) or other PAUP method (existing or new) for these differences?

- The precinct consists of a transformational development opportunity as an existing and established tertiary facility with potential for additional business and residential growth within the isthmus.
- The size and extent of the site lends itself to a more considered and strategic planning framework given the future development potential.
- The key land owner, Unitec, has provided future development plans and indicated a strong desire to move away from standardised tertiary service models and undertake a large scale redevelopment of the area to create a new urban village.
- The precinct and rezoning approach provides an opportunity to enable a more comprehensive rule framework to provide for desired changes whilst considering wider strategic and local impacts.