

Your Comment on the Waihoehoe Precinct

All sections of this form with an asterisk (*) are mandatory.

1. Contact Details

Please ensure that you have authority to comment on the application on behalf of those named on this form.

Organisation name (if relevant)	Kāinga Ora – Homes and Communities		
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2. *We will email you draft conditions of consent for your comment

<input checked="" type="checkbox"/>	I can receive emails and my email address is correct	<input type="checkbox"/>	I cannot receive emails and my postal address is correct
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3. Please provide your comments on this application

If you need more space, please attach additional pages. Please include your name, page numbers and the project name on the additional pages

Background

1. Kāinga Ora was established in 2019 as a statutory entity established under the Kāinga Ora-Homes and Communities Act 2019. Kāinga Ora consolidates Housing New Zealand Corporation, HLC (2017) Ltd and parts of the KiwiBuild Unit. Under the Crown Entities Act 2004, Kāinga Ora is listed as a Crown entity and is required to give effect to Government policies.
2. Kāinga Ora is now the Government's delivery entity for housing and urban development. Kāinga Ora will therefore work across the entire housing spectrum to build complete, diverse communities that enable New Zealanders from all backgrounds to have similar opportunities in life. As a result, Kāinga Ora has two core roles:
 - (a) being a world class public housing landlord; and

- (b) leading and co-ordinating urban development projects.
- 3. Kāinga Ora's statutory objective requires it to contribute to sustainable, inclusive, and thriving communities that:
 - (a) provide people with good quality, affordable housing choices that meet diverse needs; and
 - (b) support good access to jobs, amenities and services; and
 - (c) otherwise sustain or enhance the overall economic, social, environmental and cultural well-being of current and future generations.
- 4. Kāinga Ora is focused on delivering quality urban developments by accelerating the availability of build-ready land, and building a mix of housing including public housing, affordable housing, homes for first home buyers, and market housing of different types, sizes and tenures.
- 5. The public housing portfolio managed by Kāinga Ora in Auckland comprises approximately 30,100 dwellings¹. Auckland is a priority to reconfigure and grow Kāinga Ora's housing stock to provide efficient and effective public and affordable housing that is aligned with current and future residential demand in the area, and the country as a whole.
- 6. Kāinga Ora has a shared interest in the community as a key stakeholder, alongside local authorities. Kāinga Ora's interests lie in the provision of public housing to persons who are unable to be sustainably housed in private sector accommodation, and in leading and co-ordinating residential and urban development projects. Kāinga Ora works with local authorities to ensure that appropriate services and infrastructure are delivered for its developments.
- 7. In addition to its role as a public housing provider, Kāinga Ora also has a significant role as a landowner, landlord, rate payer and developer of residential housing. Strong relationships between local authorities and central government are key to delivering government's priorities on increasing housing supply.
- 8. Policy decisions made at both central and local government level have impacts on housing affordability. The challenge of providing affordable housing will require close collaboration between central and local government to address planning and governance issues to reduce the cost of construction, land supply constraints, infrastructure provisions and capacity as well as an improved urban environment.
- 9. Kāinga Ora is interested in all issues that may affect the supply and affordability of housing. These include the provision of services and infrastructure and how this may impact on Kāinga Ora existing and planned housing, community development and Community Group Housing ("CGH") suppliers.

¹ As of 30 September 2020

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10. In addition to the above, Kāinga Ora will play a greater role in urban development in New Zealand. The legislative functions of Kāinga Ora, as outlined in the Kāinga Ora Act, illustrate this broad mandate and outline two key roles of Kāinga Ora in that regard:
- a) initiating, facilitating and/or undertaking development not just for itself, but in partnership or on behalf of others; and
 - b) providing a leadership or coordination role more generally.
11. Notably, Kāinga Ora's statutory functions in relation to urban development extend beyond the development of housing (which includes public housing, affordable housing, homes for first time buyers, and market housing) to the development and renewal of urban environments, as well as the development of related commercial, industrial, community, or other amenities, infrastructure, facilities, services or works.

Background on Kāinga Ora's involvement in the Drury area

12. Kāinga Ora are actively involved in the wider Drury area, both in its capacity as a public housing landlord and its new urban development functions as specified above. This involvement includes significant participation within the ongoing plan change processes within the Drury area to the Auckland Unitary Plan (Operative in Part).
13. Kāinga Ora has a landholding at 1 East Street, located to the east of the Fast-tracked application sites. The North Island Main Trunk forms the common boundary between Kāinga Ora's landholding and the application sites. As such, Kāinga Ora considers its land "adjacent" to the application site. Therefore, Kāinga Ora's interest in this application relates to its urban development functions as noted earlier in this comments form, and as a land owner and neighbour.
14. Kāinga Ora were actively involved in the rezoning process for Private Plan Change 50 ('PC50'), and generally supported the proposed zoning pattern within the PC50 (Waihoehoe) spatial extent, as well as PC48 (Drury Centre) and PC49 (Drury East). Kāinga Ora have also been asked to comment on the COVID fast-track application for the Drury East Stage 1 Precinct (within the PC49 area), however, no request for comment has been received for the Drury Centre Precinct application (within the PC48 area).
15. By way of background, Kāinga Ora supported PC50 in part, which seeks to rezone land within the spatial extent of the proposed Waihoehoe Precinct from Future Urban Zone ('FUZ') to Residential - Terrace Housing and Apartment Buildings zone ('THAB'). At the time of preparing this comment, a decision for PC50 has not been made.
16. In its submission on PC50, Kāinga Ora generally supported the proposed zoning within the spatial extent of the proposed Waihoehoe Precinct, which is generally consistent with the zoning indicated on the Drury-Opāheke Structure Plan 2019. The proposed zoning and corresponding Precinct Provisions promote and enable a compact urban form which would be supported by the Precinct's own transportation connectivity, and to the wider network in the form of State Highway 1 and the planned and funded Drury Central Rail Station – consistent with Chapter B2 of the Auckland Regional Policy Statement ('RPS').

17. Kāinga Ora were also of the opinion that the proposed location, intensity and timing of the Waihoehoe Precinct, is generally consistent with the relevant objectives and policies of the National Policy Statement on Urban Development 2020 ('NPS: UD') because in particular:
- a) Urbanisation of land at this time is responsive to the need to ensure sufficient development capacity for the wider Auckland Region and to deliver housing supply (Objective 1, 6 and Policy 8);
 - b) The proposed Waihoehoe Precinct enables buildings heights and intensity surrounding the proposed Metropolitan Centre Zone within the PC48 spatial extent, which is consistent with Policy 3 and would otherwise be strengthened through Kāinga Ora's submission to include a 22.5m Height Variation Control in the proposed THAB zone-portion of the precinct's spatial extent; and
 - c) The proposed Drury East Precinct provided for a range of land uses and housing types across the PC48, 49 and 50 spatial extents that that will be integrated through comprehensive land use planning and specific transportation-connectivity provisions that promote well-functioning environments that support a range of transportation choices (Policy 1).

Waihoehoe Precinct and 'Fast Track' application

18. Kāinga Ora has reviewed the proposed development which represents 'Stage 1' of development in the PC50 area and would deliver 357 new residential lots and dwellings (308 terrace dwellings and 49 detached dwellings), nine residential super lots for future development, associated parks and roading to vest, as well as civil infrastructure and landscaping.
19. Plans are provided for a range of terrace typologies as part of the application. There are 41 of the 308 terrace dwellings that do not have specific typologies proposed on particular lots and will therefore utilise a suite of consent notices, which ensure approved building envelopes and reference to prescriptive design guidelines. Terrace dwelling typologies and building envelopes have been based upon the THAB zone development standards. Similarly, the balance of dwellings on the 49 detached dwelling lots will be secured by a suite of proposed conditions and consent notices (as no typology plans are provided as part of the application), which ensure approved building envelopes and reference to prescriptive design guidelines. Detached dwelling typologies and building envelopes have been based upon the MHU zone development standards.
20. Kāinga Ora has reviewed those mechanisms and consider them sufficiently detailed and prescriptive to secure the outcomes being proposed. It is noted that all of the 357 lots will be subject to the design guide consent notice to enable flexibility of design while ensuring sufficient control to ensure design outcomes. Those design guides and building envelopes do not apply to superlots which would be subject to future consenting either under a separate Fast Track consenting process or under the AUP(OP) assuming that PC50 is approved.
21. The following comments are made:

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Zoning and proposed layout:

22. Kāinga Ora supports the provision of housing in accordance with the purpose of the COVID-19 Recovery and Fast-track Consenting process. It is noted that the development is an identified project under Schedule 2 of the Act and referred to in Schedule 33 of the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 14) 2021.
23. Kāinga Ora supports the two-year lapse period in accordance with clause 37(7) of Schedule 6 to the COVID-19 Recovery (Fast-track Consenting) Act 2020. Due to the known overlap with the plan change processes currently underway, Kāinga Ora do not consider it appropriate for a longer duration to be applied, as this may compromise and/or disincentivise housing delivery and economic stimulus at-pace, and therefore be contrary to the overall purpose of the Act.
24. Kāinga Ora acknowledges that the application is made on the basis of the *operative* Auckland Unitary Plan (Operative in Part) ('AUP(OP)') zoning and associated provisions, being the Future Urban Zone. Under the Fast-track Consenting process, the proposal may not be dependent on PC's 48, 49 and 50 being determined and / or made operative. As noted, at the time of writing, decisions are yet to be made on the suite of Drury East plan changes. Nevertheless, Kāinga Ora notes that the overall layout reflects the Waihoehoe Precinct plans and master planning undertaken as part of those processes.
25. Kāinga Ora considers that the proposal would be generally consistent with the NPS:UD 2020, in particular Policy 6 as stated by the applicant:

The project will involve a significant change to the amenity and character of the area, with the landscape shifting from rural to urban. However, future urban development of the sites is anticipated by the Future Urban zoning under the AUP(OP) as well as the Drury-Opāheke Structure Plan and therefore a change in amenity values is expected within the timeframes proposed. The proposal will improve amenity values appreciated by communities and future generations due to the comprehensively planned nature of the project and the variety of housing densities and types enabled by this project.
26. The proposed 'green link' features and park located in stormwater reserve area, generally align with the intent of PC49 and PCs 48 and 50 which coordinate an overall 'Green Corridor' connecting the respective plan change areas together. The proposal will involve the realignment of several water courses and existing piped streams to accommodate the proposed roading alignment and layout. Active walkways and cycling links are proposed in the northern area which is to be a vested park. Walking and cycling routes are also proposed through the water course areas, however, due to fragmented ownership it appears a completely 'joined up' approach is not possible at this time.
27. Kāinga Ora is concerned that together, the three Fast-track Consent areas in Drury East may compromise coordinated infrastructure provision and development, should an operative status of PC48, 49 and 50 not be achieved
28. Kāinga Ora notes that as a standalone project in-advance of approved and settled (operative) plan change processes (for PC 48, 49 and 50) to coordinate future development

across all three Drury-East plan change areas (with known public infrastructure and funding constraints), there is some risk should those Plan Changes be either refused or be altered significantly during the appeal process. Should that situation arise, the collective Drury-East Fast-track applications would essentially represent 'islands' of defacto-urbanised land in the Future Urban Zone, which has an otherwise-strong policy directive to avoid inappropriate subdivision and fragmentation of land ownership in-advance of a plan change process being completed (refer paragraph 40 below). In Kāinga Ora's view, this would not lead to cohesive or planned urbanisation. Nor would it result in a well-functioning urban environment. The Drury East development areas would be relatively disconnected from each other without the benefit of the coordination that the three Drury East precinct areas would otherwise provide.

29. Kāinga Ora's expectation is that all necessary infrastructure to support the proposed Waihoehoe development under this Fast-track application will be delivered by the applicant. Where infrastructure is being 'funded' by a third party and/or government agencies, appropriate conditions should be imposed to ensure infrastructure is in place at the required time to ensure a well-functioning urban environment.

Transportation and upgrade thresholds:

30. Kāinga Ora notes that the development will involve a total of 357 residential lots including dwellings, as well as nine superlots that will require further resource consent for future development (i.e., no dwellings are sought to be authorised within the superlots).
31. The proposed total yield is below the 'up to 710' dwelling threshold identified in PC50 table IX.6.1 'threshold for development'. That threshold applies to the area identified in X10.2 Waihoehoe Precinct Plan 2 – Transport Staging boundary, which encompasses the collective PC48, 49 and 50 areas. As such, the dwelling threshold (as we read the provisions) applies to *all* development in that area. Beyond 1300 dwellings, widening of State Highway 1 is also required between the Papakura interchange and Drury interchange. It is acknowledged that an application for the SH1 upgrade and associated walking, cycling and rail improvements was submitted to the EPA on 24 June 2021 and the Expert Consenting Panel has since issued the decision for this recently on 12 November 2021.
32. The checklist provided in Appendix 7 only identifies the PC49 and 50 developments in reference to the dwelling threshold. As noted in relation to Kāinga Ora's feedback on the Fulton Hogan Drury East application (PC49), some superlots in that application enable further development through consent notices, however the expected yield does not factor into the '605' calculation of total development – Kāinga Ora calculates the figure at 950 dwellings not including any development in the Drury Centre (PC48) area. Kāinga Ora has not had the opportunity to review that application.
33. Kāinga Ora recommends that the applicant clearly state the overall number of dwellings being proposed within the wider area in which the IX6.1 standard applies, to ensure required transport infrastructure upgrades (which has been tested through the Drury East hearing processes to-date) are transparently identified. We observe little commentary in the AEE on this matter. This should also account for development within superlots as the

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standard applies to 'subdivision', so as to avoid potential situations where a single superlot developer might 'trigger' an upgrade requirement. There is a risk that if development 'slips through the net' key transportation infrastructure provision may not be in place to support future development.

34. Kāinga Ora suggests that the Panel seek to understand:
- a. How does the applicant propose to ensure anticipated yield within superlots are tracked, in reference to the thresholds, and;
 - b. if development is in fact exceeding 1,300 dwellings (which is the threshold for further upgrades), is a restriction required to limit development until the SH1 upgrade is complete?

Design Standards Manual:

35. Kāinga Ora notes that Mixed Housing Urban ('**MHU**') development standards are utilised for detached dwellings, while Terraced Housing and Apartment Building Zone ('**THAB**') development standards are applied (as sought in the PC50 rezoning) to terraces. Both are applied by way of consent notice to all vacant residential lots, to ensure minimum design standards are achieved in light of the operative Future Urban zone, which lacks appropriate controls for development on the proposed lots.
36. Kāinga Ora considers that the application of MHU design standards and detached dwelling typologies in a THAB area is an underutilisation of land where a high-intensity residential zone (with additional height overlay) is sought. While market imperatives for particular housing typologies are appreciated, and should PC50 be approved (subject to no appeals) the design guidelines would fall away. Kāinga Ora questions whether the proposal is delivering on the outcomes identified through PC50 and maximising the THAB zone opportunities that would manifest should PC50 be approved. Kāinga Ora therefore suggest the Panel seek to understand how detached dwellings contribute to an efficient use of land given the underlying rezoning processes currently underway, and whether application of the THAB-based terrace guidelines is more-appropriate across the 49 lots proposed for detached dwellings.
37. As per the Drury-Opāheke Structure Plan ('**DOSP**'), high-density areas surrounding the Drury Centre east of State Highway 1 should be designed to achieve at least a density of 110 persons per hectare ². Kāinga Ora stress that the implementation of MHU development standards in an area where THAB development is proposed under both the DOSP and PC50, results in a significant underutilisation of land, achieving poor urban development and housing outcomes ³. Kāinga Ora therefore requests the following:
- a. That the applicant confirms their proposal will achieve a density consistent with that envisaged for the area under the DOSP;

² Drury-Opāheke Structure Plan, Page 27

³ A preliminary assessment suggests that the proposal would only achieve 2/3 of the desired intensity with likely outcomes in the order of 65-75 people per hectare where 110 people per hectare is desired by the DOSP.

- b. Failing that, the applicant revisits their application plans to enable higher density residential development to be consistent with the intended outcomes of both PC50 and the DOSP; and
 - c. That the applicant either abandons the proposed consent notices on newly created lots under this application imposing MHU development standards, instead awaiting the outcome of the appropriate plan change process (presumably PC50) to provide operative THAB style development. Alternatively, newly created lots as part of this application could have consent notices instead imposing THAB development standards as oppose to MHU.
38. Kāinga Ora also notes that the MHU standards that have been utilised for detached dwellings are not based on the Medium Density Residential Standards (“MDRS”) for medium density housing, as implemented by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021. Failing Kāinga Ora’s initial requests as per paragraphs 38 above, seek that, as a minimum, the MDRS under the aforementioned Amendment Act are imposed on each of the newly created lots (should the Panel be minded to approve the application and use of MHU standards).

Vacant lot subdivision:

39. Kāinga Ora notes that the applicant’s assessment against the AUP(OP) provisions does not include a Chapter E38 subdivision assessment in relation to the urban zonings sought under PC50 (i.e. THAB zoning), only the operative Future Urban Zone (‘FUZ’) and corresponding E39 Rural Subdivision standards.
40. Kāinga Ora acknowledges the application is being made on the basis of the operative zoning, however this approach is not consistent with the DOSP and plan change processes undertaken thus far, where the intended urban zoning is known. Similarly, vacant lots established for future development are to be compatible with and able to accommodate development consistent with the objectives of the THAB zone (or at least assess the implication of such a situation). Kāinga Ora observes that this is why FUZ objective H18.2(3) seeks to ensure that “...*urban development is not compromised by premature subdivision, use or development*”, and objective H18.2(4) directs that “*Urbanisation on sites zoned Future Urban Zone is avoided until the sites have been rezoned for urban purposes*”.
41. Kāinga Ora therefore recommends that an assessment is made against the vacant lot requirements of Chapter E38 Urban Subdivision of the AUP(OP), to ensure the proposed subdivision meets the planned outcomes for the zonings sought under PC50. This would necessarily include ensuring all lots are serviced.

Concluding position and comments

42. Kāinga Ora thanks the Panel for its request to comment on this Fast-tracked Consenting application.
43. Overall, Kāinga Ora seeks to ensure that in the absence of live residential zonings as-sought under PC48, 49 and 50, development in Drury East is appropriately coordinated across the three Fast-track Consenting developments. Whilst Kāinga Ora is supportive of

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the desire to provide housing and employment opportunities consistent with the COVID-19 Recovery (Fast-track Consenting) Act 2020, its key concerns with this application are:

- a. That the outcomes of this proposal, while urbanising future urban land that will (in time) have good access to integrated transport, does not achieve the outcomes of high density living within walkable catchments of rapid transit modes sought by the Drury-Opāheke Structure Plan. Proposed Plan change 50 is subject to submissions that if adopted will enable an appropriate framework for the urban development outcomes planned for this future urban land to be capable of delivery consistent with the Drury-Opāheke Structure Plan. In considering this consent application it is appropriate to consider the objectives of the Future Urban Zone (“FUZ”), in particular that any decision is not incongruent with FUZ objective H18.2(3) that seeks to ensure that “...*urban development is not compromised by premature subdivision, use or development*”, and objective H18.2(4) directs that “*Urbanisation on sites zoned Future Urban Zone is avoided until the sites have been rezoned for urban purposes*”;
 - b. Ensuring that the applicant clearly state the overall number of dwellings being proposed within the wider area in which the IX6.1 standard applies, to ensure required transport infrastructure upgrades (which has been tested through the Drury East hearing processes to-date) are transparently identified
 - c. Ensuring sufficient design control is retained so as to achieve a built form consistent with the planned outcomes sought under PC50 and the proposed THAB zone;
 - d. Whether the application of MHU design standards in a THAB area (as sought under PC50) is an underutilisation of land where a high-intensity residential zone (with additional height overlay) is sought. While market imperatives for particular housing typologies are appreciated, Kāinga Ora questions whether the proposal is delivering on the outcomes identified through PC50 and maximising the THAB zone opportunities that would manifest should PC50 be approved. Further discussion in this regard is provided in paragraph 45 below.
44. Kāinga Ora has significant concern with proposed utilisation of MHU design standards in an area where THAB zoning is proposed under PC50. Providing for ‘medium density’ housing outcomes in an area where THAB zoning and higher density residential environments is proposed under PC50 and sought by the DOSP, is a significant underutilisation of highly accessible land. Kāinga Ora therefore request the applicant address this concern by either removing the proposed consent notices enabling MHU type development in full, or amending the proposed consent notices to impose THAB zone design standards and housing intensity outcomes on newly created lots until such a time that the land has been rezoned through the appropriate plan change process. Failing this, the application will be inconsistent with:
- a. Part 2 of the Resource Management Act 1991;
 - b. The intended outcomes of PC50; and
 - c. The Drury-Opāheke Structure Plan.

45. Please do not hesitate to get in contact if the Panel or the applicant wish to discuss the comments made in this form.

Dated this 22nd day of March 2022



Brendon Liggett

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Thank you for your comments