

**From:** [Davies, Rebecca](#)  
**To:** [Bevan Donovan](#)  
**Subject:** PC109 consent notice question unclassified  
**Date:** Thursday, 14 August 2025 1:03:37 pm  
**Attachments:** [image002.png](#)

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Good afternoon Bevan,

During NZDF's appearance at the hearing for proposed Plan Change 109 (Whenuapai Green) on 30 July, the Hearing Panel asked for NZDF's view on the possibility of using consent notices instead of Precinct provisions to draw attention to development restrictions that apply under Designation 4311. NZDF's response is below. Please can you forward this email to the Hearing Panel as appropriate.

NZDF seeks prominence of development restrictions applying under Designation 4311 as early warning to interested parties regarding feasible development at any one site. NZDF's experience is that there are many instances where development plans (with associated time and cost expended) have been well advanced before parties have understood, or have sought to understand, the significance of development restrictions applying under the designation. NZDF seeks to avoid situations where development plans may be well advanced before restrictions applying under Designation 4311 are properly considered by parties relying on Auckland Unitary Plan provisions to inform their development plans, and to ensure that development aspirations are feasible.

To achieve that, restrictions under Designation 4311 (or at least a reference to those restrictions) should be as visible as possible, and identified as early as possible, prior to decisions being made as to whether to purchase a site. A consent notice would only alert a purchaser of an already subdivided site, as it would be placed on a title after the deposit of a survey plan (i.e. after subdivision consent is granted). However, it is important that interested parties are aware of development restrictions under Designation 4311 well prior to that stage. Alerting parties through the Precinct provisions is much more transparent, straightforward and efficient, and more effective in terms of reducing risk that development restrictions under Designation 4311 will be missed.

Accordingly, NZDF does not support consent notices in place of Precinct provisions as a method to draw attention to development restrictions applying under Designation 4311, and wishes to re-emphasise the importance of including a reference to Designation 4311 in the Precinct provisions as set out in Ms Baverstock's and Ms Davies' evidence.

Please let me know if the Hearing Panel has any further questions or would like any clarification regarding the above.

Ngā mihi | Kind regards,

**Rebecca Davies**

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