URBPLAN735 — Assignment 1

# Assessment of Environmental Effects

## Land Use Consent Application

20 Sovereign Place, Glenfield, Auckland 0629

Lot 184 DP 56428

Construction of Three Standalone Residential Dwellings

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# Contents

1. Introduction and Proposal Details ..... 4
1.1 Application Details ..... 4
1.2 Locality Plans ..... 4
1.3 Executive Summary ..... 6
2. Site and Surrounding Environment ..... 7
2.1 Site Description ..... 7
2.2 Ground Conditions ..... 7
2.3 Immediate Environment ..... 8
2.4 Surrounding Environment ..... 8
2.5 Planning Context ..... 8
3. Description of the Proposal ..... 9
3.1 Land Use ..... 9
3.2 Access ..... 9
3.3 Earthworks ..... 10
3.4 Infrastructure ..... 10
4. Reasons for Application ..... 11
4.1 Auckland Unitary Plan (operative in part) ..... 11
4.1.1 Infringed Standards and Consent Pathways ..... 11
4.2 Overall Activity Status ..... 12
5. Notification Assessment ..... 13
5.1 Public Notification Assessment — Section 95A, 95C-95D ..... 13
5.1.1 Step 1: Mandatory public notification in certain circumstances Step ..... 13
5.1.2 Step 2: If not required by step 1, public notification precluded in certain ..... 13
circumstances ..... 13
5.1.3 Step 3: if not precluded by step 2, public notification required in certain ..... 13
circumstances ..... 13
5.1.4 Step 4 is the last step and relates to the consideration of special circumstances and whether these would warrant notification to persons not already determined to be eligible for limited notification ..... 15
5.1.5 Public Notification Conclusion ..... 15
5.2 Limited Notification Assessment — Section 95B, 95E-95G ..... 15
5.2.1 Step 1 relates to the consideration of certain affected groups and affected ..... 15
persons ..... 15
5.2.2 Step 2 details situations where limited notification is precluded (if not required under step 1). ..... 15
5.2.3 Step 3 outlines situations where affected persons must be notified if such ..... 16
notification is not precluded under step 2. ..... 16
5.2.4 Step 4 is the last step and relates to the consideration of special ..... 18
circumstances and whether these would warrant notification to persons ..... 18

not already determined to be eligible for limited notification. ..... 18
5.2.5 Limited Notification Conclusion ..... 18
6. Section 104 Substantive Assessment ..... 19
6.1 Matters of Discretion ..... 19
6.2 Positive Effects ..... 19
6.3 Actual and Potential Effects — Section 104(1)(a) ..... 19
6.3.1 Effects not previously discussed ..... 19
6.3.2 Cumulative Effects of All Infringements — H4.8.1(i) ..... 19
6.4 Relevant Planning Documents — Section 104(1)(b) ..... 19
6.4.1 National Policy Statement — Urban Development 2020 ..... 19
6.4.2 Auckland Unitary Plan (Operative in Part) ..... 20
6.5 Other Matters — Section 104(1)(c) ..... 21
6.6 Section 104 Conclusion ..... 21
7. Consideration of Part 2 Matters ..... 22
7.1 Purpose — Section 5 ..... 22
7.2 Section 6-8 ..... 22
Part 2 Assessment ..... 22
8. Conclusion ..... 22
Reference Documents ..... 24
Appendix A — Planning Assessment Table ..... 25
H4 Residential — Mixed Housing Suburban Zone ..... 25
E12 Land Disturbance — District ..... 26
E25 Noise and Vibration ..... 26
E27 Transport ..... 26

# 1. Introduction and Proposal Details

## 1.1 Application Details

| Field | Details |
|---|---|
| **Applicant** | SCK Construction Ltd |
| **Site Address** | 20 Sovereign Place, Glenfield, Auckland 0629 |
| **Legal Description** | Lot 184 DP 56428 |
| **Site Area** | 675m² |
| **Operative Plan** | Auckland Unitary Plan (Operative in Part) 2016 |
| **Zone** | Residential — Mixed Housing Suburban Zone (H4) |
| **Precinct** | None identified |
| **Overlays** | None identified |
| **Controls** | Macroinvertebrate Community Index |
| **Designations** | Airspace Restriction |
| **Activity Status** | Restricted Discretionary (Land Use) |
| **Nature of Application** | Construction of three double-storey standalone residential dwellings (land use) |

## 1.2 Locality Plans



Figure 1: Site Location Aerial Photo

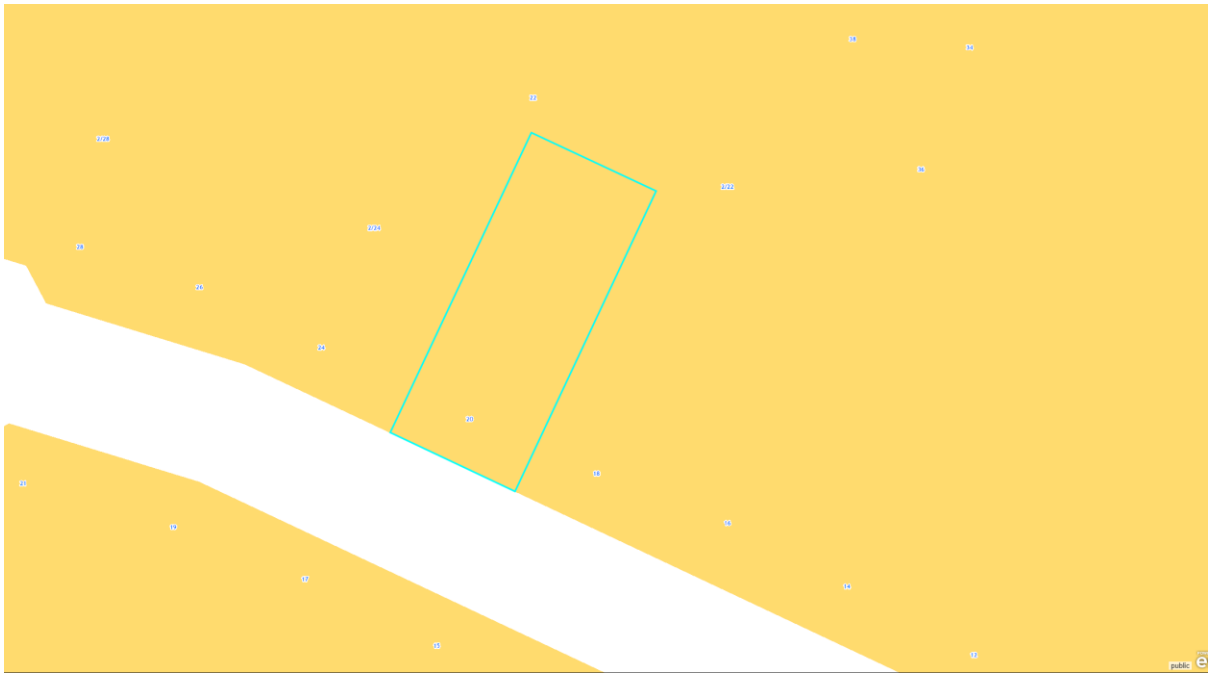

Figure 2: Site Location Zoning

## 1.3 Executive Summary

This Assessment of Environmental Effects (AEE) has been prepared for SCK Construction LTD ("the applicant"). This AEE addresses the land use consent application to redevelop 20 Sovereign Place into three standalone two-storey dwellings. The proposal involves demolition of the existing dwelling, groundworks, and the construction of the three standalone dwellings.

A resource consent is required under the Auckland Unitary Plan (Operative in Part) for infringements of the Height in Relationship to Boundary (HIRB), Yards, Building Coverage, Landscape Area, Outlook Space, Outdoor Living Space, General Earthworks in a Residential Zone and Access Gradient standards. A planning assessment table in Appendix A outlines the relevant standards and compliance or infringement of them. Cumulatively, the land use resource consent is required as a restricted discretionary activity.

This land use resource consent application and AEE has been prepared in accordance with Section 88 and Schedule 4 of the Resource Management Act 1991 (RMA). A description of the site, its surroundings, and planning context, as well as an AEE and analysis against relevant statutory provisions have been laid out in this report.

This assessment has concluded that consent for the proposal is merited on a non-notified basis.

# 2. Site and Surrounding Environment

## 2.1 Site Description

Lot 184 DP 56428 at 20 Sovereign Place measures a total of 675m$^2$. The site is located just South of the Glenfield Town Centre and is within its walkable catchment. The site is currently occupied by a single standalone residential dwelling which is to be demolished. The remaining site consists of mature trees, lawn and landscaping which is also to be removed as part of site works. The site has a moderate slope, moderately sloping downwards from a height of approximately 43.78m at its Northen end to 39.87 at its Southern end at an approximate gradient of 1 vertical to 6 horizontals. There is an existing vehicle accessway near the South-Eastern end of the site. Existing wastewater and stormwater pipelines traverse the site. The existing water meter is to be relocated to a meter bank.



Figure 3: Street Frontage of 20 Sovereign Place

## 2.2 Ground Conditions

The site is underlain by mudstone, and graded sandstone of the East Coast Bays Formation. Groundwater is encountered between 2.5m to 3m below ground level. The sites liquefaction vulnerability has been assessed as very low. A specific engineering design for foundations is required due to high soil expansivity.

## 2.3 Immediate Environment

The immediate environment of the site consists of multiple adjacent properties.

22 Sovereign place to the North of the Site is an existing two-storey standalone dwelling. The properties driveway is located along the Western site boundary of 20 Sovereign Place.

24 Sovereign place to the West is an existing duplex and driveway. A deck outlooking East towards the dwellings yard space is shared with 20 Sovereign Place's site's boundary, however 22 Sovereign Place's driveway is in between the two. Vehicle access it located to the South-East of the site.

18 Sovereign Place to the East of the site is an existing two-storey standalone dwelling sitting centrally within the site. The deck for the property outlooks towards the North. Existing vegetation along the property boundaries provides for privacy.

## 2.4 Surrounding Environment

Sovereign Place is residential cul-de-sac, accessed from the South-East by Blenheim Street and Lingfield Street. All properties fronting to Sovereign Place are zoned under Mixed Housing Suburban Zone. The predominant existing residential character of the neighbourhood exists of single two-storey standalone dwellings. Defining features of the streetscape include wide grass berms separating developments from the footpath. Newer infill developments of a similar nature to the proposal can be found nearby at 6 Blenheim Street.

There are multiple nearby reserves within walking distance. Glenfield Mall is situated a 4-minute drive or 20-minute walk away from the site and provides for resident's immediate needs, containing banking, health, retail, food services as well as a supermarket.

The 926 bus on Lingfield Street provides services to Akoranga Station where transfers to the Northern Busway can be made. Services 95B, 95C, 906, 917, and 939 can be accessed from Glenfield Road and provide services to Britomart, Smales Farm, and Birkenhead. There is nearby access to both directions of State Highway 1 from the Northcote Road interchange.

## 2.5 Planning Context

| Standard | Permitted | Proposed |
|---|---|---|
| H4.6.4 Building Height | 8m | Complies |
| H4.6.5 HIRB | 2.5m + 45° | **Partial infringement** |
| H4.6.6 AHIRB | Per standard | Complies |
| H4.6.7 Yards | Per standard | Partial infringement (Lot 2 & Lot 3) |
| H4.6.8 Impervious Area | 60% max | 59.2% — Complies |
| H4.6.9 Building Coverage | 40% max | **41.4% — INFRINGED** |
| H4.6.10 Landscaped Area | 40% min | **37.3% — INFRINGED** |
| H4.6.11 Outlook | Per standard | Partial infringement (Lot 2 & Lot 3) |
| H4.6.13 Outdoor Living | 25m² | Partial infringement (Lot 1) |

# 3. Description of the Proposal

## 3.1 Land Use

The proposal is for the demolition of the existing dwelling on the site and the further construction of three new standalone double-storey dwellings on three separate lots in a townhouse style.

The proposal utilises the Alternative HIRB (H4.6.6) for the front 20 metres of the site, beyond which the standard HIRB (H4.6.5) is infringed in three locations as described in Section 4.1.1.

Lot 1's total area is 179.3m$^2$ and comprises a ground floor of 85m$^2$, first floor of 91.6m$^2$ and a 2.7m² entrance porch. Lots 2 and 3 are identical in footprint, each with a total building area of 182.3m$^2$, comprising a ground floor of 88.7m$^2$ and first floor of 93.6m$^2$.

All three dwellings provide four bedrooms, two ensuites, a bathroom, open plan kitchen/dining/living area, laundry, WC, internal garage and storage. The dwellings have been designed to high standards of internal amenity appropriate for family living.

External materials comprise vertical shiplap, weatherboard, brick veneer, concrete block base course elements, and shingle roofing.

A comprehensive landscaping proposal has been undertaken and incorporating Nikau Palm and Flowering Cherry, shrub planting, Star Jasmine climbers along boundary fences and lawn areas. The front yard landscaping exceeds the threshold required by standards to help soften the dominance of the development on the streetscape.

## 3.2 Access

Access for vehicles for all dwellings will be provided via a new shared driveway constructed along the Southern boundary of the site, connecting to Sovereign Place. The driveway has a minimum width of 3 meters and provides individual access to the internal garages of all dwellings.

The driveways geometry has been specifically designed to accommodate standard vehicle tracking movements when entering garages in a forward manoeuvre and exiting garages in a reversing manoeuvre. The driveways gradient at the highest point is about 19.3%, which complies with the E27.6.4.4(1) Gradient of vehicle access, but does not comply with E27.6.4.4(3) Platform at Road Boundary due to the lack of a 4m long platform at ≤5% gradient at the road boundary.

Pedestrian access to each dwelling is provided separately from the driveway via individual pathways to front entry doors. Each lot provides at least one off-street parking space within the dwellings internal garage.

## 3.3 Earthworks

The sites topography is characterised by significant rises in elevation towards the rear of the site. Existing elevation shifts widely from 39.17m at the street to 45.10m. Finished ground elevation shift of approximately 2.0m will exist. Both cut and fill is required to provide for flat building pads. Retaining walls of up to 1.5m will be required to manage level changes.

The maximum depth of cut is 2.3 meters, and the maximum depth of fill is 0.9 meters. The total volume of cut material is 367$m^3$ and fill is 12$m^3$. This results in the need for the removal of 355$m^3$ of fill from the site. The total earthworks area exceeds the 500$m^2$ thresholds set out for residential zones set out in chapter E12 of the AUP.

Sediment and erosion control measures will be implemented during the construction period, consistent with the requirements of E12, to prevent sediment discharge affecting adjoining properties and downstream receiving environments.

## 3.4 Infrastructure

The proposal includes comprehensive stormwater management, with underground stormwater detention tanks incorporated and in compliance with Auckland Council's on-site detention requirements. Two 2,500L and one 2,000L underground detention tanks (APD StormLite or equivalent) are proposed. These will help to attenuate water and mitigate peak flows during a 10-year average recurrence interval storm event. This will reduce post development peak flows to 0.00658$m^3$/s during a 10-year ARI event compared to pre-development flows of 0.01177 $m^3$/s.

An existing water meter is to be relocated and reused in a water meter bank. The water meter bank will house all three water meters for the three units. A proposed wastewater pipe connecting to all three dwellings and a central manhole are proposed.

# 4. Reasons for Application

## 4.1 Auckland Unitary Plan (operative in part)

Pursuant to s104(2) of the RMA, when forming an opinion of the actual or potential effects of allowing the activity, the council may disregard an adverse effect if the operative plan permits an activity with that effect. That permitted baseline refers to the effects of permitted activities on the subject site, and may be applied where the relevant permitted activity is not fanciful.

Under Rule H4.4.1(A3) of the Auckland Unitary Plan (Operative in Part), up to three residential dwellings per site is a permitted activity in the Mixed Housing Suburban Zone where all standards are complied with. Accordingly, the council must disregard the effects arising from the permitted development of three dwellings on this site. The assessment in Section 4 is focused on the marginal additional effects of the specific standard infringements, compared to what a fully compliant three-dwelling development would generate. A planning assessment table setting out the compliance status of all applicable AUP provisions is provided in Appendix A.

### 4.1.1 Infringed Standards and Consent Pathways

The proposal involves land use and development under Rule H4.4.1(A3) (up to three residential dwellings) and Rule H4.4.1(A34) (new buildings associated with that use). The following standards are infringed, triggering restricted discretionary activity status.

*H4 Residential — Mixed Housing Suburban Zone*
The following H4 zone standards are infringed, resulting in a restricted discretionary activity under Rule C1.9(2):

- **H4.6.5 — Height in Relation to Boundary (HIRB):** The proposal infringes the standard HIRB control (H4.6.5: 2.5m + 45° recession plane) in three locations, all beyond the front 20m line where the Alternative HIRB (H4.6.6) does not apply: (i) the east elevation of Lot 2, where a section of roofline infringes the recession plane over a horizontal distance of approximately 2.443m, with a maximum vertical exceedance of 0.658m above the 2.5m + 45° plane; and (ii) the north elevation of Lot 3, where the building protrudes beyond the standard HIRB recession plane over a horizontal distance of approximately 11.749m, with a maximum vertical exceedance of 0.685m at RL47.147m; as well as (iii) on the East elevation of Lot 3 where a section of roofline infringes the recession plane over a horizontal distance of approximately 0.37m, with a maximum vertical exceedance of 0.37m above the 2.5m + 45° plane at RL46.741m and a square meterage of infringement of 0.022m$^2$. All infringements are confined to limited sections of roofline, and the buildings otherwise comply with all applicable height and recession plane controls. The proposal complies with the Alternative HIRB (H4.6.6) within the front 20m of the site. Status: Restricted Discretionary under Rule H4.4.1(A33).
- **H4.6.7 — Yards:** The proposed development infringes the yard standards in respect of the minimum 1m width required for side yards for Lots 2 & 3, where only a minimum depth of 0.812m is provided. Status: Restricted Discretionary under Rule H4.4.1(A34) read with Rule C1.9(2).
- **H4.6.9 — Building Coverage:** The proposed building coverage is 279.3m² (41.4%), exceeding the 40% maximum by 1.4% (approximately 9.5m²). Status: Restricted Discretionary under Rule H4.4.1(A34) read with Rule C1.9(2).

- **H4.6.10 — Landscaped Area:** The proposed landscaped area is 251.5m² (37.3%), below the 40% minimum by 2.7% (approximately 18m²). Status: Restricted Discretionary under Rule H4.4.1(A34) read with Rule C1.9(2).
- **H4.6.11 — Outlook Space:** The proposal infringes the outlook space standard in respect of not providing the 4m minimum width required for the ground floor principal living room of the dwellings in Lot 2 and Lot 3, falling short by 61cm. Status: Restricted Discretionary under Rule H4.4.1(A34) read with Rule C1.9(2).
- **H4.6.13 — Outdoor Living Space:** The proposal infringes the outdoor living space standard in respect of not providing for the 4m minimum width required for Lot 1, falling short in terms of minimum width by 1.682m. Status: Restricted Discretionary under Rule H4.4.1(A34) read with Rule C1.9(2).

*E12 Land Disturbance — District*

The proposed earthworks involve a net cut volume of 355m³ and a total disturbed area of 675m². This exceeds the 500m² area threshold applicable in the Residential zone, making the earthworks a restricted discretionary activity under Rule E12.4.1(A4). The matters over which the council has restricted its discretion are set out in E12.8.1(1) and relate to earthworks management and effects on the surrounding environment.

*E27 Transport*

The proposed vehicle access from Sovereign Place does not comply with Standard E27.6.4.4(3), which requires a maximum gradient of 1:20 (5%) for the first 4m of vehicle access adjoining the road. The proposed driveway has a gradient of approximately 1:5 (20%) over this section, exceeding the permitted maximum. This makes the access a restricted discretionary activity under Rule E27.4.1(A2). The matters over which the council has restricted its discretion are set out in E27.8.1(9) and relate to the design of parking, loading, and access areas.

## 4.2 Overall Activity Status

The overall status of this application is a Restricted Discretionary land use consent under s9 of the RMA.

Pursuant to s104C of the RMA, the council may grant or refuse consent, and if granted, may impose conditions. Because the consent is restricted discretionary, the council's assessment under s104 is limited to those matters over which it has restricted its discretion, being:

- H4.8.1(4) — buildings that do not comply with H4.6.5 HIRB, H4.6.7 Yards, H4.6.9 Building Coverage, H4.6.10 Landscaped Area, H4.6.11 Outlook Space, and H4.6.13 Outdoor Living Space
- H4.8.1(5) — new buildings that do not comply with H4.6.5 HIRB but comply with H4.6.6 Alternative HIRB
- E12.8.1(1) — all restricted discretionary earthworks activities
- E27.8.1(9) — any activity or development that infringes the standards for design of parking, loading areas, or access under Standard E27.6.4.4
- C1.9(3) — when considering an application for a restricted discretionary activity for an infringement of a standard under Rule C1.9(2)

# 5. Notification Assessment

## 5.1 Public Notification Assessment — Section 95A, 95C-95D

Section 95A specifies the steps to follow to determine whether an application is to be publicly notified. These steps are addressed in the statutory order below.

### 5.1.1 Step 1: Mandatory public notification in certain circumstances Step

No mandatory notification is required as:

- the applicant is not requesting public notification (s95A(3)(a));
- there are no outstanding or refused requests for further information (s95C and s95A(3)(b)); and
- the application does not involve any exchange of recreation reserved land under s15A of the Reserves Act 1977 (s95A(3)(c)).

### 5.1.2 Step 2: If not required by step 1, public notification precluded in certain circumstances

Public notification is not precluded under s95A(5). The activities requiring consent include construction of buildings, earthworks, and access not complying with AUP standards. These are not boundary activities and are not subject to a rule precluding public notification. Accordingly, public notification is not precluded under Step 2 and Step 3 must be considered.

### 5.1.3 Step 3: if not precluded by step 2, public notification required in certain circumstances

Public notification is required under Step 3 if a rule or NES requires it, or if the activity is likely to have adverse effects on the environment that are more than minor (ss95A(7) and 95A(8)). No rule or NES requires public notification in relation to this application. The adverse effects assessment follows below.

*Permitted Baseline and Receiving Environment*

The permitted baseline is established by Rule H4.4.1(A3), which permits up to three residential dwellings per site in the Mixed Housing Suburban Zone where all standards are complied with. The council may disregard those effects of the proposal that are consistent with a fully compliant three-dwelling permitted activity on the site (s104(2) RMA). The assessment below focuses on the marginal additional effects of the specific infringements above and beyond that baseline. The receiving environment comprises the existing residential character of Sovereign Place and surrounds, as described in Section 2, and the future environment as anticipated by the Mixed Housing Suburban Zone which enables medium-density residential development. Sovereign Place is a residential cul-de-sac in which the predominant typology is single and double-storey standalone dwellings, with emerging infill development evident at nearby properties including 6 Blenheim Street. The reasonably foreseeable future environment includes continued intensification consistent with the zone's intent, and the effects of this proposal are assessed against that context.

*Written Approvals*

No written approvals have been obtained from any persons in relation to this application. Accordingly, no effects may be disregarded on this basis.

*Effects that Must be Disregarded — Section 95D*

Section 95D requires the consent authority to disregard effects on persons who own or occupy the land in, on or over which the activity will occur, and any land adjacent to that land. The following properties are considered adjacent and effects on their owners/occupiers

are disregarded for the purpose of public notification: 1/22 and 2/22 Sovereign Place (north/north-west); and 18 Sovereign Place (east).

*Adverse Effects Assessment*

Having regard to the permitted baseline and the receiving environment described above, the adverse effects of the proposal on the wider environment are assessed below. The assessment focuses on the marginal additional effects of the specific standard infringements above and beyond what a fully compliant three-dwelling development would generate.

### Amenity and Character

The intensity of the proposed development is consistent with the planned built character of the Mixed Housing Suburban Zone, which provides for a variety of housing types including standalone and attached dwellings at medium density. The three standalone double-storey dwellings are of a typology, scale, and form that is anticipated and enabled within the zone.

The marginal exceedance in building coverage of 1.4% (approximately 9.5m² above the 270m² maximum) and shortfall in landscaped area of 2.7% (approximately 18m² below the 270m² minimum) do not result in a visually dominant or overbearing built form when considered in the context of the receiving environment. The front yard landscaping substantially exceeds the required 50% minimum threshold, providing a well-planted and visually articulate street interface including specimen Prunus Yedoensis Awanui and Dietes Iridioides along the street boundary. The variation in materiality across the three dwellings, vertical shiplap, weatherboard, brick veneer, and concrete block base course elements provide visual relief consistent with the residential character of the neighbourhood. The adverse effects of the building coverage and landscaped area infringements on the character and amenity of the wider environment are less than minor.

### HIRB

The shadow study (sheets 502–503) demonstrates that all three HIRB infringements generate negligible additional shading on neighbouring properties beyond what would be cast by a fully compliant development. The infringement on the east elevation of Lot 2 (2.443m horizontal extent, 0.658m maximum vertical exceedance above the 2.5m + 45° plane) receives morning sun, meaning the shadow cast by this infringement falls back onto the subject site rather than onto the wider environment to the east. The infringement on the east elevation of Lot 3 (0.37m horizontal extent, 0.37m maximum vertical exceedance at RL 46.741m, 0.022m² total infringement area) is minimal in extent and generates negligible additional shading on any neighbouring property. The infringement on the north elevation of Lot 3 (11.749m horizontal extent, 0.685m maximum vertical exceedance at RL 47.147m) is on the north-facing elevation, meaning the additional shadow generated falls southward back onto the subject site rather than onto properties to the north. At no point during the spring equinox shadow study does any infringement-specific shading extend onto the outdoor living areas or habitable rooms of neighbouring properties beyond what would be generated by a fully compliant building. Adverse effects on the wider environment from the HIRB infringements are less than minor when assessed against the permitted baseline.

### Earthworks

The total earthworks area of 675m² is commensurate with the development of three dwellings on a steeply sloping site with an approximately 6m change in elevation from street to rear. The erosion and sediment control plan provides a comprehensive suite of measures including a stabilised construction entrance, perimeter silt fencing, and a cleanwater diversion bund, all in accordance with Auckland Council GD005. Construction noise and vibration are expected to be within the limits permitted by the AUP. There are no known archaeological or mana whenua features on the site, and accidental discovery protocols will be observed in the event that any unrecorded items are encountered during earthworks. Earthworks effects are temporary and confined to the construction period. Adverse effects on the wider environment from the earthworks are less than minor when assessed against the permitted baseline.

#### Outlook Space and Outdoor Living Space

The outlook space shortfall of 0.610m in width for Lots 2 and 3, and the outdoor living space dimension shortfall of 1.682m for Lot 1, relate solely to the internal amenity of the development. Neither infringement generates shading, visual dominance, privacy, or any other adverse effect on the wider environment. Adverse effects from these infringements are less than minor.

#### Access Gradient

The absence of a complying 4m platform at ≤5% gradient at the road boundary is a function of the site's steep natural topography. Vehicle tracking confirms all vehicles can enter and exit the site in a forward direction. Sovereign Place is a low-speed residential cul-de-sac with minimal through traffic and unobstructed sightlines across the crossing. The gradient affects only the users of the driveway and does not compromise pedestrian safety along the road frontage or the safe and efficient operation of the road. Adverse effects on the wider environment from the access gradient infringement are less than minor.

#### Stormwater

The proposed stormwater detention system reduces post-development peak flows from 0.01177m³/s to 0.00658m³/s during a 10-year ARI storm event, achieving a net reduction below pre-development levels. There are no adverse stormwater effects on the wider environment or downstream network.

#### Overall

Having regard to the above, the adverse effects of the proposal on the environment are less than minor when assessed against the permitted baseline of a fully compliant three-dwelling development. Public notification is therefore not required under s95A(8).

### 5.1.4 Step 4 is the last step and relates to the consideration of special circumstances and whether these would warrant notification to persons not already determined to be eligible for limited notification

No special circumstances have been identified. The proposal is for a restricted discretionary activity that is common within the Mixed Housing Suburban Zone and is of a scale and nature that is generally anticipated within the zone. There is nothing exceptional, unusual, or outside the common run of applications of this nature that would warrant public notification.

### 5.1.5 Public Notification Conclusion

The application can and should proceed without public notification. Adverse effects on the environment are less than minor, no rule or NES requires public notification, and no special circumstances exist.

## 5.2 Limited Notification Assessment — Section 95B, 95E-95G

Section 95B also entails several steps that must be followed to determine whether an application should be subject to limited notification.

### 5.2.1 Step 1 relates to the consideration of certain affected groups and affected persons

There are no groups or persons who must be notified under Step 1 of s95B in relation to this application.

### 5.2.2 Step 2 details situations where limited notification is precluded (if not required under step 1).

The application is not a controlled activity that requires a resource consent under a district plan. Limited notification is therefore not precluded under Step 2 and Step 3 must be considered.

### 5.2.3 Step 3 outlines situations where affected persons must be notified if such notification is not precluded under step 2.

*Effects that Must be Disregarded*

Any effect on a person who has given written approval to the application

No written approval has been provided by any persons for this application, therefore no effects may be disregarded under this heading.

Adversely Affected Persons Assessment (sections 95B(8) and 95E)

Overall, there are no persons who are adversely affected by the proposal for the following reasons:

Amenity and Character

The intensity of the proposed development aligns with the character and amenity values for the planned built character of the Mixed Housing Suburban Zone.

In regard to the exceedance in building coverage and the shortfall in overall landscaped area, any adverse effects on neighbouring persons are mitigated by several factors.
The front yard landscaping substantially exceeds the required 50% minimum, providing a well-planted and visually articulate street interface. The landscaping plan includes specimen plantings of Dietes Iridioides along the street boundary, complemented by Nikau Palms, Flowering Cherry, Star Jasmine climbers along boundary fences, and lawn areas throughout the site. This comprehensive planting scheme ensures that the marginal exceedance in building coverage and shortfall in total landscaped area do not result in a visually dominant or barren built form when experienced from neighbouring properties or the street. The variation in materiality and colours across the three dwellings, including vertical shiplap, weatherboard, brick veneer, and concrete block base course elements further reduces the perception of bulk and provides visual relief consistent with the residential character of the surrounding environment.

Critically, the exceedance in building coverage does not give rise to adverse stormwater effects on neighbouring persons. The proposed stormwater detention system reduces post-development peak flows from pre-development levels of 0.01177m³/s to 0.00658m³/s during a 10-year ARI storm event. The stormwater mitigation approach ensures that the additional impervious area generated by the marginal building coverage exceedance does not increase runoff to neighbouring properties or the downstream network.

For these reasons, no persons beyond those identified as adjacent under s95D are adversely affected by the building coverage exceedance or the landscaped area shortfall, and any effects on such persons are less than minor.

In terms of the effects associated with the HIRB infringements, the shadow study demonstrates that the additional shading generated above the permitted baseline is negligible for all three affected elevations, and no neighbouring person is adversely affected. The infringement on the east elevation of Lot 2 (2.443m horizontal extent, 0.658m maximum vertical exceedance above the 2.5m + 45° plane) is relevant to 18 Sovereign Place to the east, which is not an adjacent property for the purposes of s95D. The east elevation receives morning sun, meaning the shadow from this infringement falls back onto the subject site rather than onto 18 Sovereign Place. The infringement on the east elevation of Lot 3 (0.37m horizontal extent, 0.37m maximum vertical exceedance at RL 46.741m, 0.022m² total infringement area) is minimal in extent and generates no discernible additional shading on any neighbouring property. The infringement on the north elevation of Lot 3 (11.749m horizontal extent, 0.685m maximum vertical exceedance at RL 47.147m) is located on the north-facing elevation. Because sun in Auckland comes from the north, a north-facing

infringement casts its shadow southward back onto the subject site, not onto the property to the north at 24 Sovereign Place. At no point during the spring equinox shadow study does any infringement-specific shading extend onto the outdoor living areas or habitable rooms of adjacent properties beyond what would be generated by a fully compliant building. For these reasons, no persons beyond those identified as adjacent under s95D are adversely affected by the HIRB infringements, and any effects on such persons are less than minor.

In terms of the effects associated with the total land disturbance area, the earthworks are necessary to establish the required building platforms, access, and service connections across the steeply sloping site. The total earthworks area of 675m² exceeds the 500m² residential zone threshold under E12, however the nature and scale of the works is commensurate with the development of a three-dwelling townhouse typology on a site with an approximate 6m change in elevation from street frontage to rear.

The erosion and sediment control plan (sheet E03) provides a comprehensive suite of measures to ensure earthworks effects are contained within the site and do not adversely affect neighbouring properties. A stabilised construction entrance using 50–150mm washed aggregate encapsulated in geotextile prevents sediment from being tracked onto Sovereign Place. A perimeter geotextile silt fence, designed in accordance with Auckland Council Guideline Document GD005, retains sediment within the site while allowing cleanwater runoff to pass through. A cleanwater runoff diversion bund intercepts upslope runoff and redirects it away from the active earthworks area. Construction noise and vibration will be within the limits permitted by the AUP. There are no known archaeological or mana whenua features on the site, and accidental discovery protocols will be observed in the event that any unrecorded items are encountered during earthworks.

The earthworks effects are well mitigated, as well as temporary and confined to the construction period. No permanent adverse effects on neighbouring properties are anticipated because of the land disturbance, and the proposed controls are sufficient to prevent any construction-phase sediment discharge affecting persons at adjoining properties.

For these reasons, no persons beyond those identified as adjacent under s95D are adversely affected by the earthworks, and any effects on such persons are less than minor.

In terms of the infringement on outlook space, and outdoor living space, these infringements affect the internal amenity of residents, not the amenity of neighbouring properties. This infringement is an internal design matter and does not generate additional shading, visual, dominance or privacy effects on any person external to the development. For these reasons, no persons are adversely affected by the outlook space and outdoor living space infringement.

The access gradient infringement due to the absence of a complying 4m platform at ≤5% gradient at the road boundary is a function of the steep natural topography of the site. Full compliance with the platform standard would require significant additional cut at the road boundary, which would itself generate greater earthworks impacts on the surrounding environment. Sightlines across the crossing are unobstructed and setting of Sovereign Place being a low-speed residential cul-de-sac with minimal traffic suggest that the steeper initial gradient of the driveway will affect only the users of the driveway itself. It does not generate any adverse effect on pedestrian safety along the road frontage, on the amenity of neighbouring properties, or on the safe and efficient operation of Sovereign Place as a road. Therefore, no person external to the development is adversely affected by the access gradient infringement.

### 5.2.4 Step 4 is the last step and relates to the consideration of special circumstances and whether these would warrant notification to persons not already determined to be eligible for limited notification.

No special circumstances exist that would warrant limited notification to persons not already identified above.

### 5.2.5 Limited Notification Conclusion

Overall, it is considered that this application satisfies the relevant provisions of ss95B, 95D, 95E, and 95G. Therefore, this application may be assessed without the requirement of limited notification.

# 6. Section 104 Substantive Assessment

## 6.1 Matters of Discretion

The application is a restricted discretionary activity and Council's assessment is accordingly limited to the matters over which it has reserved its discretion. The relevant matters of discretion are set out in Section 4.2 above and include H4.8.1(4), H4.8.1(5), E12.8.1(1), E27.8.1(9), and C1.9(3). The following assessment is structured around these matters.

## 6.2 Positive Effects

The proposed development will give rise to the following positive effects:

- Providing for the social and economic wellbeing of the applicant and future occupants;
- contributing to Auckland's housing supply through the efficient use of a well-located urban site;
- supporting a compact urban form consistent with the objectives of the AUP and NPS-UD;
- providing three high-quality dwellings close to the Glenfield Town Centre, public transport, and community services; and
- generating employment during the consenting and construction phases.

## 6.3 Actual and Potential Effects — Section 104(1)(a)

The adverse effects arising from the proposal have been assessed above and have been found to be less than minor, and no persons adversely affected. This conclusion is equally applicable here and will not be repeated. The assessment concludes that the effects of all infringements, individually and cumulatively, will be less than minor when assessed against the permitted baseline.

### 6.3.1 Effects not previously discussed

The above assessment focuses on effects on external persons and the wider environment. It is also appropriate under s104(1)(a) to consider the amenity of future occupants of the development. Each dwelling provides four bedrooms, two ensuites, a bathroom, open-plan kitchen/dining/living, laundry, WC, internal garage, and storage, as detailed in floor plans. First floor outlook spaces of 3m x 3m comply with the standard for all three lots. Outdoor living areas for Lots 2 and 3 comply in both area (exceeding 25m²) and dimension. Lot 1's outdoor living area exceeds the minimum 25m² area requirement notwithstanding the dimensional shortfall already addressed above. The development provides an acceptable level of on-site amenity for future residents.

### 6.3.2 Cumulative Effects of All Infringements — H4.8.1(i)

The cumulative effects of all infringements considered together is considered to be less than minor. The infringements are each marginal in quantum, independently result in less than minor effects, and do not compound one another in a way that results in a materially different outcome from a fully compliant three-dwelling development.

## 6.4 Relevant Planning Documents — Section 104(1)(b)

### 6.4.1 National Policy Statement — Urban Development 2020

The NPS-UD 2020 directs local authorities to enable greater housing supply and ensure planning is responsive to changes in demand, while encouraging well-functioning, liveable urban environments. Objectives 1 and 2 require that New Zealand has well-functioning

urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and that housing affordability is improved through competitive land and development markets.
The proposal directly advances these objectives. The site is located within the walkable catchment of the Glenfield Town Centre, with access to the Northern Busway via the 926 bus on Lingfield Street and multiple services on Glenfield Road. The development intensifies an underutilised residential site within the existing urban area, adding three high-quality dwellings supported by existing infrastructure networks. The proposal is consistent with the objectives and policies of the NPS-UD 2020.

### 6.4.2 Auckland Unitary Plan (Operative in Part)

*Auckland Council Regional Policy Statement — Chapter B*
Chapter B of the AUP establishes high-level principles for urban growth and form, infrastructure, and transport. The sections most relevant to this proposal are Chapter B2 (Urban Growth and Form) and Chapter B3 (Infrastructure and Transport). The RPS seeks the efficient use of urban land resources, intensification within the existing urban area, and development that takes advantage of existing infrastructure while protecting natural resources and rural environments from urban sprawl.
The proposal represents a sustainable use of an underutilised site within the Rural Urban Boundary, close to existing services including the Glenfield Town Centre, public transport, open space, and community facilities. The development intensifies residential activity in a manner that ensures future amenity for residents, maintains the amenity of the surrounding neighbourhood, and makes efficient use of existing infrastructure. The proposal is consistent with the relevant provisions of Chapter B of the RPS.
*H4 — Residential Mixed Housing Suburban Zone*
Objectives: H4.2 Policies: H4.3
The objectives and policies of the Mixed Housing Suburban Zone encourage development in keeping with the planned suburban built character of the zone, which provides for a variety of housing types including standalone and attached dwellings of predominantly two storeys, whilst ensuring quality on-site residential amenity for residents, adjoining sites, and the street.
The proposal contributes to housing choice and variety in the area, consistent with Policy H4.3(1). The three standalone double-storey dwellings are of a typology, scale, and form consistent with the planned built character of the zone as required by Policy H4.3(2). The comprehensive landscaping scheme, including specimen trees and boundary planting, the compliant front yard setback, and the variation in material palette across the three dwellings collectively ensure the development does not create an overbearing presence on the streetscape, consistent with Policy H4.3(4). The front yard landscaping substantially exceeds the 50% minimum threshold and the proposal provides direct street surveillance from the principal living areas of Lot 1, consistent with the zone's active frontage intent. The landscaping scheme, whilst marginally short of the 40% minimum across the site as a whole, is compensated by the quality and extent of planting at the key amenity edges — the street frontage and shared boundaries — consistent with Policy H4.3(7). The proposal is consistent with the objectives and policies of the Mixed Housing Suburban Zone.
*E12 — Land Disturbance*
Objectives: E12.2 Policies: E12.3
The objectives and policies of Chapter E12 seek to manage the adverse effects of earthworks on the surrounding environment, including effects on stability, sediment discharge, and amenity. The site is not subject to any scheduled natural heritage, mana whenua, coastal, or historic heritage features. The earthworks proposed are commensurate with the development of three dwellings on a steeply sloping site and do not result in unacceptable adverse effects in terms of construction noise, vibration, dust, or sediment discharge. The erosion and sediment control plan (sheet E03), prepared in accordance with Auckland Council Guideline Document GD005, provides a comprehensive suite of measures

including a stabilised construction entrance, perimeter silt fencing, and a cleanwater diversion bund to ensure sediment is contained within the site throughout the construction period. The works will be undertaken in a manner that ensures the stability and safety of surrounding land, buildings, and structures. The proposal is consistent with the objectives and policies of Chapter E12.

*E27 — Transport*

Objectives: E27.2 Policies: E27.3

The objectives and policies of Chapter E27 require that parking, loading, and access support urban growth and the quality compact urban form, and that access is safe, efficient, and commensurate with the character, scale, and intensity of the zone. Pedestrian safety and amenity along public footpaths is to be prioritised.

The proposal provides one off-street parking space per dwelling within internal garages, consistent with the parking requirements for the zone. Vehicle tracking (sheet R03) demonstrates that all vehicles can enter garages in a forward direction and exit the site in a forward direction following an on-site reversing manoeuvre, ensuring no reversing onto Sovereign Place. The driveway is formed in 150mm concrete to a minimum width of 3m and sightlines from the crossing are unobstructed along the cul-de-sac. The access gradient infringement — the absence of a 4m platform at ≤5% at the road boundary — is a direct consequence of the steep natural topography of the site and does not reflect poor design intent. Full compliance would require significant additional earthworks at the road boundary. The proposal is consistent with the objectives and policies of Chapter E27 in all material respects.

*E8 — Stormwater Discharge and Diversion*

Objectives: E8.2 Policies: E8.3

The objectives and policies of Chapter E8 seek to protect the quality of receiving water environments from the adverse effects of stormwater runoff and drainage associated with urban development. The proposal includes three underground APD StormLite detention tanks (two 2,500L and one 2,000L) which reduce post-development peak flows from 0.01177m³/s to 0.00658m³/s during a 10-year ARI storm event, achieving a net reduction below pre-development levels. The stormwater mitigation system ensures that the development does not increase runoff to the downstream network and protects the quality of receiving waterways. The proposal is consistent with the objectives and policies of Chapter E8.

## 6.5 Other Matters — Section 104(1)(c)

No other matters are considered relevant to the determination of this application.

## 6.6 Section 104 Conclusion

As demonstrated in the above assessment, the proposal is consistent with the relevant objectives and policies of the AUP and the NPS-UD 2020. The actual and potential effects of the proposal, assessed against the permitted baseline of a fully compliant three-dwelling development, are less than minor individually and cumulatively. The assessment concludes that the statutory requirements of sections 104 and 104C of the RMA are satisfied. Consent can and should be granted, subject to any reasonable and necessary conditions.

# 7. Consideration of Part 2 Matters

## 7.1 Purpose — Section 5

Section 5 of the RMA identifies the purpose of the Act as the sustainable management of natural and physical resources. This means managing the use of natural and physical resources in a way that enables people and communities to provide for their social, cultural and economic wellbeing, while sustaining those resources for future generations, protecting the life-supporting capacity of ecosystems, and avoiding, remedying or mitigating adverse effects on the environment. The proposed development represents a sustainable use of an existing residential site, contributing to housing supply in a well-served urban location while appropriately managing adverse effects.

## 7.2 Section 6-8

Section 6 identifies matters of national importance to be recognised and provided for. There are no outstanding natural features or landscapes, significant indigenous vegetation, significant habitats of indigenous fauna, or items of historic heritage on or adjacent to the site. No Section 6 matters are engaged by this proposal.

Section 7 identifies other matters to be given regard, including the efficient use of natural and physical resources and the maintenance and enhancement of amenity values. The proposal makes efficient use of an existing urban site, supported by existing infrastructure networks, in a manner that maintains and enhances the amenity of the site and the surrounding neighbourhood.

Section 8 requires the council to take into account the principles of the Treaty of Waitangi. There are no known or recorded Mana Whenua cultural heritage features, archaeological items, or sites of significance on or adjacent to the site. Accidental discovery protocols will be observed in the event that any unrecorded items are encountered during earthworks. No Treaty of Waitangi matters are considered to be engaged by this proposal.

## Part 2 Assessment

This application is overall considered to meet the provisions of Part 2 of the RMA and achieve its purpose of sustainable management of natural and physical resources. The proposal creates an attractive in-fill development, in keeping with the intended planned character of the suburb and exhibits efficient utilisation of urban land for the provision of housing in a major metropolitan centre.

# 8. Conclusion

This Assessment of Environmental Effects has been prepared in support of a restricted discretionary land use consent application for the construction of three double-storey standalone residential dwellings at 20 Sovereign Place, Glenfield.
The assessment demonstrates that:

- the effects of all infringements are less than minor when assessed against the permitted baseline of a fully compliant three-dwelling development;
- the proposal is consistent with the relevant objectives and policies of the AUP;
- adequate measures are proposed to avoid, remedy, or mitigate adverse effects; and
- the application is suitable for non-notified processing.

Overall, it is considered that the statutory requirements of Sections 95, 104, and 104C of the Resource Management Act 1991 are satisfied. On this basis, it is submitted that resource

consent can and should be granted to the proposal, subject to any reasonable and necessary conditions of consent.

## Reference Documents

Documents in support of this application and referred to throughout are listed below:

- Architectural Drawings — LW Architecture Ltd, Job No. 23544 (Sheets 001–503)
- Civil Drawings — LW Architecture Ltd, Job No. 23544 (Sheets C01–E03)
- Stormwater Mitigation Report — LW Architecture Ltd / CSE Consultants Ltd
- Geotechnical Investigation Report — G.DECO Ltd, Ref G24-A0056, 26 April 2024
- Landscape Concept Design Package — LW Architecture Ltd (Sheets 601–605)

# Appendix A — Planning Assessment Table

The following table identifies the compliance status of all applicable Auckland Unitary Plan (Operative in Part) activity table rules and standards relevant to this land use consent application. This table provides the permitted baseline framework referred to in Section 3.1 of this AEE.

## H4 Residential — Mixed Housing Suburban Zone

| Rule / Standard | Description | Status |
|---|---|---|
| **Activity Table** | | |
| H4.4.1(A3) | Residential dwellings (up to 3 per site) | Permitted |
| H4.4.1(A29) | | Permitted |
| H4.4.1(A33) | HIRB infringement (H4.6.5) in three locations beyond the front 20m line, but complying with Alternative HIRB (H4.6.6) within the front 20m | RD |
| H4.4.1(A34) | New buildings associated with residential land use | RD |
| H4.4.1(A35) | | Permitted |
| **Standards** | | |
| H4.6.4 — Height | 8m maximum | Complies |
| H4.6.5 — HIRB | 2.5m + 45° recession plane | Infringes |
| H4.6.6 — Alternative HIRB | 20m maximum | Complies |
| H4.6.7 — Yards | Front 3m, side/rear 1m minimum | Infringes |
| H4.6.8 — Impervious Area | 60% maximum (399m²) | Complies (59.2%) |
| H4.6.9 — Building Coverage | 40% maximum (270m²) | Infringes (41.4%) |
| H4.6.10 — Landscaped Area | 40% minimum (270m²) | Infringes (37.3%) |
| H4.6.11 — Outlook Space | GF: 4m x 6m; FF: 3m x 3m | Infringes |
| H4.6.12 — Side and Rear Yards (Acoustic) | Per standard | Complies |
| H4.6.13 — Outdoor Living Space | 25m² minimum per unit | Infringes |
| H4.6.14 — Front, side and rear fences and walls | Per standard | Complies |
| H4.6.15 - Minimum dwelling size | Per standard | Complies |

| | | |
|---|---|---|
| H4.6.16 Rainwater tanks | Per standard | Complies |

## E12 Land Disturbance — District

| Rule / Standard | Description | Status |
|---|---|---|
| E12.4.1(A4) | General earthworks >500m³ in residential zone | RD |
| E12.4.1(A8) | | RD |
| E12.6.1 — General earthworks | General earthworks standards | Complies |
| E12.6.2 — Erosion and sediment | Erosion and sediment control standards | Complies |

## E25 Noise and Vibration

| Rule / Standard | Description | Status |
|---|---|---|
| E25.4.1(A1) | | Permitted |
| E25.6.1 | | Complies |
| E25.6.27 | | Complies |

## E27 Transport

| Rule / Standard | Description | Status |
|---|---|---|
| E27.4.1(A2) | Parking/access not meeting E27.6.4.4 gradient standard | RD |
| E27.6.1 | | Complies |
| E27.6.2 | | Complies |
| E27.6.3.1 | | Complies |
| E27.6.3.3 | | Complies |
| E27.6.3.4 | | Complies |
| E27.6.3.5 | | Complies |
| E27.6.3.6 | | Complies |
| E27.6.4.1 | | Complies |
| E27.6.4.2 | | Complies |
| E27.6.4.3 | | Complies |

| | | |
|---|---|---|
| E27.6.4.4 | | Infringes |