

I hereby give notice that a hearing by commissioners will be held on:

**Date:** Thursday 20 and Friday 21 June 2019  
**Time:** 9.30am  
**Meeting Room:** Council Chambers  
**Venue:** Ground Level, Auckland Town Hall  
301-303 Queen Street, Auckland

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**HEARING REPORT**

**PLAN CHANGE 16 – VOLUME TWO**

**(to be heard at the same time as plan change 14)**

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**COMMISSIONERS**

**Chairperson** Rebecca Macky  
**Commissioners** David Hill  
Karyn Sinclair  
Russell Karu

**Tanisha Hazelwood**  
**HEARINGS ADVISOR**

Telephone: 09 890 4940 or 021 560 871  
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## **WHAT HAPPENS AT A HEARING**

At the start of the hearing, the Chairperson will introduce the commissioners and council staff and will briefly outline the procedure. The Chairperson may then call upon the parties present to introduce themselves to the panel. The Chairperson is addressed as Mr Chairman or Madam Chair.

Any party intending to give written or spoken evidence in Māori or speak in sign language should advise the hearings advisor at least five working days before the hearing so that a qualified interpreter can be provided.

Catering is not provided at the hearing. Please note that the hearing may be audio recorded.

### **Scheduling submitters to be heard**

A timetable will be prepared approximately one week before the hearing for all submitters who have returned their hearing attendance form. Please note that during the course of the hearing changing circumstances may mean the proposed timetable is delayed or brought forward. Submitters wishing to be heard are requested to ensure they are available to attend the hearing and present their evidence when required. The hearings advisor will advise submitters of any changes to the timetable at the earliest possible opportunity.

### **The Hearing Procedure**

The usual hearing procedure (as specified in the Resource Management Act) is:

- The reporting officer may be asked to provide a brief overview of the plan change.
- Submitters (for and against the application) are then called upon to speak. Submitters may also be represented by legal counsel or consultants and may call witnesses on their behalf. The hearing panel may then question each speaker. The council officer's report will identify any submissions received outside of the submission period. At the hearing, late submitters may be asked to address the panel on why their submission should be accepted. Late submitters can speak only if the hearing panel accepts the late submission.
- Should you wish to present written information (evidence) in support of your application or your submission please ensure you provide the number of copies indicated in the notification letter.
- Only members of the hearing panel can ask questions about submissions or evidence. Attendees may suggest questions for the panel to ask but it does not have to ask them. No cross-examination - either by the applicant or by those who have lodged submissions – is permitted at the hearing.
- After the applicant and submitters have presented their cases, the chairperson may call upon council officers to comment on any matters of fact or clarification.
- The chairperson then generally closes the hearing and the applicant, submitters and their representatives leave the room. The hearing panel will then deliberate "in committee" and make its decision by way of formal resolution. You will be informed in writing of the decision and the reasons for it.

**A NOTIFIED PLAN CHANGE TO THE AUCKLAND COUNCIL UNITARY PLAN**

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**Reporting officer, Tony Reidy**

Reporting on proposed Plan Modification to improve consistency of provisions in Chapter H Zones and Chapter J Definitions of the Auckland Unitary Plan (Operative in part).

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Page 571	Better Living Landscapes and Ltd Parallax Surveyors Ltd
Page 578	Southern Paprika
Page 586	Pakiri Farm Limited
Page 592	Te Arai South Partners, Te Arai South Holdings Limited, Te Arai North Limited, Tara Iti Holdings NZ
Page 596	Federated Farmers of New Zealand
Page 600	Housing New Zealand Corporation
Page 615	Metlifecare Limited
Page 622	Sentinel Planning Limited
Page 627	Transpower NZ
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Page 636	Whitney Ventures Limited
Page 638	Dominion Constructors Limited
Page 640	Civix Limited

**PLAN CHANGE 16 FURTHER SUBMITTERS:**

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## **PC16 - APPENDIX 4**

### **SUMMARY OF DECISIONS REQUESTED AND SUBMISSIONS**



# **AUCKLAND UNITARY PLAN OPERATIVE IN PART**

## **PROPOSED PLAN CHANGE 16: Improving consistency of provisions for Zones**

### **SUMMARY OF DECISIONS REQUESTED**

**Enclosed:**

- **Explanation**
- **Summary of Decisions Requested**
- **Submissions**

## **Explanation**

- You may make a “further submission” to support or oppose any submission already received (see summaries that follow).
- You should use Form 6.
- Your further submission must be received by 14 March 2019.
- Send a copy of your further submission to the original submitter as soon as possible after submitting it to the Council.

## **Summary of Decisions Requested**

Plan Change 16 - Improving consistency of provisions for Zones								
Summary of Decisions Requested								
Sub #	Sub Point	Submitter Name	Contact details	Theme	Decision Sought	Topic	Subtopic	Summary of submission
1	1.1	Sunia Lata	sunialata@signature.co.nz	Oppose the specific provisions identified	Accept the plan modification	Whole Plan Change		Accept the plan modification
1	1.2	Sunia Lata	sunialata@signature.co.nz	Oppose the specific provisions identified	Accept the plan modification	Definitions	Building	Seeks to remove tanks/retention tanks from the definition for 'building'.
2	2.1	Fluker Surveying Limited	trish@fluker.co.nz	Oppose the specific provisions identified	Decline the proposed plan change	Whole Plan Change		Decline the proposed plan change
2	2.2	Fluker Surveying Limited	trish@fluker.co.nz	Oppose the specific provisions identified	Decline the proposed plan change if not amended	Residential	Height in Relation to Boundary - Pedestrian Access ways	Seeks that the HIRTB standard is amended to included the access ways zoned open space
2	2.3	Fluker Surveying Limited	trish@fluker.co.nz	Oppose the specific provisions identified	Decline the proposed plan change if not amended	Definitions	Building	Seeks to exclude 'power poles' from definition of building
2	2.4	Fluker Surveying Limited	trish@fluker.co.nz	Oppose the specific provisions identified	Decline the proposed plan change if not amended	Definitions	Building	Seeks to revise the definition on 'building' to something that is more practical as outlined in submission
2	2.5	Fluker Surveying Limited	trish@fluker.co.nz	Oppose the specific provisions identified	Decline the proposed plan change if not amended	Definitions	Building	Seeks to amend definition of building in relation to 'tanks' as specified in submission.
3	3.1	Goldstar Corporation Limited	LovettPlanning@Gmail.com	Oppose the specific provisions identified	Accept the plan modification with amendments	Whole Plan Change		Accept the plan modification with amendments
3	3.2	Goldstar Corporation Limited	LovettPlanning@Gmail.com	Oppose the specific provisions identified	Accept the plan modification with amendments	Business	Bonus floor area ratio – light and outlook	Delete the proposed requirement to meet standards in order to qualify for the Light and Outlook bonus
4	4.1	Riverview Properties	burnetteo@barker.co.nz	Support the specific provisions identified	Accept the plan modification with amendments	Residential	Rural and Coastal Settlement Zone - Building Coverage Standard	Seeks to support H2.6.9(1) – Building Coverage so it must not exceed 20% of net site area or 400m <sup>2</sup> , whichever is the lesser
4	4.2	Riverview Properties	burnetteo@barker.co.nz	Support the specific provisions identified	Accept the plan modification with amendments	Residential	Rural and Coastal Settlement Zone - Building Coverage Standard	Seeks that further consistency could be achieved by stating 500m <sup>2</sup> otherwise 400m <sup>2</sup> will always be the lesser in many existing settlements such as Kaukapakapa, Leigh, Baddeleys Beach, Campbells Beach, Rainbows End etc
4	4.3	Riverview Properties	burnetteo@barker.co.nz	Support the specific provisions identified	Accept the plan modification with amendments	Whole Plan Change	Consequential amendments	Seeks any such further or consequential changes necessary or appropriate to address the concerns expressed in this submission
5	5.1	Cosdo NZ Limited	LovettPlanning@gmail.com	Oppose the specific provisions identified	Amend the plan modification if it is not declined	Whole Plan Change		Amend the plan modification if it is not declined
5	5.2	Cosdo NZ Limited	LovettPlanning@gmail.com	Oppose the specific provisions identified	Amend the plan modification if it is not declined	Business	Bonus floor area ratio – light and outlook	Delete the proposed requirement to meet standards in order to qualify for the Light and Outlook bonus
6	6.1	Woolworths New Zealand Limited	philip@campbellbrown.co.nz	Support the specific provisions identified	Accept the plan modification	Whole Plan Change		Accept the plan modification
6	6.2	Woolworths New Zealand Limited	philip@campbellbrown.co.nz	Support the specific provisions identified	Accept the plan modification	Business	Height and Height in relation to boundary in business zones	Seeks that the amended purpose of the Height standard in the Business zones be confirmed
6	6.3	Woolworths New Zealand Limited	philip@campbellbrown.co.nz	Support the specific provisions identified	Accept the plan modification	Business	Height and Height in relation to boundary in business zones	Seeks that the anomaly in relation to the amendments to the purpose of the Height and Height in Relation to Boundary standards of the Business Mixed Use Zone (H13.6.1 and H13.6.2) be rectified as outlined in submission
6	6.4	Woolworths New Zealand Limited	philip@campbellbrown.co.nz	Support the specific provisions identified	Accept the plan modification	Whole Plan Change	Consequential amendments	Seeks such other amendments to the provisions of the AUP as may be necessary to give effect to the relief sought in this submission
7	7.1	Lawrie Knight	david@davidwren.co.nz	Oppose the specific provisions identified	Amend the plan modification if it is not declined	Whole Plan Change		Amend the plan modification if it is not declined
7	7.2	Lawrie Knight	david@davidwren.co.nz	Oppose the specific provisions identified	Amend the plan modification if it is not declined	Whole Plan Change		Seeks changes to PC16 as shown in submission (additions as underlines and deletions as struck through)
7	7.3	Lawrie Knight	david@davidwren.co.nz	Oppose the specific provisions identified	Amend the plan modification if it is not declined	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H4.6.11 as outlined in the submission (1st bullet point)

Plan Change 16 - Improving consistency of provisions for Zones								
Summary of Decisions Requested								
Sub #	Sub Point	Submitter Name	Contact details	Theme	Decision Sought	Topic	Subtopic	Summary of submission
7	7.4	Lawrie Knight	david@davidwren.co.nz	Oppose the specific provisions identified	Amend the plan modification if it is not declined	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H4.6.11(7) as outlined in submission
7	7.5	Lawrie Knight	david@davidwren.co.nz	Oppose the specific provisions identified	Amend the plan modification if it is not declined	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H4.6.11(9)( c) as outlined in the submission
7	7.6	Lawrie Knight	david@davidwren.co.nz	Oppose the specific provisions identified	Amend the plan modification if it is not declined	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H5.6.12 as outlined in the submission (1st bullet point)
7	7.7	Lawrie Knight	david@davidwren.co.nz	Oppose the specific provisions identified	Amend the plan modification if it is not declined	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H5.6.12(7) as outlined in submission
7	7.8	Lawrie Knight	david@davidwren.co.nz	Oppose the specific provisions identified	Amend the plan modification if it is not declined	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H5.6.12(9)( c) as outlined in submission
7	7.9	Lawrie Knight	david@davidwren.co.nz	Oppose the specific provisions identified	Amend the plan modification if it is not declined	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H5.6.13 as outlined in the submission (1st bullet point)
7	7.10	Lawrie Knight	david@davidwren.co.nz	Oppose the specific provisions identified	Amend the plan modification if it is not declined	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H5.6.13(7) as outlined in the submission
7	7.11	Lawrie Knight	david@davidwren.co.nz	Oppose the specific provisions identified	Amend the plan modification if it is not declined	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H5.6.13(9)( c) as outlined in the submission
7	7.12	Lawrie Knight	david@davidwren.co.nz	Oppose the specific provisions identified	Amend the plan modification if it is not declined	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H10.6.10(8) as outlined in the submission
7	7.13	Lawrie Knight	david@davidwren.co.nz	Oppose the specific provisions identified	Amend the plan modification if it is not declined	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H10.6.10(10) as outlined in the submission
7	7.14	Lawrie Knight	david@davidwren.co.nz	Oppose the specific provisions identified	Amend the plan modification if it is not declined	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H11.6.8(8) as outlined in the submission
7	7.15	Lawrie Knight	david@davidwren.co.nz	Oppose the specific provisions identified	Amend the plan modification if it is not declined	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H11.6.8(10)( c) as outlined in submission
7	7.16	Lawrie Knight	david@davidwren.co.nz	Oppose the specific provisions identified	Amend the plan modification if it is not declined	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H12.6.8(8) as outlined in the submission
7	7.17	Lawrie Knight	david@davidwren.co.nz	Oppose the specific provisions identified	Amend the plan modification if it is not declined	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H12.6.8(10)( c) as outlined in the submission
7	7.18	Lawrie Knight	david@davidwren.co.nz	Oppose the specific provisions identified	Amend the plan modification if it is not declined	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H13.6.9(8) as outlined in the submission
7	7.19	Lawrie Knight	david@davidwren.co.nz	Oppose the specific provisions identified	Amend the plan modification if it is not declined	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H13.6.9(10)( c) as outlined in the submission
7	7.20	Lawrie Knight	david@davidwren.co.nz	Oppose the specific provisions identified	Amend the plan modification if it is not declined	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H14.6.7(8) as outlined in the submission
7	7.21	Lawrie Knight	david@davidwren.co.nz	Oppose the specific provisions identified	Amend the plan modification if it is not declined	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H14.6.7(10)( c) as outlined in the submission
7	7.22	Lawrie Knight	david@davidwren.co.nz	Oppose the specific provisions identified	Amend the plan modification if it is not declined	Whole Plan Change		Seeks any alternative and additional changes to PC16 that would provide for the matters set out in this submission
8	8.1	Hospitality Services Limited	takeshi.ito@millenniumhotels.com	Oppose the specific provisions identified	Decline the proposed plan change.	Whole Plan Change		Decline the proposed plan change

Plan Change 16 - Improving consistency of provisions for Zones								
Summary of Decisions Requested								
Sub #	Sub Point	Submitter Name	Contact details	Theme	Decision Sought	Topic	Subtopic	Summary of submission
8	8.2	Hospitality Services Limited	takeshi.lto@millenniumhotels.com	Oppose the specific provisions identified	Decline the proposed plan change if not amended	Whole Plan Change		Decline the proposed plan change if not amended
8	8.3	Hospitality Services Limited	takeshi.lto@millenniumhotels.com	Oppose the specific provisions identified	Decline the proposed plan change if not amended	Business	Outlook Space - Business City Centre and Business - Metropolitan Centre zones	Seeks that if the changes to 'visitor accommodation' are not declined, than the reference to visitor accommodation or temporary accommodation should be deleted
9	9.1	Northcote RD 1 Holdings Limited	vaughan@vsplanning.co.nz	Wishes to have the provisions identified amended	Decline the proposed plan change if not amended	Whole Plan Change		Seeks that if the proposed plan change / variation is not declined, then amend it as set out in submission
9	9.2	Northcote RD 1 Holdings Limited	vaughan@vsplanning.co.nz	Wishes to have the provisions identified amended	Accept the plan modification	Definitions	Gross floor area (GFA)	Seeks to approve the proposed amendment to the definition of 'gross floor area'
9	9.3	Northcote RD 1 Holdings Limited	vaughan@vsplanning.co.nz	Wishes to have the provisions identified amended	Decline the proposed plan change if not amended	Definitions	Pedestrian circulation space	Seeks to amend the proposed definition of 'pedestrian circulation space' as outlined in submission
9	9.4	Northcote RD 1 Holdings Limited	vaughan@vsplanning.co.nz	Wishes to have the provisions identified amended	Decline the proposed plan change if not amended	Definitions	Food and beverage	Seeks to amend the definition of 'food and beverage' as outlined in submission
9	9.5	Northcote RD 1 Holdings Limited	vaughan@vsplanning.co.nz	Wishes to have the provisions identified amended	Decline the proposed plan change if not amended	Definitions	Food and beverage	Seeks to reinstate the reference to primary business in the definition of 'food and beverage' as outlined in submission
10	10.1	Scentre(New Zealand) Limited	vaughan@vsplanning.co.nz	Wishes to have the provisions identified amended	Decline the proposed plan change if not amended	Whole Plan Change		Seeks that if the proposed plan change / variation is not declined, then amend it as set out in submission
10	10.2	Scentre(New Zealand) Limited	vaughan@vsplanning.co.nz	Wishes to have the provisions identified amended	Accept the plan modification	Definitions	Gross floor area (GFA)	Seeks to approve the proposed amendment to the definition of 'gross floor area'
10	10.3	Scentre(New Zealand) Limited	vaughan@vsplanning.co.nz	Wishes to have the provisions identified amended	Accept the plan modification	Definitions	Pedestrian circulation space	Seeks to amend the proposed definition of 'pedestrian circulation space' as set out in submission
10	10.4	Scentre(New Zealand) Limited	vaughan@vsplanning.co.nz	Wishes to have the provisions identified amended	Accept the plan modification	Definitions	Food and beverage	Seeks to amend the definition of 'food and beverage' as set out in submission
10	10.5	Scentre(New Zealand) Limited	vaughan@vsplanning.co.nz	Wishes to have the provisions identified amended	Accept the plan modification	Definitions	Food and beverage	Seeks to reinstate the reference to primary business in the definition of 'food and beverage'
11	11.1	W. Smale Limited	vaughan@vsplanning.co.nz	Wishes to have the provisions identified amended	Decline the proposed plan change if not amended	Whole Plan Change		Seeks that if the proposed plan change / variation is not declined, then amend it as set out in submission
11	11.2	W. Smale Limited	vaughan@vsplanning.co.nz	Wishes to have the provisions identified amended	Decline the proposed plan change if not amended	Definitions	Food and beverage	Seeks to amend the definition of 'food and beverage' as set out in submission
11	11.3	W. Smale Limited	vaughan@vsplanning.co.nz	Wishes to have the provisions identified amended	Decline the proposed plan change if not amended	Definitions	Food and beverage	Seeks to reinstate the reference to primary business in the definition of 'food and beverage'
12	12.1	Oil Companies (Z Energy Limited, BP Oil NZ Limited, Mobil Oil NZ Limited)	markl@4sight.co.nz	Oppose the specific provisions identified	Modify specific provisions identified	Definitions	Building	Seek that the second qualifier relating to tanks also refers to the 1m height as outlined in submission
12	12.2	Oil Companies (Z Energy Limited, BP Oil NZ Limited, Mobil Oil NZ Limited)	markl@4sight.co.nz	Supported in part	Modify specific provisions identified	Definitions	Food and beverage	Seek to ensure that the broader definition does not inadvertently cut across more specific activity definitions which include a food and beverage element, for instance service stations
12	12.3	Oil Companies (Z Energy Limited, BP Oil NZ Limited, Mobil Oil NZ Limited)	markl@4sight.co.nz		Modify specific provisions identified	Definitions	Building	Amend the second tank qualifier as outlined in submission



Plan Change 16 - Improving consistency of provisions for Zones								
Summary of Decisions Requested								
Sub #	Sub Point	Submitter Name	Contact details	Theme	Decision Sought	Topic	Subtopic	Summary of submission
12	12.4	Oil Companies (Z Energy Limited, BP Oil NZ Limited, Mobil Oil NZ Limited)	markl@4sight.co.nz		Modify specific provisions identified	Definitions	Food and beverage	Seeks to add service stations to the list of activities excluded from the definition of 'food and beverage'
12	12.5	Oil Companies (Z Energy Limited, BP Oil NZ Limited, Mobil Oil NZ Limited)	markl@4sight.co.nz		Modify specific provisions identified	Whole Plan Change	Consequential amendments	Seeks to adopt any other such relief, including additions, deletions, consequential amendments or alternative relief necessary to give effect to these submissions as a result of the matters raised
13	13.1	Horticulture New Zealand	lucy.deverall@hortnz.com		Modify specific provisions identified	Definitions	Building	Seeks to amend definition as it relates to retention tanks as outlined in submission
13	13.2	Horticulture New Zealand	lucy.deverall@hortnz.com		Modify specific provisions identified	Definitions	Workers' accommodation	Seek to amend definition of 'workers' accommodation' as outlined in submission
13	13.3	Horticulture New Zealand	lucy.deverall@hortnz.com		Modify specific provisions identified	Definitions	Workers' accommodation	Seeks to insert new definition for 'seasonal workers' accommodation'
13	13.4	Horticulture New Zealand	lucy.deverall@hortnz.com		Modify specific provisions identified	Definitions	Workers' accommodation	Seeks to amend Table H19.8.1 to insert new activity as outline in submission
13	13.5	Horticulture New Zealand	lucy.deverall@hortnz.com		Modify specific provisions identified	Definitions	Workers' accommodation	Insert new standards – for 'seasonal workers' accommodation' as outlined in submission
14	14.1	Whai Rawa Railway Lands LP	cmcgarr@bentley.co.nz	Oppose the specific provisions identified	Amend the plan modification if it is not declined	Whole Plan Change		Amend the plan modification if it is not declined
14	14.2	Whai Rawa Railway Lands LP	cmcgarr@bentley.co.nz	Oppose the specific provisions identified	Amend the plan modification if it is not declined	Definitions	Floor area ratio (FAR)	Seeks that the definition of 'floor area ratio' be amended as shown in submission to avoid inadvertent ambiguity, and to achieve consistency of interpretation
14	14.3	Whai Rawa Railway Lands LP	cmcgarr@bentley.co.nz	Oppose the specific provisions identified	Amend the plan modification if it is not declined	Whole Plan Change	Consequential amendments	Seeks any other consequential amendments required to give effect to the relief sought
15	15.1	Aaron Grey	aaronjgrey@gmail.com	Oppose the specific provisions identified	Accept the plan modification with amendments	Whole Plan Change		Accept the plan modification with amendments
15	15.2	Aaron Grey	aaronjgrey@gmail.com	Neutral towards this change but proposes amendments.	Accept the plan modification with amendments	Residential	Height in Relation to Boundary - Pedestrian Access ways	Insert a definition of 'Pedestrian access way' into Chapter J Definitions as set out in submission
15	15.3	Aaron Grey	aaronjgrey@gmail.com	Oppose the specific provisions identified	Accept the plan modification with amendments	Residential	Fence height applying to Yards	Seeks that the changes to Standards H2.6.10, H3.6.12, H4.6.14, H5.6.15 and H6.6.16 are not made
15	15.4	Aaron Grey	aaronjgrey@gmail.com	Oppose the specific provisions identified	Accept the plan modification with amendments	Residential	Fence height applying to Yards	Alternatively, seeks further amendments to the above listed standards are included to identify that the fencing restrictions within coastal protection yards, riparian yards and lakeside yards only apply where the waterbody is not contained within privately owned land
15	15.5	Aaron Grey	aaronjgrey@gmail.com	Oppose the specific provisions identified	Accept the plan modification with amendments	Residential	Outlook Space - other Business zones and Residential zones	Seeks that the changes to Standards H4.6.11(7), H5.6.12(7) and H6.6.13(7) are not made
15	15.6	Aaron Grey	aaronjgrey@gmail.com	Supported in part	Accept the plan modification with amendments	Residential	Outlook Space - other Business zones and Residential zones	Seeks that the text outline in submission is added to the end of the amendments to Standards H4.6.11(9)(c), H5.6.12(9)(c) and H6.6.13(9)(c):
15	15.7	Aaron Grey	aaronjgrey@gmail.com	Neutral towards this change but proposes amendments.	Accept the plan modification with amendments	Residential	Fences within a required Outlook Space	Seeks that the Standards H4.6.11(9)(d), H5.6.12(9)(d) and H6.6.13(9)(d) is instead inserted as set out in submission
15	15.8	Aaron Grey	aaronjgrey@gmail.com	Oppose the specific provisions identified	Accept the plan modification with amendments	Residential	Outdoor living space	Seeks that the changes to Standards H4.6.13, H5.6.14 and H6.6.15 are not made.
15	15.9	Aaron Grey	aaronjgrey@gmail.com	Oppose the specific provisions identified	Accept the plan modification with amendments	Residential	Outdoor living space	Alternatively, seeks that the amendments to Standards H4.6.13(1)(c), H5.6.14(1)(c) and H6.6.15(1)(c) are made to instead read as set out in submission
15	15.10	Aaron Grey	aaronjgrey@gmail.com	Neutral towards this change but proposes amendments.	Accept the plan modification with amendments	Business	Outlook Space - other Business zones and Residential zones	Seeks that Standards H10.6.10, H11.6.8, H12.6.8 and H13.6.9 be amended to be the same as Standards H4.6.11, H5.6.12 and H6.6.13 (including any amendments under this plan change)

Plan Change 16 - Improving consistency of provisions for Zones								
Summary of Decisions Requested								
Sub #	Sub Point	Submitter Name	Contact details	Theme	Decision Sought	Topic	Subtopic	Summary of submission
15	15.11	Aaron Grey	aaronjgrey@gmail.com	Support the specific provisions identified	Accept the plan modification with amendments	Definitions	Building	Seeks that the changes proposed to the definition of 'building' are made
15	15.12	Aaron Grey	aaronjgrey@gmail.com	Support the specific provisions identified	Accept the plan modification with amendments	Definitions	Building	Seeks to replace "Fences or walls" with "Fences, walls, railings or balustrades" and increase the exclusion height from 1.5 to 2.5m
15	15.13	Aaron Grey	aaronjgrey@gmail.com	Support the specific provisions identified	Accept the plan modification with amendments	Definitions	Landscaped area	Seeks that the changes proposed to the definition of 'landscaped area' are made
15	15.14	Aaron Grey	aaronjgrey@gmail.com	Support the specific provisions identified	Accept the plan modification with amendments	Definitions	Landscaped area	Seeks to remove "non-permeable" from item (5) of the definition of landscaped area
16	16.1	Viaduct Harbour Holdings Limited	cmcgarr@bentley.co.nz	Oppose the specific provisions identified	Accept the plan modification with amendments	Whole Plan Change		Accept the plan modification with amendments
16	16.2	Viaduct Harbour Holdings Limited	cmcgarr@bentley.co.nz	Oppose the specific provisions identified	Accept the plan modification with amendments	Residential		Seeks that the definition of Floor Area Ratio be amended as set out in submission to avoid inadvertent ambiguity, and to achieve consistency of interpretation
16	16.3	Viaduct Harbour Holdings Limited	cmcgarr@bentley.co.nz	Oppose the specific provisions identified	Accept the plan modification with amendments	Whole Plan Change	Consequential amendments	Seeks that any other consequential amendments required to give effect to the relief sought
17	17.1	Heritage New Zealand Pouhere Taonga	sandrews@heritage.org.nz	Support the specific provisions identified	Accept the plan modification	Whole Plan Change		Accept the plan modification
17	17.2	Heritage New Zealand Pouhere Taonga	sandrews@heritage.org.nz	Support the specific provisions identified	Accept the plan modification	Business	Form and design of buildings adjoining historic heritage places	Seeks that the specific provisions of the proposed plan change that Heritage NZ's submission relates to be adopted (H8.8.2(1)(b) and H8.8.2(1)(b)(i))
18	18.1	John Yan	john.yan@envivo.co.nz	Support the specific provisions identified	Accept the plan modification with amendments	Whole Plan Change		Accept the plan modification with amendments
18	18.2	John Yan	john.yan@envivo.co.nz	Support the specific provisions identified	Accept the plan modification with amendments	Residential	Fences within a required Outlook Space	Seeks clarification of the fence/wall being referenced as either an existing structure or a new structure within the subject site boundaries
18	18.3	John Yan	john.yan@envivo.co.nz	Support the specific provisions identified	Accept the plan modification with amendments	Residential	Fences within a required Outlook Space	Seeks clarification of where the fence/wall height is measured from, i.e. relative to the internal floor level of the applicable habitable room window/glazing area.
18	18.4	John Yan	john.yan@envivo.co.nz	Support the specific provisions identified	Accept the plan modification with amendments	Residential	Fences within a required Outlook Space	Seeks clarification of a minimum setback distance of the fence/wall from the applicable habitable room window/glazing area
18	18.5	John Yan	john.yan@envivo.co.nz	Support the specific provisions identified	Accept the plan modification with amendments	Residential	Fences within a required Outlook Space	Seeks clarification of the appearance of a 'visually open' fence/wall by provision of a visual diagram or example in addition to the text
18	18.6	John Yan	john.yan@envivo.co.nz	Support the specific provisions identified	Accept the plan modification with amendments	Residential	Fences within a required Outlook Space	Seeks such alternative or consequential relief is necessary
19	19.1	Envivo Limited	tracey.morse@envivo.co.nz	Support the specific provisions identified	Accept the plan modification with amendments	Whole Plan Change		Accept the plan modification with amendments
19	19.2	Envivo Limited	tracey.morse@envivo.co.nz	Support the specific provisions identified	Accept the plan modification with amendments	Residential	Outdoor living space	Seeks clarification of what constitutes "accessible" / "directly accessible" through amended wording or the provision of a definition.
19	19.3	Envivo Limited	tracey.morse@envivo.co.nz	Support the specific provisions identified	Accept the plan modification with amendments	Residential	Outdoor living space	Seeks clarification of "accessible" / "directly accessible" by provision of a visual diagram or example in addition to the text
19	19.4	Envivo Limited	tracey.morse@envivo.co.nz	Support the specific provisions identified	Accept the plan modification with amendments	Residential	Outdoor living space	Seeks such consequential relief is necessary
20	20.1	T&G Global	burnetteo@barker.co.nz	Oppose the specific provisions identified	Modify specific provisions identified	Definitions	Workers' accommodation	Seek that the amendment proposed by PPC16 to the definition of Workers Accommodation be deleted
20	20.2	T&G Global	burnetteo@barker.co.nz	Oppose the specific provisions identified	Modify specific provisions identified	Definitions	Building	Seeks that the definition of 'building' as it relates to retention tanks is amended as outlined in submission

Plan Change 16 - Improving consistency of provisions for Zones								
Summary of Decisions Requested								
Sub #	Sub Point	Submitter Name	Contact details	Theme	Decision Sought	Topic	Subtopic	Summary of submission
20	20.3	T&G Global	burnetteo@barker.co.nz	Oppose the specific provisions identified	Modify specific provisions identified	Whole Plan Change	Consequential amendments	Seeks any such further or consequential changes necessary or appropriate to address the concerns expressed in this submission
21	21.1	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Whole Plan Change		Seeks relief set out in the table at Appendix 1 or other relief to achieve the same intent
21	21.2	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Whole Plan Change	Consequential amendments	Seeks any consequential or related relief to give effect to this submission
21	21.3	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H4.6.11(1st bullet point) as outlined in submission
21	21.4	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H4.6.11(7) as outlined in submission
21	21.5	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H4.6.11(8)( c) as outlined in submission
21	21.6	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H4.6.11(10) as outlined in submission
21	21.7	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H5.6.12(1st bullet point) as outlined in submission
21	21.8	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H5.6.12(7) as outlined in submission
21	21.9	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H5.6.12(9)( c) as outlined in submission
21	21.10	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H5.6.12(10) as outlined in submission
21	21.11	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H6.6.13(1st bullet point) as outlined in submission

Plan Change 16 - Improving consistency of provisions for Zones								
Summary of Decisions Requested								
Sub #	Sub Point	Submitter Name	Contact details	Theme	Decision Sought	Topic	Subtopic	Summary of submission
21	21.12	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H6.6.13(7) as outlined in submission
21	21.13	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H6.6.13(9)( c) as outlined in submission
21	21.14	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H6.6.13(10) as outlined in submission
21	21.15	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - Business City Centre and Business - Metropolitan Centre zones	Seeks changes to H9.6.10 (1st bullet point) as outlined in submission
21	21.16	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - Business City Centre and Business - Metropolitan Centre zones	Seeks changes to H9.6.10(1) as outlined in submission
21	21.17	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - Business City Centre and Business - Metropolitan Centre zones	Seeks changes to H9.6.10(2) as outlined in submission
21	21.18	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - Business City Centre and Business - Metropolitan Centre zones	Seeks changes to H9.6.10(3) as outlined in submission
21	21.19	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - Business City Centre and Business - Metropolitan Centre zones	Seeks changes to H9.6.10(3)(a) as outlined in submission
21	21.20	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - Business City Centre and Business - Metropolitan Centre zones	Seeks changes to H9.6.10(3)(b) as outlined in submission
21	21.21	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - Business City Centre and Business - Metropolitan Centre zones	Seeks changes to H9.6.10(3)( c) as outlined in submission
21	21.22	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H10.6.10(1) as outlined in submission
21	21.23	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H10.6.10(3)(a) as outlined in submission

Plan Change 16 - Improving consistency of provisions for Zones								
Summary of Decisions Requested								
Sub #	Sub Point	Submitter Name	Contact details	Theme	Decision Sought	Topic	Subtopic	Summary of submission
21	21.24	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H10.6.10(3)(b) as outlined in submission
21	21.25	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H10.6.10(3)( c) as outlined in submission
21	21.26	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H10.6.10(8) as outlined in submission
21	21.27	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H10.6.10(10)( c) as outlined in submission
21	21.28	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H11.6.8(1) as outlined in submission
21	21.29	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H11.6.8(3)(a) as outlined in submission
21	21.30	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H11.6.8(3)(b) as outlined in submission
21	21.31	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H11.6.8(3)( c) as outlined in submission
21	21.32	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H11.6.8(8) as outlined in submission
21	21.33	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H11.6.8(10)( c) as outlined in submission
21	21.34	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H12.6.8(1) as outlined in submission
21	21.35	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H12.6.8(3)(a) as outlined in submission



Plan Change 16 - Improving consistency of provisions for Zones								
Summary of Decisions Requested								
Sub #	Sub Point	Submitter Name	Contact details	Theme	Decision Sought	Topic	Subtopic	Summary of submission
21	21.36	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H12.6.8(3)(b) as outlined in submission
21	21.37	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H12.6.8(3)( c) as outlined in submission
21	21.38	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H12.6.8(8) as outlined in submission
21	21.39	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H12.6.8(10)( c) as outlined in submission
21	21.40	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H13.6.9(1) as outlined in submission
21	21.41	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H13.6.9(3)(a) as outlined in submission
21	21.42	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H13.6.9(3)(b) as outlined in submission
21	21.43	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H13.6.9(3)( c) as outlined in submission
21	21.44	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H13.6.9(8) as outlined in submission
21	21.45	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H13.6.9(10)( c) as outlined in submission
21	21.46	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com		Opposes specific provisions identified	Residential	Outlook Space - other Business zones and Residential zones	Seek Council will consider the relevant assessment criteria for restricted discretionary activities in H6.8.2(3)(k)
22	22.1	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Whole Plan Change		Seeks relief set out in the table at Appendix 1 or other relief to achieve the same intent

Plan Change 16 - Improving consistency of provisions for Zones								
Summary of Decisions Requested								
Sub #	Sub Point	Submitter Name	Contact details	Theme	Decision Sought	Topic	Subtopic	Summary of submission
22	22.2	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Whole Plan Change	Consequential amendments	Seeks any consequential or related relief to give effect to this submission.
22	22.3	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H4.6.11(1st bullet point) as outlined in submission
22	22.4	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H4.6.11(7) as outlined in submission
22	22.5	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H4.6.11(8)( c) as outlined in submission
22	22.6	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H4.6.11(10) as outlined in submission
22	22.7	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H5.6.12(1st bullet point) as outlined in submission
22	22.8	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H5.6.12(7) as outlined in submission
22	22.9	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H5.6.12(9)( c) as outlined in submission
22	22.10	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H5.6.12(10) as outlined in submission
22	22.11	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H6.6.13(1st bullet point) as outlined in submission
22	22.12	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H6.6.13(7) as outlined in submission
22	22.13	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H6.6.13(9)( c) as outlined in submission

Plan Change 16 - Improving consistency of provisions for Zones								
Summary of Decisions Requested								
Sub #	Sub Point	Submitter Name	Contact details	Theme	Decision Sought	Topic	Subtopic	Summary of submission
22	22.14	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H6.6.13(10) as outlined in submission
22	22.15	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - Business City Centre and Business - Metropolitan Centre zones	Seeks changes to H9.6.10 (1st bullet point) as outlined in submission
22	22.16	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - Business City Centre and Business - Metropolitan Centre zones	Seeks changes to H9.6.10(1) as outlined in submission
22	22.17	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - Business City Centre and Business - Metropolitan Centre zones	Seeks changes to H9.6.10(2) as outlined in submission
22	22.18	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - Business City Centre and Business - Metropolitan Centre zones	Seeks changes to H9.6.10(3) as outlined in submission
22	22.19	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - Business City Centre and Business - Metropolitan Centre zones	Seeks changes to H9.6.10(3)(a) as outlined in submission
22	22.20	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - Business City Centre and Business - Metropolitan Centre zones	Seeks changes to H9.6.10(3)(b) as outlined in submission
22	22.21	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - Business City Centre and Business - Metropolitan Centre zones	Seeks changes to H9.6.10(3)( c) as outlined in submission
22	22.22	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H10.6.10(1) as outlined in submission
22	22.23	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H10.6.10(3)(a) as outlined in submission
22	22.24	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H10.6.10(3)(b) as outlined in submission
22	22.25	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H10.6.10(3)( c) as outlined in submission



Plan Change 16 - Improving consistency of provisions for Zones								
Summary of Decisions Requested								
Sub #	Sub Point	Submitter Name	Contact details	Theme	Decision Sought	Topic	Subtopic	Summary of submission
22	22.26	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H10.6.10(8) as outlined in submission
22	22.27	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H10.6.10(10)( c) as outlined in submission
22	22.28	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H11.6.8(1) as outlined in submission
22	22.29	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H11.6.8(3)(a) as outlined in submission
22	22.30	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H11.6.8(3)(b) as outlined in submission
22	22.31	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H11.6.8(3)( c) as outlined in submission
22	22.32	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H11.6.8(8) as outlined in submission
22	22.33	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H11.6.8(10)( c) as outlined in submission
22	22.34	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H12.6.8(1) as outlined in submission
22	22.35	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H12.6.8(3)(a) as outlined in submission
22	22.36	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H12.6.8(3)(b) as outlined in submission
22	22.37	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H12.6.8(3)( c) as outlined in submission

Plan Change 16 - Improving consistency of provisions for Zones								
Summary of Decisions Requested								
Sub #	Sub Point	Submitter Name	Contact details	Theme	Decision Sought	Topic	Subtopic	Summary of submission
22	22.38	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H12.6.8(8) as outlined in submission
22	22.39	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H12.6.8(10)( c) as outlined in submission
22	22.40	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H13.6.9(1) as outlined in submission
22	22.41	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H13.6.9(3)(a) as outlined in submission
22	22.42	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H13.6.9(3)(b) as outlined in submission
22	22.43	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H13.6.9(3)( c) as outlined in submission
22	22.44	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H13.6.9(8) as outlined in submission
22	22.45	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Oppose the specific provisions identified	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H13.6.9(10)( c) as outlined in submission
22	22.46	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com		Opposes specific provisions identified	Residential	Assessment criteria: Traffic effects	Seek Council will consider the relevant assessment criteria for restricted discretionary activities in H6.8.2(3)(k)
23	23.1	Better Living Landscapes and Ltd Parallax Surveyors Ltd	kpegum@xtra.co.nz tracy@pclsurvey.co.nz	Oppose the specific provisions identified	Amend the plan modification if it is not declined	Whole Plan Change		Amend the plan modification if it is not declined
23	23.2	Better Living Landscapes and Ltd Parallax Surveyors Ltd	kpegum@xtra.co.nz tracy@pclsurvey.co.nz	Support the specific provisions identified	Amend the plan modification if it is not declined	Residential	Rural and Coastal Settlement Zone - Building Coverage Standard	Seeks to support change to H2.6.9
23	23.3	Better Living Landscapes and Ltd Parallax Surveyors Ltd	kpegum@xtra.co.nz tracy@pclsurvey.co.nz	Oppose the specific provisions identified	Amend the plan modification if it is not declined	Residential	Height in relation to boundary adjoining Open Space Zones	Seeks to delete new insertion in H2.6.6(2)(b)(ii)
23	23.4	Better Living Landscapes and Ltd Parallax Surveyors Ltd	kpegum@xtra.co.nz tracy@pclsurvey.co.nz	Oppose the specific provisions identified	Amend the plan modification if it is not declined	Residential	Matters of discretion: Residential character and Landscape Qualities	Seeks that landscape qualities should be replaced with landscape amenity values which is a recognised and understood term

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Summary of Decisions Requested								
Sub #	Sub Point	Submitter Name	Contact details	Theme	Decision Sought	Topic	Subtopic	Summary of submission
23	23.5	Better Living Landscapes and Ltd Parallax Surveyors Ltd	kpegum@xtra.co.nz tracy@pclsurvey.co.nz	Oppose the specific provisions identified	Amend the plan modification if it is not declined	Definitions	Building	Seeks further exclusions from the definition of 'building' such as power poles, telephone poles and road name signs
23	23.6	Better Living Landscapes and Ltd Parallax Surveyors Ltd	kpegum@xtra.co.nz tracy@pclsurvey.co.nz	Oppose the specific provisions identified	Amend the plan modification if it is not declined	Definitions	Building	Seeks to keep chimneys in the definition of 'building'
23	23.7	Better Living Landscapes and Ltd Parallax Surveyors Ltd	kpegum@xtra.co.nz tracy@pclsurvey.co.nz	Oppose the specific provisions identified	Amend the plan modification if it is not declined	Definitions	Building	Seeks that baled agricultural produce should be deliberately excluded from the definition of 'building'
23	23.8	Better Living Landscapes and Ltd Parallax Surveyors Ltd	kpegum@xtra.co.nz tracy@pclsurvey.co.nz	Oppose the specific provisions identified	Amend the plan modification if it is not declined	Definitions	Workers' accommodation	Seeks to amend the definition of 'workers' accommodation'
24	24.1	Southern Paprika	burnetteo@barker.co.nz	Oppose the specific provisions identified	Modify specific provisions identified	Definitions	Workers' accommodation	Seeks that the amendment proposed by PPC16 to the definition of 'workers' accommodation' be deleted and the definition of workers' accommodation remain as, or with similar variation to achieve the relief sought
24	24.2	Southern Paprika	burnetteo@barker.co.nz	Oppose the specific provisions identified	Modify specific provisions identified	Definitions	Workers' accommodation	Seeks that the standards for 'workers' accommodation' are amended to enable multiple workers' accommodation to be developed on sites where a need for additional accommodation can be adequately demonstrated
24	24.3	Southern Paprika	burnetteo@barker.co.nz	Oppose the specific provisions identified	Modify specific provisions identified	Definitions	Building	Seeks that the definition of 'building' as it relates to retention tanks is amended as set out in submission
24	24.4	Southern Paprika	burnetteo@barker.co.nz	Oppose the specific provisions identified	Modify specific provisions identified	Whole Plan Change	Consequential amendments	Seeks any such further or consequential changes necessary or appropriate to address the concerns expressed in this submission
25	25.1	Pakiri Farm Limited	burnetteo@barker.co.nz	Oppose the specific provisions identified	Modify specific provisions identified	Definitions	Workers' accommodation	Seeks that the amendment proposed by PPC16 to the definition of 'workers' accommodation be deleted
25	25.2	Pakiri Farm Limited	burnetteo@barker.co.nz	Oppose the specific provisions identified	Modify specific provisions identified	Whole Plan Change	Consequential amendments	Seeks any such further or consequential changes necessary or appropriate to address the concerns expressed in the submissions
25	25.3	Pakiri Farm Limited	burnetteo@barker.co.nz	Oppose the specific provisions identified	Modify specific provisions identified	Definitions	Workers' accommodation	Seeks that the standards be amended to enable multiple, and / or larger worker accommodations where the need for this is able to be adequately demonstrated
26	26.1	Parallax surveyors Ltd	Withdrawn					
27	27.1	Te Arai South Partners, Te Arai South Holdings Limited, Te Arai North Limited, Tara Iti Holdings NZ	jo.young@boffamiskell.co.nz	Oppose the specific provisions identified	Accept the plan modification with amendments	Whole Plan Change		Accept the plan modification with amendments
27	27.2	Te Arai South Partners, Te Arai South Holdings Limited, Te Arai North Limited, Tara Iti Holdings NZ	jo.young@boffamiskell.co.nz	Oppose the specific provisions identified	Accept the plan modification with amendments	Definitions	Workers' accommodation	Seeks amendments to definition of 'workers' accommodation' as set out in submission
28	28.1	Federated Farmers of New Zealand	rgardner@fedfarm.org.nz	Oppose the specific provisions identified	Modify specific provisions identified	Definitions	Building	Seeks to include, as an exemption in the exemptions at the conclusion of Table J1.4.1: Buildings: - in rural zones, stacks of animal fodder

Plan Change 16 - Improving consistency of provisions for Zones								
Summary of Decisions Requested								
Sub #	Sub Point	Submitter Name	Contact details	Theme	Decision Sought	Topic	Subtopic	Summary of submission
29	29.1	Housing New Zealand Corporation	ckirman@ellisgould.co.nz adevine@ellisgould.co.nz matt.lindenberg@beca.com Gurv.singh@hnzc.co.nz	Support the specific provisions identified	Accept the plan modification with amendments	Whole Plan Change		Seeks that the proposed provisions of PPC16 be confirmed, deleted or amended, to address the matters raised in this submission and as set out in Attachment 1.
29	29.2	Housing New Zealand Corporation	ckirman@ellisgould.co.nz adevine@ellisgould.co.nz matt.lindenberg@beca.com Gurv.singh@hnzc.co.nz	Support the specific provisions identified	Accept the plan modification with amendments	Whole Plan Change	Consequential amendments	Seeks that such further or other relief, or other consequential or other amendments, as are considered appropriate and necessary to address the concerns set out herein
29	29.3	Housing New Zealand Corporation	ckirman@ellisgould.co.nz adevine@ellisgould.co.nz matt.lindenberg@beca.com Gurv.singh@hnzc.co.nz	Support the specific provisions identified	Accept the plan modification with amendments	Residential	Height in relation to boundary - Pedestrian access ways	Seeks to retain the provisions as proposed in PC 16 in relation to Height in relation to boundary standards (H2.6.6, H3.6.7, H4.6.5, H5.6.5, H6.6.6)
29	29.4	Housing New Zealand Corporation	ckirman@ellisgould.co.nz adevine@ellisgould.co.nz matt.lindenberg@beca.com Gurv.singh@hnzc.co.nz	Support the specific provisions identified	Accept the plan modification with amendments	Residential	Height in relation to boundary - Pedestrian access ways	Seeks to retain the provisions as proposed in PC 16 in relation to alternative height in relation to boundary standards (H4.6.6, H5.6.6, H6.6.7)
29	29.5	Housing New Zealand Corporation	ckirman@ellisgould.co.nz adevine@ellisgould.co.nz matt.lindenberg@beca.com Gurv.singh@hnzc.co.nz	Support the specific provisions identified	Accept the plan modification with amendments	Residential	Height in relation to boundary - Minor consistency amendments	Seeks to retain the provisions as proposed in PC 16 in relation to height in relation to boundary adjoining lower intensity zone standards (H5.6.7, H6.6.8)
29	29.6	Housing New Zealand Corporation	ckirman@ellisgould.co.nz adevine@ellisgould.co.nz matt.lindenberg@beca.com Gurv.singh@hnzc.co.nz	Support the specific provisions identified	Accept the plan modification with amendments	Residential	Fence height applying to yards	Seeks to retain the provisions as proposed in PC 16 in relation to front, side and rear fences and wall standards (H3.6.12, H4.6.14, H5.6.15, H6.6.16)
29	29.7	Housing New Zealand Corporation	ckirman@ellisgould.co.nz adevine@ellisgould.co.nz matt.lindenberg@beca.com Gurv.singh@hnzc.co.nz	Oppose the specific provisions identified	Accept the plan modification with amendments	Residential	Fences within a required outlook space	Seeks to delete the proposed addition to H4.6.11(9), H5.6.12(9) and H6.6.13(9) in specifying a fence height for fences required within outlook spaces
29	29.8	Housing New Zealand Corporation	ckirman@ellisgould.co.nz adevine@ellisgould.co.nz matt.lindenberg@beca.com Gurv.singh@hnzc.co.nz	Support the specific provisions identified	Accept the plan modification with amendments	Residential	Outdoor Living Space	Seeks to retain the provisions as proposed in PC 16 in relation to outdoor living space standards (H4.6.13, H5.6.14, H6.6.15)

Plan Change 16 - Improving consistency of provisions for Zones								
Summary of Decisions Requested								
Sub #	Sub Point	Submitter Name	Contact details	Theme	Decision Sought	Topic	Subtopic	Summary of submission
29	29.9	Housing New Zealand Corporation	ckirman@ellisgould.co.nz adevine@ellisgould.co.nz matt.lindenberg@beca.com Gurv.singh@hnzc.co.nz	Support the specific provisions identified	Accept the plan modification with amendments	Residential	Matters of discretion: Residential character and Landscape Qualities	Seeks to support the proposed amendment to H3.8.1(2)(d) with replacing the words 'rural and coastal' with 'suburban built'
29	29.10	Housing New Zealand Corporation	ckirman@ellisgould.co.nz adevine@ellisgould.co.nz matt.lindenberg@beca.com Gurv.singh@hnzc.co.nz	Support the specific provisions identified	Accept the plan modification with amendments	Residential	Matters of discretion: Residential character and Landscape Qualities	Seeks to support the proposed amendment to H4.8.1(3)(d) with replacing the words 'rural and coastal' with 'suburban built'
29	29.11	Housing New Zealand Corporation	ckirman@ellisgould.co.nz adevine@ellisgould.co.nz matt.lindenberg@beca.com Gurv.singh@hnzc.co.nz	Support the specific provisions identified	Accept the plan modification with amendments	Residential	Matters of discretion: Residential character and Landscape Qualities	Seeks to support the proposed amendment to H5.8.1(4)(d) with replacing the words 'rural and coastal' with 'suburban built'
29	29.12	Housing New Zealand Corporation	ckirman@ellisgould.co.nz adevine@ellisgould.co.nz matt.lindenberg@beca.com Gurv.singh@hnzc.co.nz	Support the specific provisions identified	Accept the plan modification with amendments	Residential	Matter of discretion: Parking and access	Seeks to retain the provisions as proposed in PC 16 in relation matters of discretion and assessment criteria for parking and access (H5.8.1, H5.8.2, H6.8.1, H6.8.2)
29	29.13	Housing New Zealand Corporation	ckirman@ellisgould.co.nz adevine@ellisgould.co.nz matt.lindenberg@beca.com Gurv.singh@hnzc.co.nz	Support the specific provisions identified	Accept the plan modification with amendments	Residential	Matters of discretion: Residential character and Landscape Qualities	Seeks to support the proposed amendments to H6.8.1(4)(d) to replace the words 'rural and coastal' with 'urban built'
29	29.14	Housing New Zealand Corporation	ckirman@ellisgould.co.nz adevine@ellisgould.co.nz matt.lindenberg@beca.com Gurv.singh@hnzc.co.nz	Oppose the specific provisions identified	Accept the plan modification with amendments	Residential	Assessment Criteria: Storage and Waste Collection	Seeks to amend H6.8.2(2)(k) and set out in submission
29	29.15	Housing New Zealand Corporation	ckirman@ellisgould.co.nz adevine@ellisgould.co.nz matt.lindenberg@beca.com Gurv.singh@hnzc.co.nz	Oppose the specific provisions identified	Accept the plan modification with amendments	Residential	Matters of discretion: Traffic effects	Seeks to amend H6.8.2(2)(l)(i) and H6.8.2(3)(k)(i) as set out in submission
29	29.16	Housing New Zealand Corporation	ckirman@ellisgould.co.nz adevine@ellisgould.co.nz matt.lindenberg@beca.com Gurv.singh@hnzc.co.nz	Support the specific provisions identified	Accept the plan modification with amendments	Business	General	Seeks to support the proposed amendments to H8

Plan Change 16 - Improving consistency of provisions for Zones								
Summary of Decisions Requested								
Sub #	Sub Point	Submitter Name	Contact details	Theme	Decision Sought	Topic	Subtopic	Summary of submission
29	29.17	Housing New Zealand Corporation	ckirman@ellisgould.co.nz adevine@ellisgould.co.nz matt.lindenberg@beca.com Gurv.singh@hnzc.co.nz	Support the specific provisions identified	Accept the plan modification with amendments	Business	General	Seeks to support the proposed amendments to H9
29	29.18	Housing New Zealand Corporation	ckirman@ellisgould.co.nz adevine@ellisgould.co.nz matt.lindenberg@beca.com Gurv.singh@hnzc.co.nz	Support the specific provisions identified	Accept the plan modification with amendments	Business	General	Seeks to support the proposed amendments to H10
29	29.19	Housing New Zealand Corporation	ckirman@ellisgould.co.nz adevine@ellisgould.co.nz matt.lindenberg@beca.com Gurv.singh@hnzc.co.nz	Support the specific provisions identified	Accept the plan modification with amendments	Business	General	Seeks to support the proposed amendments to H11
29	29.20	Housing New Zealand Corporation	ckirman@ellisgould.co.nz adevine@ellisgould.co.nz matt.lindenberg@beca.com Gurv.singh@hnzc.co.nz	Support the specific provisions identified	Accept the plan modification with amendments	Business	General	Seeks to support the proposed amendments to H12
29	29.21	Housing New Zealand Corporation	ckirman@ellisgould.co.nz adevine@ellisgould.co.nz matt.lindenberg@beca.com Gurv.singh@hnzc.co.nz	Support the specific provisions identified	Accept the plan modification with amendments	Business	General	Seeks to support the proposed amendments to H13
29	29.22	Housing New Zealand Corporation	ckirman@ellisgould.co.nz adevine@ellisgould.co.nz matt.lindenberg@beca.com Gurv.singh@hnzc.co.nz	Support the specific provisions identified	Accept the plan modification with amendments	Business	Average floor area definition	Seeks to support the proposed changes to 'average floor area' in Chapter J
29	29.23	Housing New Zealand Corporation	ckirman@ellisgould.co.nz adevine@ellisgould.co.nz matt.lindenberg@beca.com Gurv.singh@hnzc.co.nz	Oppose the specific provisions identified	Accept the plan modification with amendments	Definitions	Building	Seeks to amend definition of 'building' as set out in submission
29	29.24	Housing New Zealand Corporation	ckirman@ellisgould.co.nz adevine@ellisgould.co.nz matt.lindenberg@beca.com Gurv.singh@hnzc.co.nz	Support the specific provisions identified	Accept the plan modification with amendments	Definitions	Floor area ratio (FAR)	Seeks to support the proposed changes to 'floor area ratio' in Chapter J



Plan Change 16 - Improving consistency of provisions for Zones								
Summary of Decisions Requested								
Sub #	Sub Point	Submitter Name	Contact details	Theme	Decision Sought	Topic	Subtopic	Summary of submission
29	29.25	Housing New Zealand Corporation	ckirman@ellisgould.co.nz adevine@ellisgould.co.nz matt.lindenberg@beca.com Gurv.singh@hnzc.co.nz	Support the specific provisions identified	Accept the plan modification with amendments	Definitions	Front boundary	Seeks to support the inclusion of 'front boundary' definition
29	29.26	Housing New Zealand Corporation	ckirman@ellisgould.co.nz adevine@ellisgould.co.nz matt.lindenberg@beca.com Gurv.singh@hnzc.co.nz	Oppose the specific provisions identified	Accept the plan modification with amendments	Definitions	Landscaped area	Seeks to delete the entire definition of 'Landscape area' as it stands and proposed to introduce an amended definition for 'landscape area' and a new definition for 'permeable artificial lawn' in Chapter J as set out in submission
29	29.27	Housing New Zealand Corporation	ckirman@ellisgould.co.nz adevine@ellisgould.co.nz matt.lindenberg@beca.com Gurv.singh@hnzc.co.nz	Support the specific provisions identified	Accept the plan modification with amendments	Definitions	Pedestrian circulation space	Seeks to support the proposed changes to 'pedestrian circulation space' in Chapter J
30	30.1	Metlifecare Limited	justind@metlifecare.co.nz	Oppose the specific provisions identified	Amend the plan modification if it is not declined	Whole Plan Change		Amend the plan modification if it is not declined
30	30.2	Metlifecare Limited	justind@metlifecare.co.nz	Oppose the specific provisions identified	Amend the plan modification if it is not declined	Residential	Outlook Space	Seeks to delete all references to 'units within an intergrated residential development' and 'supported residential care' from rule H4.6.11, H5.6.12 and H6.6.13(relating to outlook space), or in the alternative delete reference to 'supported residential care' and amend the text so that 'retirement villages' are exempt from these rules
30	30.3	Metlifecare Limited	justind@metlifecare.co.nz	Oppose the specific provisions identified	Amend the plan modification if it is not declined	Residential	Outdoor Living Space	Seeks to either delete reference to 'supported residential care' in Rules H4.6.13, H5.6.14 and H6.6.15(relating to outdoor living courts); or delete the reference to outdoor living space deemed to be accessible from the principal living room, dining room or kitchen from these proposed rule changes
30	30.4	Metlifecare Limited	justind@metlifecare.co.nz	Oppose the specific provisions identified	Amend the plan modification if it is not declined	Residential	Assessment criteria: Traffic effects	Seeks to amend H6.8.2(3)(k)(i) being the traffic assessment for intergrated residential development so it read as set out in submissions
30	30.5	Metlifecare Limited	justind@metlifecare.co.nz	Oppose the specific provisions identified	Amend the plan modification if it is not declined	Business	Outlook Space - other Business zones and Residential zones	Seeks to delete all reference to 'units within an intergrated residential development' from Rule H9.6.10, H10.6.10, H11.6.8, H12.6.8 and H13.6.9 (relating to outlook space), or in the alternative amend the text to exempt retirement villages from these rules.
31	31.1	Sentinel Planning Limited	simon@sentinelplanning.co.nz	Oppose the specific provisions identified	Opposes specific provisions identified	Residential	Outdoor Living Space	That standards H4.6.13, H5.6.14 and H6.6.15 are amended as per the Attachment to this submission
31	31.2	Sentinel Planning Limited	simon@sentinelplanning.co.nz	Oppose the specific provisions identified	Opposes specific provisions identified	Definitions	Landscaped area	That the definition of Landscaped area is amended as per the Attachment to this submission
31	31.3	Sentinel Planning Limited	simon@sentinelplanning.co.nz	Oppose the specific provisions identified	Opposes specific provisions identified	Definitions	Building	That Table J1.4.1 Buildings as it relates to "Retaining walls or breastwork" is amended as per the Attachment to this submission
31	31.4	Sentinel Planning Limited	simon@sentinelplanning.co.nz	Oppose the specific provisions identified	Opposes specific provisions identified	Whole Plan Change	Consequential amendments	Other relief or other consequential amendments as are considered appropriate or necessary to address the concerns set out in this submission
32	32.1	Transpower NZ	environment.policy@transpower.co.nz	Support the specific provisions identified	Accept plan modification with amendments	Whole Plan Change	Consequential amendments	Seeks to approve Plan Changes 14, 15, 16 and 17 as detailed in the attached submission, including such further, alternative or consequential relief as may be necessary to fully give effect to this submission

Plan Change 16 - Improving consistency of provisions for Zones								
Summary of Decisions Requested								
Sub #	Sub Point	Submitter Name	Contact details	Theme	Decision Sought	Topic	Subtopic	Summary of submission
32	32.2	Transpower NZ	environment.policy@transpower.co.nz	Support in part	Accept plan modification with amendments	Definitions	Building	Supports the addition of a height limit for buildings in open space zones that is a more realistic threshold than the operative plan. Seeks that the policy be amended as notified
33	33.1	Four VH Limited	LovettPlanning@Gmail.com	Oppose the specific provisions identified	Accept the plan modification with amendments	Whole Plan Change		Accept the plan modification with amendments
33	33.2	Four VH Limited	LovettPlanning@Gmail.com	Oppose the specific provisions identified	Accept the plan modification with amendments	Business	Additions to buildings	Seeks to delete the proposed requirement for specialist wind input relating to additions taking the height of a building to over 25m; or, alternative relief as specified in submission.
34	34.1	Whitney Ventures Limited	LovettPlanning@Gmail.com	Oppose the specific provisions identified	Accept the plan modification with amendments	Whole Plan Change		Accept the plan modification with amendments
34	34.2	Whitney Ventures Limited	LovettPlanning@Gmail.com	Oppose the specific provisions identified	Accept the plan modification with amendments	Business	Additions to buildings	Seeks to delete the proposed requirement for specialist wind input relating to additions taking the height of a building to over 25m; or, alternatively set a threshold of significance for the size of an addition such as perhaps making the specialist wind input requirement only in respect of an addition of 30% or more in coverage or volume to the existing floorplate immediately below the proposed addition, or similar such relief.
35	35.1	Dominion Constructors Limited	LovettPlanning@Gmail.com	Oppose the specific provisions identified	Accept the plan modification with amendments	Whole Plan Change		Accept the plan modification with amendments
35	35.2	Dominion Constructors Limited	LovettPlanning@Gmail.com	Oppose the specific provisions identified	Accept the plan modification with amendments	Business	Additions to buildings	Seeks to delete the proposed requirement for specialist wind input relating to additions taking the height of a building to over 25m; or, alternative relief as specified in submission.
35	35.3	Dominion Constructors Limited	LovettPlanning@Gmail.com	Oppose the specific provisions identified	Accept the plan modification with amendments	Business	Bonus floor area ratio – light and outlook	Seeks to delete the proposed requirement to comply with Standards in order to qualify for the Light and Outlook bonus; or alternatively allow for a justified infringement of standards to be factored in to a decision whether the Light and Outlook bonus can still be awarded.
36	36.1	Civix Limited	duncan@civix.co.nz	Oppose the specific provisions identified	Accept the plan modification with amendments	Whole Plan Change		Accept the plan modification with amendments
36	36.2	Civix Limited	duncan@civix.co.nz	H2 Rural and Coastal Settlement Zone	Accept the plan modification with amendments	Residential	Fence height applying to yards	Amend text to include adjacent reserves held on separate titles as being able to be considered as a single reserve entity
36	36.3	Civix Limited	duncan@civix.co.nz	H2 Rural and Coastal Settlement Zone	Accept the plan modification with amendments	Residential	Fence height applying to yards	Confirm ability to install a safety rail atop raining walls that would result in exceeding permitted fence/wall height requirements.
36	36.4	Civix Limited	duncan@civix.co.nz	H2 Rural and Coastal Settlement Zone	Accept the plan modification with amendments	Residential	Fence height applying to yards	In relation to (1)(b) and the purpose, amend text to remove “riparian”
36	36.5	Civix Limited	duncan@civix.co.nz	H3 Single House Zone	Accept the plan modification with amendments	Residential	Height in relation to boundary adjoining Open Space Zones	Amend text to include adjacent reserves held on separate titles as being able to be considered as a single reserve entity
36	36.6	Civix Limited	duncan@civix.co.nz	H3 Single House Zone	Accept the plan modification with amendments	Residential	Fence height applying to yards	Confirm ability to install a safety rail atop raining walls that would result in exceeding permitted fence/wall height requirements
36	36.7	Civix Limited	duncan@civix.co.nz	H4 Mixed Housing Suburban Zone	Accept the plan modification with amendments	Residential	Height in relation to boundary adjoining Open Space Zones	Amend H4.6.5 to include adjacent reserves held on separate titles as being able to be considered as a single reserve entity
36	36.8	Civix Limited	duncan@civix.co.nz	H4 Mixed Housing Suburban Zone	Accept the plan modification with amendments	Residential	Height in relation to boundary adjoining Open Space Zones	Amend H4.6.6 to include adjacent reserves held on separate titles as being able to be considered as a single reserve entity
36	36.9	Civix Limited	duncan@civix.co.nz	H4 Mixed Housing Suburban Zone	Accept the plan modification with amendments	Residential	Fences within a required outlook space	Amend H4.6.11 Outlook space as specified in submission
36	36.10	Civix Limited	duncan@civix.co.nz	H4 Mixed Housing Suburban Zone	Accept the plan modification with amendments	Residential	Fence height applying to yards	Confirm ability to install a safety rail atop raining walls that would result in exceeding permitted fence/wall height requirements
36	36.11	Civix Limited	duncan@civix.co.nz	H5 Mixed Housing Urban Zone	Accept the plan modification with amendments	Residential	Height in relation to boundary adjoining Open Space Zones	Amend text in H5.6.5 and H5.6.6 to include adjacent reserves held on separate titles as being able to be considered as a single reserve entity



Plan Change 16 - Improving consistency of provisions for Zones								
Summary of Decisions Requested								
Sub #	Sub Point	Submitter Name	Contact details	Theme	Decision Sought	Topic	Subtopic	Summary of submission
36	36.12	Civix Limited	duncan@civix.co.nz	H5 Mixed Housing Urban Zone	Accept the plan modification with amendments	Residential	Fences within a required outlook space	Amend H5.6.12 Outlook space as specified in submission
36	36.13	Civix Limited	duncan@civix.co.nz	H5 Mixed Housing Urban Zone	Accept the plan modification with amendments	Residential	Fence height applying to yards	Confirm ability to install a safety rail atop raining walls that would result in exceeding permitted fence/wall height requirements
36	36.14	Civix Limited	duncan@civix.co.nz	H6 Terraced Housing and Apartment Buildings Zone	Accept the plan modification with amendments	Residential	Height in relation to boundary adjoining Open Space Zones	Amend H6.6.6 to include adjacent reserves held on separate titles as being able to be considered as a single reserve entity
36	36.15	Civix Limited	duncan@civix.co.nz	H6 Terraced Housing and Apartment Buildings Zone	Accept the plan modification with amendments	Residential	Height in relation to boundary adjoining Open Space Zones	Amend H6.6.7 to include adjacent reserves held on separate titles as being able to be considered as a single reserve entity
36	36.16	Civix Limited	duncan@civix.co.nz	H6 Terraced Housing and Apartment Buildings Zone	Accept the plan modification with amendments	Residential	Fences within a required outlook space	Amend H6.6.13 Outlook space as specified in submission
36	36.17	Civix Limited	duncan@civix.co.nz	H6 Terraced Housing and Apartment Buildings Zone	Accept the plan modification with amendments	Residential	Fence height applying to yards	Confirm ability to install a safety rail atop raining walls that would result in exceeding permitted fence/wall height requirements
36	36.18	Civix Limited	duncan@civix.co.nz	J1 Definitions	Accept the plan modification with amendments	Definitions	Building	Amend Table J1.4.1 Buildings as specified in submission
36	36.19	Civix Limited	duncan@civix.co.nz	J1 Definitions	Accept the plan modification with amendments	Definitions	Building	Amend Table J1.4.1 Buildings as specified in submission
36	36.20	Civix Limited	duncan@civix.co.nz	J1 Definitions	Accept the plan modification with amendments	Definitions	Landscaped area	Amend 'landscaped area' as specified in submission



## **Submissions**

## Contact details

Full name of submitter: Sunia Lata

Organisation name:

Agent's full name:

Email address: [sunialata@signature.co.nz](mailto:sunialata@signature.co.nz)

Contact phone number:

Postal address:  
PO Box 58 188  
Botany  
Auckland 2163

## Submission details

### This is a submission to:

Plan modification number: Plan change 16

Plan modification name: Improving consistency of provisions for Zones

### My submission relates to

Rule or rules:

New definition for tank (including retention tank) under the Plan Change 17 of the AUP. If the tanks are located above ground and have a height of over 1m or a capacity of more than 25,000L than the tank is considered a building (under Chapter J, definition for building) and a building within the yard requires a resource consent.

Property address:

Map or maps:

Other provisions:

1.2 | Remove tanks/retention tanks from the definition for building. As if tanks are greater than 2.0m in height and more than 10m<sup>2</sup> (As per old district plan) then the tanks should be classed as a building within a yard.

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

As I understand that the new definition is to ensure any adverse effects in relation to visual dominance from the tank. But the if the tank is behind a fence, the will be no visual dominance to the neighbor. The current definition of building, including "tank" is not clear.

1.1 | I or we seek the following decision by council: Accept the plan modification

Submission date: 15 January 2019

## **Attend a hearing**

Do you wish to be heard in support of your submission? No

## **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

# Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991  
FORM 5



Send your submission to [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to :

Attn: Planning Technician  
Auckland Council  
Level 24, 135 Albert Street  
Private Bag 92300  
Auckland 1142

For office use only

Submission No:

Receipt Date:

## Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

PATRICIA GILES

Organisation Name (if submission is made on behalf of Organisation)

FLUKER SURVEYING LTD

Address for service of Submitter

PO BOX 84

RED BEACH 0945, AUCKLAND

Telephone:

021 178 1665

Fax/Email:

trish@flucker.co.nz

Contact Person: (Name and designation, if applicable)

## Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PC 16

Plan Change/Variation Name

Improving consistency of provisions in Chapter H Zones and Chapter J Definitions of the Auckland Unitary Plan (Operative in part)

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

See attached.

Or

Property Address

Or

Map

Or

Other (specify)

See attached.

## Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended

Yes  No

See attached.

The reasons for my views are:

See attached.

(continue on a separate sheet if necessary)

I seek the following decision by Council:

Accept the proposed plan change / variation

Accept the proposed plan change / variation with amendments as outlined below

2.1 Decline the proposed plan change / variation

2.2 If the proposed plan change / variation is not declined, then amend it as outlined below.

See attached.

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

If others make a similar submission, I will consider presenting a joint case with them at a hearing



Signature of Submitter  
(or person authorised to sign on behalf of submitter)

29 January 2019.  
Date

**Notes to person making submission:**

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could  / could not  gain an advantage in trade competition through this submission.

**If you could gain an advantage in trade competition through this submission please complete the following:**

I am  / am not  directly affected by an effect of the subject matter of the submission that:

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

29 January 2019



**SUBMISSION ON PROPOSED PLAN CHANGE 16 AUCKLAND UNITARY PLAN  
OPERATIVE IN PART NOV 2016**

Attn : Planning Technician, Auckland Council, Level 24, 135 Albert Street, Private Bag 92300, Auckland 1142

EMAIL: - [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

FROM: Fluker Surveying Limited

PO Box 84,

Red Beach 0945

[trish@fluker.co.nz](mailto:trish@fluker.co.nz)

**INTRODUCTION**

Fluker Surveying Limited is a small private consultancy working throughout the wider Auckland area and based in Orewa. The firm has been consulting within the area since 1999, and I have been working for the firm since 2011. We are very familiar with the AUPOP Nov 2016 and undertake resource consent applications as part of our everyday work. Our work usually includes joint landuse subdivision consent applications for residential purposes, ranging from boundary adjustments to multi unit developments.

We have filled out the form as attached, and this document includes comments to some of the proposed changes, as set out in Plan Change 16.



## PLAN CHANGE

PC 16 – Improving consistency of provision for Zones

## SUBMISSION

The following is a submission on some aspects of the Plan Change 16 that we believe need further work and changes. We have commented on the aspects of the Plan that in our view, need further consideration or rethinking.

We have tried to make the comments as brief and concise as possible. We are happy to discuss any matters if further discussion would be helpful.

The comments have been made in a relation to various topics but are concerned mostly with the definitions and how Rules are actually used within the Plan for general resource consent purposes.

## PROPOSED CHANGE TO RULES

- ***H2.6.6. Height in relation to boundary***
- ***H3.6.7 Height in Relation to Boundary***
- ***H4.6.5 Height in Relation to Boundary***
- ***H4.6.6. Alternative height in relation to boundary***
- ***H5.6.5 Height in relation to boundary***
- ***H5.6.6. Alternative height in relation to boundary***
- ***H6.6.6 Height in relation to boundary***
- ***H6.6.7. Alternative height in relation to boundary within the Residential – Terrace Housing and Apartment Buildings Zone***

OPPOSE – this needs to be amended as below.

The rule needs to be revised to ensure that it includes that where a “pedestrian access way” is zoned opens pace that the Rule still provides for the control to be taken for the farthest boundary of that right of way. There are some areas where the “pedestrian access” is called “reserve” and/or is zoned open space and would not be 20 m wide OR have an area greater than 2,000m2.

2.2

This could be done by way of a note or clarification – otherwise the stricter to the Rule will apply meaning a resource consent application needs to be applied for defeating the purpose of the Rule.

## **PROPOSED CHANGE TO DEFINITIONS**

### **Building**

2.3 | Power poles should be excluded. It is unnecessary to have to apply for resource consent for these. Amend definition to include power pole as an exclusion.

The change to swimming pools in this definition means that all swimming pools will need to be included as building which is excessive, especially if they are at ground level, or a low a deck level. One way to achieve this would be to exclude “fencing”. As all fencing associated with the pool will makes the “structure” higher than 1m. Revise definition to something that is more practical.

2.4	<p><del>Swimming pools, or tanks, including retention tanks, spa pools, swirl pools, plunge pools or hot tubs</del></p>	<p>Over 1m high <u>in height from ground level, inclusive of the height of any supporting structure or</u></p> <p>More than 25,000l capacity</p> <p><del>Supported directly by the ground or supported not more than 1m above the ground</del></p>
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PC 16

Oppose change - Amend to “.....inclusive of the height of any supporting structure **excluding fencing.** “

### **Tanks**

The proposed change also includes change to tanks

2.5

<u>Tanks including retention tanks</u>	<u>Over 1m in height from ground level, inclusive of the height of any supporting structure or</u> <u>More than 25,000l capacity, where any part of the tank is above ground level</u>
--	---

PC 16

Oppose change – Amend “Over 1m in height from ground level, inclusive of the height of any supporting structure” should be deleted.

In SMAF areas detention tanks are generally required as part of mitigation through Rules Auckland Council imposes. These tanks are generally over 1 m in height, and generally placed in or near side/rear yards. It is unnecessary to require that these would need consent for a building in a side yard OR that they be included as building coverage in the development overall.

Review and make more practical reasonable approach and exclude tanks that are generally used for mitigation in SMAF areas in this definition. Note that generally any visual effects can be mitigated by fences up to 2.0m in height so a higher height limit would be more appropriate. Tanks could also be ECLUEDED from the definition of “building coverage”.

**Change of definition of building - tanks.**

Oppose

Nearly all tanks in the Rural area will be over 25,000 litres and above ground level. It is impractical to require that all these should be included in building coverage, and defined as buildings. If they are located in side yards, they will need resource consent. There is particularly little mention of why this would should be changed in the rural area, in the section 32 analysis so it is unclear of what the Council is trying to achieve in the Rural area with this alteration.

Please contact me on 021 1781665 or by email [trish@fluker.co.nz](mailto:trish@fluker.co.nz) if you wish to discuss.

Yours sincerely

Trish Giles.

## Contact details

Full name of submitter: Goldstar Corporation Limited

Organisation name:

Agent's full name: John Lovett

Email address: [LovettPlanning@Gmail.com](mailto:LovettPlanning@Gmail.com)

Contact phone number: 021 344 376

Postal address:

## Submission details

### This is a submission to:

Plan modification number: Plan change 16

Plan modification name: Improving consistency of provisions for Zones

### My submission relates to

Rule or rules:

The proposed change whereby qualifying for the Light and Outlook bonus requires that Standards have to be met.

Property address: In particular 57 Albert Street, but to the central area of Auckland City where the Light and Outlook bonus is available, generally.

Map or maps: The Planning Maps

Other provisions:

The Light and outlook bonus provisions and the standards which will be associated if the change is adopted.

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

Different sites often have particular circumstances which make complying at all or perhaps complying fully with Standards is not practical or in some instances even desirable. A failure to meet standards in such circumstances should not be punished by disqualification from the light and outlook bonus, which has functioned adequately and appropriately for many years without any such qualification.

3.1 | I or we seek the following decision by council: Accept the plan modification with amendments

3.2 | Details of amendments: Delete the proposed requirement to meet standards in order to qualify for the Light and Outlook bonus.

Submission date: 29 January 2019

## **Attend a hearing**

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?  
Yes

## **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

**Submission on Auckland Council's Unitary Proposed Plan Change 16**

**Submitter:** Riverview Properties/Paul Boocock:

**Scope:** Rural and Coastal Settlement; Zones H

Clause 6 of Schedule 1, Resource Management Act 1991 (Form 5)

.....

To: **Auckland Council**

**1. SUBMITTER DETAILS**

Name of Submitter: **Riverview Properties Ltd / Paul Boocock**

This is a submission on the Auckland Council's Proposed Plan Change 16 to the Auckland Unitary Plan – Operative in Part (AUP)

Riverview Properties Ltd could not gain an advantage in trade competition through this submission.

Riverview Properties Ltd is directly affected by effects of the subject matter of the submission that:

- a) Adversely affect the environment; and
- b) Do not relate to trade competition or the effects of trade competition.

**2. SCOPE OF SUBMISSION**

The specific aspects and provisions of Proposed Plan Change 16 that this submission relates to is:

- a) Chapter H Zones: H2 Rural and Coastal Settlement Zone Rural Environment: Rule H2.6.9(1) Building coverage

**3. SUBMISSION**

**3.1 Introduction**

Riverview Properties Ltd was granted resource consent (Ref: BUN20459764) approval in March 2017 to undertake the following activities:

Subdivision of the underlying sites with a combined area of 24.9451ha is proposed to create two countryside living lots (Lots 1, 2 (amalgamated and 36), and thirty residential lots (Lots 4

to 35) along with the vesting of roads (Lots 37 and 38), reserves (Lot 39 and 40) and access lanes.

Riverview Properties Ltd. submit on those aspects of Proposed Plan Change 16 with respect to building coverage in the Residential – Rural and Coastal Settlement zone.

### **3.2 General Submission**

Riverview Properties supports the Proposed Plan Change 16 in so far as it acknowledges errors and issues identified, and which will enable a number of technical issues to be addressed which did not meet the criteria for inclusion within PC4.

Under the Definitions Chapter (J1) of the Auckland Plan, building coverage is defined as:

*The part of the net site area covered by buildings.*

*Includes:*

- *overhanging or cantilevered parts of buildings*
- *any part of the eaves or spouting that projects more than 750mm horizontally from the exterior wall of the building*
- *accessory buildings.*

*Excludes:*

- *uncovered swimming pools*
- *pergolas*
- *uncovered decks*
- *open structures that are not buildings.*

As stated in the s32 report for PC16 *“The purpose of the building coverage provision is to manage the extent of buildings on a site to maintain and complement the rural and coastal built character of the zone, and any landscape qualities and natural features.*

In terms of the summary of analysis under s32(2) for the evaluation of the proposal against its objectives, reliance was placed on the 400m<sup>2</sup> proposed through the IHP hearings process as the



appropriate building coverage for zone. The s32 report states that the 400m<sup>2</sup> threshold has already been justified through the AUPIHP Hearing process.

Riverview Properties Ltd seeks to ensure that the standard for building coverage in the Rural and Coastal Settlement Zone is corrected to read as: *“the maximum building coverage must not exceed 20% of net site area or 400m<sup>2</sup>, whichever is the lesser”* and not reduced below this threshold.

The specific submissions provided below do not restrict the scope of these general submissions.

### **3.3 Specific Submissions**

#### **3.3.1 Rule H2.6.9(1) Building coverage**

Rule H2.6.9(1) provides for an amended standard for building coverage in the Residential – Rural and Coastal Settlement zone. It is proposed that the maximum building coverage must not exceed 20% of net site area or 400m<sup>2</sup>, whichever is the lesser. The existing standard states *must not exceed 20% of the net site area or 200m<sup>2</sup> whichever is the lesser*. Riverview Properties Ltd considers the increased area to be an appropriate building coverage for the zone given that the minimum site size is 2500m<sup>2</sup> and 400m<sup>2</sup> is closer to 20% of the minimum site area. For consistency the 20% should ideally relate to the minimum site size; which would mean a standard that stated 500m<sup>2</sup>.

While we accept the building coverage standard of 400m<sup>2</sup>, from a technical planning perspective, the s32 report states that the 400m<sup>2</sup> threshold has been justified through the AUPIHP hearing process. The s32 report associated with the Residential Zones (topics 059, 060, 062 and 063) discusses building coverage for the Rural and Coastal Settlement zone stating that the maximum impervious area of 10% and building coverage of 20% or 200m<sup>2</sup> whichever is the lesser has been developed to keep the buildings at a scale where the effects can be readily managed across a cross a range of soil types and topography.

The same s32 report states *‘evidence was provided to the Independent Hearings Panel (IHP) on behalf of Auckland Council in support of a building coverage rule of 20% of net site area or 400m<sup>2</sup>*

*whichever is the lesser. This amendment was not correctly translated into the tracked changes attached to the evidence provided at the time, which then resulted in incorrect tracked changes within the recommendations by the IHP. It is therefore likely that this is an error, as no explanation for the change to 200m<sup>2</sup> was provided in the recommendation reports, nor was it raised as an issue during the hearings’.*

It is also noted in the s32 report for PC16 that the current building coverage threshold of 200m<sup>2</sup> is overly restrictive and inappropriate for dwellings within the zone. The recommended change to 400m<sup>2</sup> is more appropriate for anticipated dwellings and associated buildings within this zone, but no further justification is provided within the report.

Given the minimum site size, and the fact that many sites in this zone are already well less than the minimum site size; plus, additional constraints that may exist, such as the need to provide onsite wastewater servicing; the rule should really relate to the minimum site size. In many instances the percentage would be the defining standard rather than the stated area.

#### **4. DECISIONS SOUGHT**

Riverview Properties seek the following:

- 4.1 | a) Support H2.6.9(1) – Building Coverage so it must not exceed 20% of net site area or 400m<sup>2</sup>, whichever is the lesser
- 4.2 | b) Further consistency could be achieved by stating 500m<sup>2</sup> otherwise 400m<sup>2</sup> will always be the lesser in many existing settlements such as Kaukapakapa, Leigh, Baddeleys Beach, Campbells Beach, Rainbows End etc.
- 4.3 | c) Any such further or consequential changes necessary or appropriate to address the concerns expressed in this submission.

Riverview Properties Ltd wishes to be heard in support of this submission.

If others make a similar submission the Riverview Properties Ltd will consider presenting a joint case with them at the hearing.

*Burnette O'Connor*

Date: 29 January 2019

---

Burnette O'Connor, Barker & Associates Ltd  
(Person authorised to sign on behalf of submitter)

**5. ADDRESS FOR SERVICE**

Riverview Properties Ltd  
C /- Barker & Associates Ltd  
BO Box 591

**WARKWORTH**

Attn: Burnette O'Connor

Mobile: 021 422 346

Email: burnetteo@barker.co.nz

## Contact details

Full name of submitter: Cosdo NZ Limited

Organisation name:

Agent's full name: John Lovett

Email address: [LovettPlanning@gmail.com](mailto:LovettPlanning@gmail.com)

Contact phone number: 021344376

Postal address:

## Submission details

### This is a submission to:

Plan modification number: Plan change 16

Plan modification name: Improving consistency of provisions for Zones

### My submission relates to

Rule or rules:

The proposed change to the Light and Outlook Bonus provision, whereby it is proposed the Standards must be met in order to qualify for the bonus

Property address: In particular to the sites at 161 Hobson Street and 43 Cook Street, but to the Business-City Centre zone generally

Map or maps: Planning Maps - especially the Business City Centre Zone Planning Maps in Chapter H8.

Other provisions:

The Light and Outlook (L & O) bonus provisions, the Standards which will be brought into consideration with the the proposed L & O change and all associated provisions which might come now to be considered such as assessment criteria, purpose for standards and objectives and policies informing the Light and Outlook bonus and Standard provisions.

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

The Light and Outlook bonus has a long history in Auckland's Central Area. Meddling with the control in the manner proposed in PC 16 is not only likely to discourage development in the Central Area, but it will also arbitrarily and absolutely penalise developments on sites or with proposals which do not meet one or more standards. This assumes that the standards are a perfect fit for all sites and standards. Experience tells us that the Standards aren't always a good fit for every site and proposal.

5.1 | I or we seek the following decision by council: Amend the plan modification if it is not declined

5.2 | Details of amendments: Delete the proposed requirement to meet standards in order to qualify for the Light and Outlook bonus.

Submission date: 29 January 2019

### **Attend a hearing**

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?  
Yes

### **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

## Contact details

Full name of submitter: Woolworths New Zealand Limited

Organisation name: Woolworths New Zealand Limited (trading as Countdown)

Agent's full name:

Email address: [philip@campbellbrown.co.nz](mailto:philip@campbellbrown.co.nz)

Contact phone number: 021845327

Postal address:

## Submission details

### This is a submission to:

Plan modification number: Plan change 16

Plan modification name: Improving consistency of provisions for Zones

### My submission relates to

Rule or rules:  
Refer attached

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we support the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:  
Refer attached submission

6.1 | I or we seek the following decision by council: Accept the plan modification

Submission date: 29 January 2019

Supporting documents  
Submission on PC16 - Woolworths New Zealand Limited (Countdown).pdf

## Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?  
Yes

## **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

# SUBMISSION ON PROPOSED PLAN CHANGE 16

## AUCKLAND UNITARY PLAN

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**To:** Auckland Council  
Private Bag 92300  
Auckland 1142

**Name of Submitter:** Woolworths New Zealand Limited (T/A Countdown)

**Woolworths New Zealand Limited (T/A Countdown)** provides this submission on Proposed Plan Change 16 (“**PC16**”) to the Auckland Unitary Plan (Operative in Part).

The Submitter could not gain an advantage in trade competition through this submission and its submission does not raise matters that relate to trade competition or the effects of trade competition.

The submission relates to the proposed amendments to the text and provisions of the Auckland Unitary Plan set out in PC16, specifically to the amendments to the purpose of the height provisions of the Business zones including the Metropolitan Centre, Town Centre, Local Centre, Neighbourhood Centre, Mixed Use, General Business, Business Park, Heavy Industry and the Light Industry zones. The Submitter **supports** the amended provisions.

This submission relates to the following amendments to the text of the Auckland Unitary Plan proposed through PC16:

- Business Zones, Standards, Building Height Purpose
  - Business- Metropolitan Centre zone H9.6.1
  - Business -Town Centre zone H10.6.1
  - Business -Local Centre zone H11.6.1
  - Business -Neighbourhood Centre zone H12.6.1
  - Business- General Business zone H14.6.1
  - Business -Business Park zone H15.6.1
  - Business Heavy Industry zone H16.6.1
  - Business- Light Industry zone H17.6.1

In general, the supported amendments proposed across all the business zones relate to removing the reference to allowing reasonable levels of sunlight and daylight access and including the managing of shadowing effects on public open space as part of the purpose for the height standard. For example,



the proposed amendments to the purpose of the height standard in the Business Light Industry zone are as follows:

*Business – Light Industry Zone, Standard H17.6.1, Building Height*

*Purpose:*

- *Manage the effects of building height including visual dominance; and*
- ~~*Allow reasonable sunlight and daylight access to*~~ *manage shadowing effect of building height on public open space excluding streets,* ~~*the subject site and nearby sites.*~~

**Anomaly in the Business Mixed Use Zone**

In preparing this submission the text of PC16 in relation to all of the Business zones has been reviewed. An apparent anomaly has been identified in relation to the Business Mixed Use zone where the amendments to the provisions have been made in relation to the purpose of the 'Height in Relation to Boundary' standards of H13.6.2, not the Height standards of H13.6.1 (refer Figure 1 below).

**H13.6.1. Building height**

Purpose:

- manage the effects of building height;
- allow reasonable sunlight and daylight access to public open space excluding streets, and nearby sites;
- manage visual dominance effects;

...

**H13.6.2. Height in relation to boundary**

Purpose:

- manage the effects of building height;
- ~~allow reasonable sunlight and daylight access to~~ manage shadowing effects of building height on ~~to~~ public open space, excluding streets ~~and nearby sites;~~
- manage visual dominance effects on neighbouring zones where lower height limits apply.

**Figure 1:** Snip from PC16, online as at 29 January 2019

The Submitter supports an amendment to the purpose of the Height Standard in the Business Mixed Use zone, consistent with that in the other Business zones, but does not support the amendment to the purpose of the Height in Relation to Boundary standard in that zone. The submitter considers that the amendment to the purpose of the Height in relation to boundary standard in the Business Mixed Use zone, as outlined in PC16 as notified, is most likely to be an error that requires remedy. As stated

in Section 8.13, Theme 13 on page 105 of the Section analysis for PC16, *“the purpose of the building height standard should also not refer to sunlight and daylight”*.

### Reasons for Support

The reasons for the Submitter’s **support** of the amended provisions (apart from the above identified anomaly in the Business Mixed Use Zone) are:

- The proposed amendments are consistent with the objectives and policies of the Auckland Unitary Plan, and will ensure consistency in relation to the provisions of all the Business zones in relation to the height standard;
- The proposed amendments ensure that the purpose of the height control articulates only those matters which the standard is intended to control, and supports the existing and proposed height in relation to boundary provisions of the zones which deal with sunlight and daylight access and should not be a factor in the assessment of height.

The Submitter seeks the following decision from Auckland Council in respect of PC16.

- 6.2 | • That the amended purpose of the Height standard in the Business zones be confirmed;
- 6.3 | • That the anomaly in relation to the amendments to the purpose of the Height and Height in Relation to Boundary standards of the Business Mixed Use Zone (H13.6.1 and H13.6.2) be rectified so that the amendments in relation to the purpose of the Height standard on H13.6.1 reflect the Section 32 Analysis and are consistent with the other Business zone amendments in relation to the purpose of the Height standard; and
- 6.4 | • Such other amendments to the provisions of the AUP as may be necessary to give effect to the relief sought in this submission.

The Submitter wishes to be heard in support of its submission. If other parties make a similar submission, the Submitter would consider presenting a joint case with them at any hearing.



Philip Brown

Campbell Brown Planning Limited

For and on behalf of Woolworths New Zealand Limited (T/A Countdown), as its duly authorised agent.

29 January 2019

**Address for service of submitter:**

C/- Campbell Brown Planning Limited  
PO Box 147001  
Ponsonby  
**AUCKLAND 1144**

**Attention:** Philip Brown

**Telephone:** (09) 394 1694

**Mobile:** 021845327

**Email:** philip@campbellbrown.co.nz

## Contact details

Full name of submitter: Lawrie Knight

Organisation name:

Agent's full name: Planning Policy Research - Att David Wren

Email address: [david@davidwren.co.nz](mailto:david@davidwren.co.nz)

Contact phone number: 8150543

Postal address:

PO Box 46018

Herne Bay

Auckland 1147

## Submission details

### This is a submission to:

Plan modification number: Plan change 16

Plan modification name: Improving consistency of provisions for Zones

### My submission relates to

Rule or rules:

Provisions relating to outlook space from boarding houses in all zones.

Property address: N/A

Map or maps: N/A

Other provisions:

N/A

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

See attached separate sheet

7.1 | I or we seek the following decision by council: Amend the plan modification if it is not declined

Details of amendments: See attached separate sheet

Submission date: 30 January 2019

Supporting documents

Submission L Knight PC16.pdf

## Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?  
Yes

### **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

## **Proposed Plan Change 16 - Submission from L Knight**

1. This document supports the submission from Laurie Knight on Proposed Plan Change 16 (PC16) to the Auckland Unitary Plan.

### **2. Provisions Subject to this Submission.**

3. This submission concerns the following provisions of PC16.

4. H4 Mixed Housing Suburban Zone H4.6.11 Outlook Space

5. H5 Mixed Housing Urban Zone H5.6.12 Outlook Space

6. H6 Terrace Housing and Apartment Building Zone H5.6.13 Outlook Space

7. H10 Business - Town Centre Zone H10.6.10 Outlook Space

8. H11 Business - Local Centre Zone H11.6.8 Outlook Space

9. H12 Business - Neighbourhood Centre Zone H12.6.8 - Outlook Space

10. H13 Business - Mixed Use Zone H13.6.9 - Outlook Space

11. H14 Business - General Business Zone H14.6.7 - Outlook Space

### **12. Reasons for Submission**

#### **13. Introduction**

14. The following discussion relates to the changes proposed to the outlook space provisions for the zones identified above. Specific rules are not referenced as the numbering is different for each zone, but examples are given where appropriate.

15. The changes proposed to the outlook space provisions for boarding houses appear to be allow the overlapping of outdoor spaces only where they relate to the same dwelling or unit within a range of activities including boarding houses although this is unclear due to the placement of commas.

16. If the term 'unit' has been used in PC16 in respect of boarding houses it is submitted that the changes proposed introduce additional issues and anomalies for boarding houses and regardless of that the changes proposed are unnecessary.

## **17. Background**

18. The definition of a boarding house from the AUP is;

*Boarding house*

*Has the same meaning as section 66B of the Residential Tenancies Act 1986.*

19. Section 66B of the Residential Tenancies Act 1986 defines a boarding house as:

*Boarding house means residential premises—*

*(a) containing 1 or more boarding rooms along with facilities for communal use by the tenants of the boarding house; and*

*(b) occupied, or intended by the landlord to be occupied, by at least 6 tenants at any one time.*

20. A unit is defined in the AUP as

*Unit*

*A defined part of a building under different ownership, including apartments and separate leased areas within a building.*

21. It is submitted that there are no units within a boarding house and hence the reference to a unit within a boarding house is nonsensical. Boarding houses do not have leases but have boarding house tenancies. The tenancy relates to a specific bedroom but also to a range of communal spaces which the occupants have a right to use.

22. Even if there were units within a boarding house it is submitted that outlook spaces within the same building (regardless of whether they relate to separate rooms or not) should be able to overlap for the following reasons.

- A boarding house is managed as a single entity and any privacy concerns from overlapping outlook spaces can be managed through the design and management of the boarding house.
- Overlapping of outlook spaces, particularly when they are at right angles (or similar) to each other have no impacts on outlook or privacy.

- Boarding house rooms are typically significantly smaller than apartments or dwellings and accordingly the requirement to avoid overlapping of outlook spaces places a more onerous burden on boarding houses, as there will be a greater number of rooms in any particular wall.

23. PC 16 also proposes to preclude outlook spaces from a boarding house extending out over the outlook space or outdoor living space of another unit in a boarding house. The requirement to avoid an outlook space extending out over the outlook space of another unit is inconsistent with the rule (i.e H4.6.11(5)) that defines the vertical extent of an outlook space. An outlook space only extends from the floor to ceiling of the room from which the outlook is required. This allows apartments for example to be stacked one upon another, all with outlook spaces facing the same direction one above the other. The proposed change to the rule (For example H4.6.11(9)) to prevent the stacking of outlook spaces will prevent many apartment type developments. In addition it does not achieve any additional amenity for the occupants of the affected rooms.

24. PC 16 also restricts outlook space extending over the outdoor living space of the boarding house. This change should be rejected as it fails to recognise the communal nature of the outdoor living spaces associated with boarding houses, which are available to all residents to use. This is quite a different situation to dwellings where the overlooking of the private open space of a dwelling by another dwelling will likely generate adverse effects on the privacy of the open space.

## 25. Changes Requested.

7.2

26. I seek the following changes to PC16 (Additions underlined and deletions struck through). These changes seek to clarify how the proposed changes to the rules should work and to give effect to this submission. The changes also make amendments to the provisions for visitor accommodation and supported residential care as these have similar characteristics to boarding house rooms and to provide for consistency.

### H4 Mixed Housing Suburban Zone H4.6.11 Outlook Space

*Purpose:*

7.3

- *to ensure a reasonable standard of visual privacy between habitable rooms of different buildings dwellings or units within an integrated residential development, boarding house or supported residential care, on the same or adjacent sites; and*

....



7.4 | (7) Outlook spaces required from different rooms within the same *building dwelling, boarding house or supported residential care facility* or unit within an integrated residential development, ~~boarding house or supported residential care~~ may overlap.

(8) .....

(9) Outlook spaces must:

(a) be clear and unobstructed by buildings;

(b) not extend over adjacent sites, except for where the outlook space is over a public street or public open space as outlined in Standard H4.6.11(6) above; and

7.5 | (c) ~~not extend over an outlook spaces or outdoor living space required by another dwelling or unit within an integrated residential development, boarding house or supported residential care.~~

(10) Fences or walls within an outlook space must:

i. not exceed 1.2m in height, or

ii. be at least 50 per cent visually open as viewed perpendicular from the glazing of the habitable room.

## H5 Mixed Housing Urban Zone H5.6.12 Outlook Space

*Purpose:*

7.6 | • To ensure a reasonable standard of visual privacy between habitable rooms of different buildings dwellings or units within an integrated residential development, ~~boarding house or supported residential care~~, on the same or adjacent sites; and...

....

7.7 | (7) Outlook spaces required from different rooms within the same *building dwelling, boarding house or supported residential care facility* or unit within an integrated residential development, ~~boarding house or supported residential care~~ may overlap

....

(9) Outlook spaces must:

(a) be clear and unobstructed by buildings; and

(b) not extend over adjacent sites, except for where the outlook space is over a public street or public open space as outlined in 0.6.12(6) above; and

7.8 | (c) ~~not extend over an outlook spaces or outdoor living space required by another dwelling or unit within an integrated residential development, boarding house or supported residential care.~~

(d) Fences and walls within an outlook space must:

- A. not exceed 1.2m in height, or
- B. be at least 50 per cent visually open as viewed perpendicular from the glazing of the habitable room.

## H6 Terrace Housing and Apartment Building Zone H5.6.13 Outlook Space

Purpose:

7.9 | • To ensure a reasonable standard of visual privacy between habitable rooms of different buildings dwellings or units within an integrated residential development, boarding house or supported residential care, on the same or adjacent sites; and

.....

7.10 | (7) Outlook spaces required from different rooms within the same building dwelling, boarding house or supported residential care facility or unit within an integrated residential development, ~~boarding house or supported residential care~~ may overlap

.....

(9) Outlook spaces must:

- (a) be clear and unobstructed by buildings; and
- (b) not extend over adjacent sites, except for where the outlook space is over a public street or public open space as outlined in H6.6.13(2) above; and

7.11 | (c) ~~not extend over an outlook spaces or outdoor living space required by another dwelling or unit within an integrated residential development, boarding house or supported residential care.~~

(d) Fences or walls within an outlook space must:

- A. not exceed 1.2m in height, or

B. be at least 50 per cent visually open as viewed perpendicular from the glazing of the habitable room.

#### **H10 Business - Town Centre Zone H10.6.10 Outlook Space**

...

7.12 | (8) Outlook spaces required from different rooms within the same *building* dwelling, boarding house or visitor accommodation or unit within an integrated residential development, ~~boarding house or supported residential care~~ may overlap.

...

7.13 | (10) Outlook spaces must: ...  
(c) ~~not extend over an outlook spaces or outdoor living space required by another dwelling, or unit in an integrated residential development, visitor accommodation or boarding house.~~

#### **H11 Business - Local Centre Zone H11.6.8 Outlook Space**

7.14 | (8) Outlook spaces required from different rooms within the same *building* dwelling, boarding house or visitor accommodation or unit within an integrated residential development, ~~boarding house or supported residential care~~ may overlap.

...

(10) Outlook spaces must: ...

7.15 | (c) ~~not extend over an outlook spaces or outdoor living space required by another dwelling, or unit in an integrated residential development, visitor accommodation or boarding house.~~

...

#### **H12 Business - Neighbourhood Centre Zone H12.6.8 - Outlook Space**

7.16 | (8) Outlook spaces required from different rooms within the same *building* dwelling, boarding house or visitor accommodation or unit within an integrated residential development, ~~boarding house or supported residential care~~ may overlap.

...

(10) Outlook spaces must:

...

7.17 | (c) ~~not extend over an outlook spaces or outdoor living space required by another dwelling, or unit in an integrated residential development, visitor accommodation or boarding house.~~

### H13 Business - Mixed Use Zone H13.6.9 - Outlook Space

7.18 | (8) Outlook spaces required from different rooms within the same building dwelling, boarding house or visitor accommodation or unit within an integrated residential development, boarding house or supported residential care may overlap.

...

(10) Outlook spaces must: ...

7.19 | (c) not extend over an outlook spaces or outdoor living space required by another dwelling, or unit in an integrated residential development, visitor accommodation or boarding house.

### H14 Business - General Business Zone H14.6.7 - Outlook Space

7.20 | (8) Outlook spaces required from different rooms within the same building unit in visitor accommodation or a boarding house may overlap.

...

(10) Outlook spaces must:

...

7.21 | (c) not extend over an outlook spaces or outdoor living space required by another unit in visitor accommodation or a boarding house dwelling.

## 27. Other Changes

7.22 | 28. Any alternative and additional changes to PC16 that would provide for the matters set out in this submission.

29. Any other consequential or alternative amendments arising from these changes.

# Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991  
FORM 5



Send your submission to [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to :

Attn: Planning Technician  
Auckland Council  
Level 24, 135 Albert Street  
Private Bag 92300  
Auckland 1142

For office use only
Submission No:
Receipt Date:

## Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

Organisation Name (if submission is made on behalf of Organisation)

HOSPITALITY SERVICES LIMITED

Address for service of Submitter

PO Box 5640, WELLESLEY STREET, AUCKLAND 1140

Telephone:

(09) 353-5005

Fax/Email:

takeshi.ito@millenniumhotels.com

Contact Person: (Name and designation, if applicable)

T. Ito (COMPANY SECRETARY)

## Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PC 16

Plan Change/Variation Name

Improving consistency of provisions in Chapter H Zones and Chapter J Definitions of the Auckland Unitary Plan (Operative in part)

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

CHAPTER H ZONES RELATING TO OUTLOOK SPACE

Or

Property Address

Or

Map

Or

Other (specify)

Please see the attached.

## Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended

Yes

No

The reasons for my views are:

*please see the attached submission*

(continue on a separate sheet if necessary)

I seek the following decision by Council:

Accept the proposed plan change / variation

Accept the proposed plan change / variation with amendments as outlined below

8.1 | Decline the proposed plan change / variation

8.2 | If the proposed plan change / variation is not declined, then amend it as outlined below.

*please see the attached.*

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

If others make a similar submission, I will consider presenting a joint case with them at a hearing

*[Signature]*  
Signature of Submitter  
(or person authorised to sign on behalf of submitter)

*30 January 2019*  
Date

**Notes to person making submission:**

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could  / could not  gain an advantage in trade competition through this submission.

*If you could gain an advantage in trade competition through this submission please complete the following:*

I am  / am not  directly affected by an effect of the subject matter of the submission that:

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

**SUBMISSION OF HOSPITALITY SERVICES LIMITED (“HSL”)**

**ON PROPOSED PLAN CHANGE 16**

**To: Auckland Council**

Private Bag 92300

Auckland 1142

HSL is a manager of a number of hotels around Auckland and other New Zealand cities.

**Outlook Space rules.**

PC 16 provides for multiple changes to existing standards which will have a general effect not just on new build projects but specifically on visitor accommodation if the changes are accepted.

Provisions relating to the Chapter H Zones like H.8.6.32 and H9.6.10 (Outlook Space) will be applicable to more than just new residential buildings such as visitor accommodation in the CBD.

HSL believes that the proposed changes will lead to more non-compliances in the future and affect the design and siting of new hotels in the CBD and conversion of existing buildings into accommodation. This will lead to increased costs and additional resource consent applications which would otherwise be / are currently unnecessary.

The section 32 report on the proposed changes did not set out any detailed reasoning for why visitor accommodation should be included aside from the usual jargon that the changes are necessary to help implement the zone standards about making the area an attractive place to live. We note that the report does concede that this will add cost to developers in design.

8.3

HSL believes that the proposed changes are not necessary for visitor accommodation such as hotels and motels and should be declined. If the changes themselves are not declined, then HSL believes that reference to visitor accommodation or temporary accommodation should be deleted.

# Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991  
FORM 5



Send your submission to [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to :

Attn: Planning Technician  
Auckland Council  
Level 24, 135 Albert Street  
Private Bag 92300  
Auckland 1142

For office use only
Submission No:
Receipt Date:

## Submitter details

### Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms (Full Name) Vaughan Smith

### Organisation Name (if submission is made on behalf of Organisation)

Northcote RD 1 Holdings Limited, Attn: Paul Gunn

### Address for service of Submitter

Vaughan Smith Planning Limited, PO Box 3426, Shortland Street, Auckland 1140  
Attention: Vaughan Smith

Telephone:  Fax/Email:

Contact Person: (Name and designation, if applicable)

## Scope of submission

### This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

Plan Change/Variation Name

### The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

Or  
Property Address

Or  
Map

Or  
**Other** (specify)

## Submission

**My submission is:** (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I **support** the specific provisions identified above  Refer to separate sheet.

I **oppose** the specific provisions identified above

I wish to have the provisions identified above amended Yes  No



The reasons for my views are:

Refer to separate sheet.

(continue on a separate sheet if necessary)

I seek the following decision by Council:

Accept the proposed plan change / variation

Accept the proposed plan change / variation with amendments as outlined below

Decline the proposed plan change / variation

9.1 | If the proposed plan change / variation is not declined, then amend it as outlined below.

Refer to separate sheet.

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

If others make a similar submission, I will consider presenting a joint case with them at a hearing



Signature of Submitter  
(or person authorised to sign on behalf of submitter)

30 January 2019  
Date

**Notes to person making submission:**

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If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could  /could not  gain an advantage in trade competition through this submission.

**If you could gain an advantage in trade competition through this submission please complete the following:**

I am  / am not  directly affected by an effect of the subject matter of the submission that:

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

**Northcote RD 1 Holdings Limited  
Submissions on Plan Change 16**

**Definition of “Gross Floor Area”**

**Submission:**

9.2 | Approve the proposed amendment to the definition of “gross floor area”.

**Reason:**

The minor amendment proposed removes superfluous wording.

**Definition of “Pedestrian Circulation Space”**

**Submission:**

9.3 | Amend the proposed definition of “pedestrian circulation space as follows:

*Pedestrian circulation space ~~applies to~~ is a covered public area within a building which is accessible to the public during the trading hours of a business and:*

- a) contains a minimum horizontal measurement of 5m; and*
- b) has a minimum vertical dimension of 2.5m between the finished ceiling and the floor of the pedestrian area, and which is unobstructed and clear of buildings, retail kiosks and retail display cases.*

*Includes:*

- escalators, ramps and stairs within the pedestrian circulation space;*
- decorative features such as fountains and planting within the pedestrian circulation space; and*
- stages or display areas for free public entertainment associated with any integrated retail development.*

*Excludes:*

- seating areas for food courts/eating area;*
- any space leased for retail display or sales purposes; and*
- any space for entertainment which is either leased or subject to a charge.*

**Reason**

The term “public area” is not defined and it would be beneficial for the future interpretation of the definition if the definition were to be amended as proposed in this submission.

This would make it clear that the public area which is to be identified as “pedestrian circulation space” is within a building but doesn’t have to be accessible by the public at all times. Such “public areas” are almost invariably only able to be accessed by the public during the trading or operating hours of the business or facility occupying the building.

**Definition of “Food and Beverage”**

9.4 | With PC16, it is proposed to amend the definition of “food and beverage” as follows:

*Sites where the primary business is Premises selling food or beverages for immediate consumption on or off site.*

*Includes:*

...

**Submission:**

9.5

Reinstate the reference to primary business in the definition of “food and beverage” as follows:

*~~Sites~~ Premises where the primary business is selling food or beverages for immediate consumption on or off site.*

*Includes:*

- *restaurants and cafes;*
- *food halls; and*
- *takeaway food bars.*

*Excludes:*

- *retail shops; and*
- *supermarkets.*

*This definition is nested within the Commerce nesting table.*

**Reason:**

The reference to “primary business” should be retained because the “retail shops” exclusion is unclear (food and beverage is itself a retail category) and all sorts of activities could be classified as food and beverage with the proposed change. For example, a fitness centre selling drinks or a small amount of food would become a food and beverage activity under the proposed amended definition.

# Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991  
FORM 5



Send your submission to [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to :

Attn: Planning Technician  
Auckland Council  
Level 24, 135 Albert Street  
Private Bag 92300  
Auckland 1142

For office use only
Submission No:
Receipt Date:

## Submitter details

### Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms (Full Name) Vaughan Smith

### Organisation Name (if submission is made on behalf of Organisation)

Scentre (New Zealand) Limited, Attn: David Drew

### Address for service of Submitter

Vaughan Smith Planning Limited, PO Box 3426, Shortland Street, Auckland 1140

Attention: Vaughan Smith

Telephone:  Fax/Email:

Contact Person: (Name and designation, if applicable)

## Scope of submission

### This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

Plan Change/Variation Name

### The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

Or  
Property Address

Or  
Map

Or  
**Other** (specify)

## Submission

**My submission is:** (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I **support** the specific provisions identified above  Refer to separate sheet.

I **oppose** the specific provisions identified above

I wish to have the provisions identified above amended Yes  No

The reasons for my views are:

Refer to separate sheet.

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(continue on a separate sheet if necessary)

I seek the following decision by Council:

Accept the proposed plan change / variation

Accept the proposed plan change / variation with amendments as outlined below

Decline the proposed plan change / variation

10.1 If the proposed plan change / variation is not declined, then amend it as outlined below.

Refer to separate sheet.

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---

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

If others make a similar submission, I will consider presenting a joint case with them at a hearing



Signature of Submitter  
(or person authorised to sign on behalf of submitter)

30 January 2019  
Date

**Notes to person making submission:**

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If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could  /could not  gain an advantage in trade competition through this submission.

**If you could gain an advantage in trade competition through this submission please complete the following:**

I am  / am not  directly affected by an effect of the subject matter of the submission that:

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

**Scentre (New Zealand) Limited**  
**Submissions on Plan Change 16**

**Definition of “Gross Floor Area”**

**Submission:**

10.2 | Approve the proposed amendment to the definition of “gross floor area”.

**Reason:**

The minor amendment proposed removes superfluous wording.

**Definition of “Pedestrian Circulation Space”**

**Submission:**

10.3 | Amend the proposed definition of “pedestrian circulation space as follows:

*Pedestrian circulation space ~~applies to~~ is a covered public area within a building which is accessible to the public during the trading hours of a business and:*

- a) contains a minimum horizontal measurement of 5m; and*
- b) has a minimum vertical dimension of 2.5m between the finished ceiling and the floor of the pedestrian area, and which is unobstructed and clear of buildings, retail kiosks and retail display cases.*

*Includes:*

- escalators, ramps and stairs within the pedestrian circulation space;*
- decorative features such as fountains and planting within the pedestrian circulation space; and*
- stages or display areas for free public entertainment associated with any integrated retail development.*

*Excludes:*

- seating areas for food courts/eating area;*
- any space leased for retail display or sales purposes; and*
- any space for entertainment which is either leased or subject to a charge.*

**Reason**

The term “public area” is not defined and it would be beneficial for the future interpretation of the definition if the definition were to be amended as proposed in this submission.

This would make it clear that the public area which is to be identified as “pedestrian circulation space” is within a building but doesn’t have to be accessible by the public at all times. Such “public areas” are almost invariably only able to be accessed by the public during the trading or operating hours of the business or facility occupying the building.

The calculation of Pedestrian Circulation Space is particularly important when calculating the Gross Floor Area of an enclosed shopping centre and the proposed amendment to the definition reflects the fact that the mall areas of such buildings are not accessible to the public at all times.

### **Definition of “Food and Beverage”**

With PC16, it is proposed to amend the definition of “food and beverage” as follows:

10.4

~~Sites where the primary business is~~ Premises selling food or beverages for immediate consumption on or off site.

*Includes:*

...

#### **Submission:**

10.5

Reinstate the reference to primary business in the definition of “food and beverage” as follows:

~~Sites~~ Premises where the primary business is selling food or beverages for immediate consumption on or off site.

*Includes:*

- *restaurants and cafes;*
- *food halls; and*
- *takeaway food bars.*

*Excludes:*

- *retail shops; and*
- *supermarkets.*

*This definition is nested within the Commerce nesting table.*

#### **Reason:**

The reference to “primary business” should be retained because the “retail shops” exclusion is unclear (food and beverage is itself a retail category) and all sorts of activities could be classified as food and beverage with the proposed change. For example, a fitness centre selling drinks or a small amount of food would become a food and beverage activity under the proposed amended definition.

# Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991  
FORM 5



Send your submission to [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to :

Attn: Planning Technician  
Auckland Council  
Level 24, 135 Albert Street  
Private Bag 92300  
Auckland 1142

For office use only
Submission No:
Receipt Date:

## Submitter details

### Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms (Full Name) Vaughan Smith

### Organisation Name (if submission is made on behalf of Organisation)

W. Smale Limited, Attn: David Smale

### Address for service of Submitter

Vaughan Smith Planning Limited, PO Box 3426, Shortland Street, Auckland 1140  
Attention: Vaughan Smith

Telephone:  Fax/Email:

Contact Person: (Name and designation, if applicable)

## Scope of submission

### This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

Plan Change/Variation Name

### The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

Or  
Property Address

Or  
Map

Or  
**Other** (specify)

## Submission

**My submission is:** (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I **support** the specific provisions identified above  Refer to separate sheet.

I **oppose** the specific provisions identified above

I wish to have the provisions identified above amended Yes  No



The reasons for my views are:

Refer to separate sheet.

(continue on a separate sheet if necessary)

I seek the following decision by Council:

Accept the proposed plan change / variation

Accept the proposed plan change / variation with amendments as outlined below

Decline the proposed plan change / variation

11.1 If the proposed plan change / variation is not declined, then amend it as outlined below.

Refer to separate sheet.

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

If others make a similar submission, I will consider presenting a joint case with them at a hearing



Signature of Submitter  
(or person authorised to sign on behalf of submitter)

31 January 2019

Date

**Notes to person making submission:**

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could  / could not  gain an advantage in trade competition through this submission.

***If you could gain an advantage in trade competition through this submission please complete the following:***

I am  / am not  directly affected by an effect of the subject matter of the submission that:

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

**W Smale Limited**  
**Submission on Plan Change 16**

**Definition of “Food and Beverage”**

11.2

With PC16, it is proposed to amend the definition of “food and beverage” as follows:

~~Sites where the primary business is~~ Premises selling food or beverages for immediate consumption on or off site.

*Includes:*

...

**Submission:**

11.3

Reinstate the reference to primary business in the definition of “food and beverage” as follows:

~~Sites~~ Premises where the primary business is selling food or beverages for immediate consumption on or off site.

*Includes:*

- *restaurants and cafes;*
- *food halls; and*
- *takeaway food bars.*

*Excludes:*

- *retail shops; and*
- *supermarkets.*

*This definition is nested within the Commerce nesting table.*

**Reason:**

The reference to “primary business” should be retained because the “retail shops” exclusion is unclear (food and beverage is itself a retail category) and all sorts of activities could be classified as food and beverage with the proposed change. For example, a fitness centre selling drinks or a small amount of food would become a food and beverage activity under the proposed amended definition.

**SUBMISSION ON PROPOSED PLAN CHANGE 16 TO THE PARTIALLY OPERATIVE  
AUCKLAND UNITARY PLAN PURSUANT TO CLAUSE 6 OF THE FIRST SCHEDULE  
OF THE RESOURCE MANAGEMENT ACT 1991**

**To:** Auckland Council  
Unitary Plan  
Private Bag 92300  
Auckland 1142  
Attention: Planning Technician

By E-Mail only: [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

**Submitter:** Z Energy Limited<sup>1</sup>  
PO Box 2091  
**WELLINGTON 6140**

BP Oil NZ Limited  
PO Box 99 873  
**AUCKLAND 1149**

Mobil Oil NZ Limited  
PO Box 1709  
**AUCKLAND 1140**

*Hereafter, collectively referred to as the Oil Companies*

**Address for Service:** 4Sight Consulting Limited  
201 Victoria Street West  
Auckland Central  
PO Box 911 310, Victoria Street West  
**AUCKLAND 1142**

Attention: Mark Laurenson  
Phone: 021 0868 8135  
Email: [markl@4sight.co.nz](mailto:markl@4sight.co.nz)

<sup>1</sup> On behalf of the wider Z group, including the Z Energy and Caltex operations in New Zealand.

## **INTRODUCTION**

- 1) The Oil Companies receive, store and distribute refined petroleum products. The Oil Companies have commercial, shore and marine based, and aviation and bulk storage facilities and are also owners of retail outlets and suppliers of petroleum products to individually owned retail outlets.
- 2) The submissions on these provisions are focused on the key issues affecting the Oil Companies as they relate to the definitions of building and food and beverage.

### **THE SPECIFIC PROVISIONS OF THE PROPOSED PLAN CHANGE THAT THE OIL COMPANIES' SUBMISSION RELATES TO ARE SUMMARISED AS FOLLOWS:**

- 1) The plan change seeks to improve consistency of the Zone provisions and definitions of the partially operative Auckland Unitary Plan ("The Unitary Plan").
- 2) The specific provisions submitted on, the rationale for the Oil Companies' submission on each of these matters, and the relief sought is contained in the following Schedule.
- 3) In addition to the specific outcomes sought in the attached Schedule, the following general relief is sought:
  - a) Achieve the following:
    - i. The purpose and principles of the Resource Management Act 1991 ("RMA") and consistency with the relevant provisions in Sections 6 - 8 RMA;
    - ii. Assist Auckland Council ("Council") carry out its functions of achieving the integrated management of the effect of the use, development or protection of land;
    - iii. Meet the requirements of the statutory tests in Section 32 of the RMA; and
    - iv. Avoid, remedy or mitigate any relevant and identified environmental effects;
  - b) Make any alternative or consequential relief as required to give effect to this submission, including any consequential relief required in any other sections of the Unitary Plan that are not specifically subject of this submission but where consequential changes are required to ensure a consistent approach is taken throughout the document; and
  - c) Any other relief required to give effect to the issues raised in this submission.

### **THE OIL COMPANIES WISH TO BE HEARD IN SUPPORT OF THIS SUBMISSION**

**IF OTHERS MAKE A SIMILAR SUBMISSION, THE OIL COMPANIES WOULD BE PREPARED TO CONSIDER PRESENTING A JOINT CASE AT ANY HEARING.**

### **THE OIL COMPANIES COULD NOT GAIN AN ADVANTAGE IN TRADE COMPETITION THROUGH THIS SUBMISSION.**

- a) The Oil Companies are directly affected by an effect of the subject matter of that submission that -
  - i. Adversely affects the environment; and
  - ii. Does not relate to trade competition or the effects of trade competition.

Signed on and behalf of Z Energy Limited, BP Oil NZ Limited and Mobil Oil NZ Ltd



.....  
Mark Laurensen

Senior Planning and Policy Consultant

*Dated this day of 31 January 2019*

## SCHEDULE ONE

**THE SPECIFIC PART OF PLAN CHANGE 16 (“PC16”) THAT IS SUBJECT OF THIS SUBMISSION IS:**

- The definition of ‘building’, as it relates to tanks, which is opposed
- The definition of ‘food and beverage’, which is supported in part

**THE REASON FOR THE SUBMISSION:**

**Definition – Building, as it relates to tanks**

The definition of building in the Unitary Plan incorporates a number of specific structure types where they meet qualifying dimensions or standards. The following applies to tanks:

Swimming pools or tanks, including retention tanks, spa pools, swirl pools, plunge pools or hot tubs	Over 1m high More than 25,000l capacity Supported directly by the ground or supported not more than 1m above the ground
--	---

The Section 32 Report that accompanies PC16 sets out that all three qualifiers in the right hand column are being read by plan users as needing to apply before a tank is considered a building and that there is confusion re the one metre reference in the third qualifier, as well as the first. The author of the Section 32 Report considers it is appropriate that only one aspect relating to height or size needs to be met for a tank to be a building and that this is particularly important for the application of yard controls as tanks can contribute to bulk, dominance, coverage and outlook issues. The Section 32 Report goes on to set out that the effects of tanks need to be assessed where the height or capacity limits are exceeded.

To achieve this, amendments are proposed through PC16 as set out below. The intent of this change is stated as being to ‘clarify that if a pool or tank is more than 1m above the ground level or is over 25,000l capacity it becomes a building’. This is described as addressing where tall but narrow tanks do not trigger consent.

<i>Swimming pools, <del>or tanks</del>, including retention tanks, spa pools, swirl pools, plunge pools or hot tubs</i>	<i>Over 1m high <u>in height from ground level, inclusive of the height of any supporting structure or</u></i>  <i>More than 25,000l capacity</i>  <i><del>Supported directly by the ground or supported not more than 1m above the ground</del></i>
<u>Tanks including retention tanks</u>	<u>Over 1m in height from ground level, inclusive of the height of any supporting structure or</u>  <u>More than 25,000l capacity, where any part of the tank is above ground level</u>

The Oil Companies are concerned that below ground tanks (exceeding 25,000l) with ancillary above ground infrastructure, for instance fill points, may technically be considered buildings under the amended definition. This may trigger a requirement to consider yard controls, despite very limited potential for adverse effects in relation to bulk, dominance and coverage. To address

12.1

this issue, the Oil Companies seek that the second qualifier relating to tanks also refers to the 1m height. This could be achieved as follows:

*More than 25,000l capacity, where any part of the tank is more than 1m above ground level.*

**Definition – Food and Beverage**

Through PC16 it is proposed to amend the definition of food and beverage as follows:

**Food and beverage**

~~Sites where the primary business is~~ Premises selling food or beverages for immediate consumption on or off site.

Includes:

- restaurants and cafes;
- food halls; and
- take-away food bars.

Excludes:

- retail shops; and
- supermarkets.

This definition is nested within the Commerce nesting table.

The Section 32 Report records that this is proposed to address the use of the word ‘sites’ and the phrase ‘primary business’ which result in significant limitations to what is able to be encompassed under this definition.

12.2

The Oil Companies support the intent of the definition but seek to ensure that the broader definition does not inadvertently cut across more specific activity definitions which include a food and beverage element, for instance service stations, which are defined as follows in the Unitary Plan:

**Service station**

A facility where the primary business is selling motor vehicle fuels.

Includes the following accessory activities:

- retail;
- car wash facilities;
- mechanical repair, servicing and testing of motor vehicles and domestic equipment;
- sale of lubricating oils, kerosene, LPG, or spare parts and accessories for motor vehicles; and
- trailer hire.

This definition is nested within the Commerce nesting table.

Under the partially operative definitions service stations and food and beverage facilities are clearly mutually exclusive because the primary business of service stations is the sale of motor vehicle fuels. The Oil Companies seek to retain clarity in this regard and propose this is achieved

by adding service stations to the list of excluded activities in the definition of food and beverage. The Oil Companies are of the view that this is a consequential amendment to the Council seeking to delete reference to the 'primary business' and therefore consider it is within the scope of PC16.

**RELIEF SOUGHT (ADDITIONS IN UNDERLINE AND GREY SHADING, DELETIONS IN STRIKE THROUGH AND GREY SHADING):**

- 12.3 | 1) Amend the second tank qualifier as follows:  
*.... More than 25,000l capacity, where any part of the tank is more than 1m above ground level.*
- 12.4 | 2) Add service stations to the list of activities excluded from the definition of food and beverage.
- 12.5 | 3) Adopt any other such relief, including additions, deletions, consequential amendments or alternative relief necessary to give effect to these submissions as a result of the matters raised.



# **SUBMISSION ON**

## **Draft Plan Change 16:**

### **Improving consistency of provisions in Chapter H Zones, Chapter J Definitions of the Auckland Unitary Plan (Operative in Part)**

31 January 2018

**TO:** Auckland Unitary Council

**NAME OF SUBMITTER:** Horticulture New Zealand

**CONTACT FOR SERVICE:**

## Comments on Plan Change 16 (PC16)

Horticulture New Zealand (HortNZ) thanks Auckland Unitary Council for the opportunity to submit on the draft plan.

HortNZ could not gain an advantage in trade competition through this submission.

HortNZ wishes to be heard in support of our submission and would be prepared to consider presenting our submission in a joint case with others making a similar submission at any hearing.

The details of HortNZ's submission and decisions we are seeking from Council are set out below.

### 1. Definition - Building:

Retention tanks are a requirement for stormwater management under the Auckland Unitary Plan. The proposed amendment would result in many tanks in the rural production and rural coastal environments being subject to yard setbacks of 12m and 20m. Even if a tank meeting the capacity threshold was only partially above ground and less than 1m, this would be captured by the proposed amendment.

The S32 report outlines concerns around bulk and visual appearance as the bases for the proposed amendment. Such a concern is relevant to managing amenity in the Rural Conservation and Countryside Living Zones. However, retention tanks are an important and necessary piece of infrastructure to support efficient operation of rural activities.

Policy H19.2.2.6 recognises that *a range of buildings and structures accessory to farming and forestry, and other operational structures for rural production activities are an integral part of rural character and amenity.*

Most smaller scale horticultural operations would require a tank greater than 250,000 litres. Typically, these structures are not buried deeper than 0.3m below ground level as this requires a larger pump of which the costs can be prohibitive. Also, plastic tanks are not designed to take external pressure so cannot be buried below ground.

Retention tanks are also generally located close to boundaries in order to maximise land for productive use.

As stated, retention tanks are integral infrastructure for horticultural activities. Such structures are anticipated within the rural environments, as outlined in the policy above.

### *Decision sought*

#### 13.1 | Amend definition as it relates to retention tanks:

Tanks including retention tanks	<p>Over 1m in height from ground level, inclusive of the height of any supporting structure or</p> <p>More than 25,000l capacity, where any part of the tank is above ground level.</p> <p><u>Except that this shall not apply to retention tanks in the Rural Production, Mixed Rural or Rural Coastal Zones.</u></p>
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## 2. Worker accommodation:

HortNZ wishes to be heard in support of our submission and would be prepared to consider presenting our submission in a joint case with others making a similar submission at any hearing.

HortNZ agree's with the s32 report that providing for accommodation for those working "in the surrounding rural area" is too broad and subjective. However, this fails to recognise that most farming activities extend over more than one "site".

Generally, HortNZ finds the s32a report flawed. It is not clear what effects are intended to be managed removing the ability for workers to work off-site. In addition, horticulture is a significant industry to the Auckland region, contributing \$261 million to Auckland's economy annually. To the knowledge of HortNZ, there has been no consultation with the industry regarding potential issues.

Worker accommodation should be linked to activities that are appropriate to the zone in order to achieve consistency across zones and to manage potential effects on the environment. HortNZ recommends that the definition be amended to allow workers to work off-site, on properties that are associated with the activity taking place at the main site and which relate to those activities identified in the nesting table.

A means to manage traffic impacts could include requiring a Traffic Management Plan at time of consent and including the TMP as a matter to which discretion is restricted.

### *Seasonal worker accommodation*

The 120m<sup>2</sup> floor area does not adequately provide for accommodation which is intended for seasonal workers. The horticulture industry is heavily dependent on seasonal workers to meet market demand, particularly at times of harvest and pruning. It is important to note that some seasonal work extends up to 10 months.

The industry struggles to employ local seasonal workers and is increasingly relying on the Recognised Seasonal Employer (RSE) scheme and staff from outside the Auckland region. The RSE scheme was established by the New Zealand Government to assist horticulture and viticulture industries to recruit workers from Pacific countries. The scheme is designed to improve the supply of seasonal workers when there are not enough New Zealanders able or willing to work.

In December 2017, the number of people able to be employed under the RSE was increased to 11,100. The increase was in recognition that there is a shortfall in workers for the horticulture and viticulture industries.

The attached cabinet minute and cabinet paper both recognise that the industry will need to provide purpose-built accommodation for RSE workers to reduce pressure on an already strained housing supply.

The minute and paper also require that businesses under the RSE scheme must demonstrate employment and pastoral care practices prior to qualifying. This includes the provision of an acceptable standard of accommodation.

When employing under the RSE scheme, most businesses tend to apply for large numbers of workers rather than just a few. One large horticultural operation in Auckland employs 120 seasonal workers made up of employees from within the region, from outside the region and from the RSE scheme. Other operations range from 40 to 90 seasonal workers which are

also predominately made up of foreign travellers, New Zealanders from outside Auckland and RSE employees.

HortNZ considers that the 120m<sup>2</sup> maximum floor area is not sufficient to provide an acceptable standard of living for larger numbers of staff required for seasonal work.

New Zealand Government is clear on the need to address the worker shortage for the horticulture industry and in the direction to provide pastoral care for seasonal workers and avoid exacerbating pressures on Auckland’s housing supply. This should be reflected in the Auckland Unitary Plan.

Currently, if worker accommodation does not meet the standards in H19.10.12 it is a non-complying activity. The 120m<sup>2</sup> restriction and current planning framework does not support the industry in meeting these requirements.

HortNZ seeks that a separate consenting pathway be provided for seasonal worker accommodation.

Rule H19.8.1 provides for camping as a restricted discretionary activity in the Rural Production, Mixed Rural and Rural Coastal Zones. Visitor accommodation is discretionary in Countryside Living, Rural Production and Rural Coastal, and restricted discretionary in the Mixed Rural Zone. There is no limitation on building or floor areas for these activities. The general matters of restricted discretion (H19.12.1) and general assessment criteria (H19.12.2.1) apply.

It is considered that these activities would likely generate similar, if not greater, effects than seasonal worker accommodation. The general matters and criterion listed in H19.12.1 and H19.12.2.1 would sufficiently manage any potential effects.

The definition sought is applied by Western Bay of Plenty and in the decision version of the Opotiki District Plan.

The standards are similar to those currently applied in Western Bay of Plenty and being discussed following the decision version of the Opotiki District Plan.

**Decision sought**

13.2 | *Amended definition - worker accommodation:*

A dwelling for people whose duties require them to live onsite. In the rural zones, a dwelling for people who work on site for the activities set out in Nesting Table J1.3.6, or on sites associated with that same activity.

13.3 | *Insert new definition – Seasonal worker accommodation*

The use of land and buildings for the sole purpose of accommodating the short-term labour requirements of a farming activity, rural industry or post-harvest facility.

13.4 | *Amend Table H19.8.1 to insert new activity*

Activity	Activity status				
	Rural conservation zone	Countryside Living zone	Rural Coastal zone	Mixed Rural Zone	Rural Production Zone
Accommodation					
<u>(new A35) Seasonal</u>	<u>NC</u>	<u>D</u>	<u>D</u>	<u>RD</u>	<u>RD</u>

<u>worker accommodation</u>					
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13.5 | *Insert new standards – H.19.X Seasonal worker accommodation*

- a The relevant Zone standards for yards, height, daylight protection and parking are complied with.
- b Comprise a communal kitchen facility and eating area, and separate sleeping and ablution facilities.
- c The facility shall be located on a site equal to, or greater than, 5ha.
- d The facility shall be located no less than 100m from any dwelling or minor dwelling established on an adjoining site. This may be reduced with the written consent of the owner of the neighbouring property.
- e Complies with Code of Practice for Able Bodied Seasonal Workers, published by Dept of Building and Housing 2008, if being used for this purpose.
- f A travel management plan shall be prepared and implemented for the movement of workers to and from the site. The travel management plan shall minimise the effects of unnecessary traffic movements on the surrounding road network.



# Cabinet Business Committee

## Minute of Decision

*This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.*

### Increasing the Cap for the Recognised Seasonal Employer Scheme

**Portfolio**                      **Immigration**

On 20 December 2017, the Cabinet Business Committee, having been authorised by Cabinet to have Power to Act [CAB-17-MIN-0565]:

- 1        **noted** that the Recognised Seasonal Employer (RSE) scheme currently allows the horticulture and viticulture industry to employ up to 10,500 seasonal migrant workers each year, mostly from the Pacific;
- 2        **noted** the three key principles underlying the RSE scheme are:
  - 2.1      New Zealanders first: employers should seek to employ local workers first, and if they are unable to find New Zealanders, then migrant workers can be employed;
  - 2.2      “Recognition” of employers: employers must be able to demonstrate that their employment and pastoral care practices are sufficiently high quality for them to be permitted to access the scheme;
  - 2.3      Pacific preference: employers should employ migrant workers from the Pacific, unless they have an established relationship with workers outside the Pacific;
- 3        **noted** that the Minister of Social Development and the Minister of Immigration consider that the principles in paragraph 2 are being adhered to, and have considered:
  - 3.1      the forecast shortfall of workers in the horticulture and viticulture industry for 2017/18;
  - 3.2      RSE employers’ commitment to employing New Zealanders;
  - 3.3      the available accommodation to support an increased number of RSE workers;
  - 3.4      the positive impacts of the RSE scheme in Pacific Island countries; and
  - 3.5      RSE employers’ commitment to providing pastoral care and acceptable employment conditions;
- 4        **noted** that a moderate worker shortfall of approximately 600 workers has been identified for the 2017/18 horticulture and viticulture season;

- 5 **noted** the intention of the Minister of Immigration, in consultation with the Minister of Social Development, to increase the cap on the number of temporary visas that can be granted by under the RSE scheme in a 12 month period by 600 to 11,100 from the 2017/18 season;
- 6 **noted** that the Minister of Social Development and the Minister of Immigration acknowledge that there are accommodation pressures in some regions where the RSE scheme operates, and consider that the proposed increase in the cap number is appropriate given that:
- 6.1 RSE employers must satisfy the Labour Inspectorate and Immigration New Zealand that they are able to provide access to an acceptable standard of accommodation for RSE workers before they are able to recruit workers under the scheme;
- 6.2 officials across government will continue to work with the horticulture and viticulture industry to encourage employers to fulfil their intention to provide more purpose-built accommodation for RSE workers, which will reduce pressure on other accommodation types;
- 7 **noted** that the Minister of Social Development and the Minister of Immigration have directed officials to undertake further analysis of the opportunities for New Zealand workers in the horticulture and viticulture industry, and expect officials to report back in the first half of 2018.

Jenny Vickers  
Committee Secretary

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**Present:**

Rt Hon Jacinda Ardern (Chair)  
Rt Hon Winston Peters  
Hon Kelvin Davis  
Hon Grant Robertson  
Hon Phil Twyford  
Hon Dr Megan Woods  
Hon Chris Hipkins  
Hon Carmel Sepuloni  
Hon Dr David Clark  
Hon David Parker  
Hon Iain Lees-Galloway  
Hon Jenny Salesa  
Hon Damien O'Connor  
Hon Tracey Martin  
Hon Kris Faafoi  
Hon Willie Jackson

**Hard-copy distribution:**

Minister of Social Development  
Minister of Immigration  
Minister of Agriculture

**Officials present from:**

Office of the Prime Minister  
Department of the Prime Minister and Cabinet

In Confidence

Office of the Minister of Immigration

Chair, Cabinet Business Committee

## **Increasing the cap for the Recognised Seasonal Employer scheme**

### **Proposal**

- 1 This paper notes the intention of the Minister of Immigration, in consultation with the Minister for Social Development, to increase the cap on the number of temporary visas that can be granted under the Recognised Seasonal Employer (RSE) scheme in a 12 month period by 600 places to 11,100 from the 2017/18 season.

### **Executive Summary**

- 2 In consultation with the Minister for Social Development, I intend to increase the cap on the number of temporary workers that can be granted visas under the RSE scheme in a 12 month period by 600 places to 11,100 from the 2017/18 horticulture and viticulture season.
- 3 The RSE scheme has a cap on the number of visas that can be issued in a 12 month period. The cap number is specified in Immigration instructions, which can be changed by the Minister of Immigration. Previous Ministers of Immigration have traditionally made decisions on the cap jointly with the Minister for Social Development.
- 4 During peak season, RSE workers comprise around 9 per cent of the horticulture and viticulture workforce. The majority of the workforce is made up of New Zealand citizens and permanent residents, followed by working holidaymakers.
- 5 The Minister for Social Development and I consider that the key principles of the RSE scheme are being met and that an increase in the number of RSE workers will provide a reliable source of labour to fill expected shortages in the 2017/18 horticulture and viticulture season. An increase in the cap will support industry growth and regional economic development. The key factors that we have considered are:
  - 5.1 A shortfall of workers in the horticulture and viticulture industry has been forecast for 2017/18;
  - 5.2 RSE employers are demonstrating a commitment to employing New Zealanders;
  - 5.3 There are accommodation pressures in some regions where the RSE scheme operates, but there are processes in place to manage the impact of an increased number of RSE workers;
  - 5.4 RSE employers are demonstrating a commitment to providing pastoral care and acceptable employment conditions; and
  - 5.5 The RSE scheme has positive impacts in Pacific Island countries.



## Background

- 6 The Recognised Seasonal Employer (RSE) scheme was established in 2006. It enables employers in the horticulture and viticulture (“seasonal”) sectors who have demonstrated a commitment to providing pastoral care and have sought to employ local workers to hire migrant workers to fill seasonal labour shortages.
- 7 The three key principles underlying the RSE scheme are:
  - 7.1 New Zealanders first: employers should seek to employ local workers first; if they are unable to find New Zealanders, then migrant workers can be employed.
  - 7.2 Recognition of employers: employers must be able to demonstrate that their employment and pastoral care practices are sufficiently high quality for them to be permitted to access the scheme.
  - 7.3 Pacific preference: employers should employ migrant workers from eligible Pacific nations,<sup>1</sup> unless they have an established relationship with workers from other countries and it is not feasible to recruit from eligible nations.
- 8 There are three processes through which adherence to the principles of the scheme is maintained:
  - 8.1 through the annual cap on the number of visas that can be granted to temporary workers in the scheme;
  - 8.2 through the national and regional governance process comprising industry, the Ministry of Business, Innovation and Employment (MBIE) and the Ministry of Social Development (MSD), through which the regional allocation of workers is determined; and
  - 8.3 through the granting of RSE status and Agreements to Recruit (ATRs) to employers that have demonstrated that they meet all of the requirements of the scheme.
- 9 These processes ensure that the horticulture and viticulture industry remains under pressure to only access migrant workers if it has demonstrated commitment to employing New Zealand workers. The industry must also demonstrate that it has the necessary infrastructure in place to ensure that employment conditions for migrant workers are maintained. Other initiatives aimed at increasing the proportion of New Zealanders working in the horticulture and viticulture sector complement these processes.

### **The number of RSE workers that come to New Zealand each year is capped**

- 10 The RSE scheme has a cap on the number of visas that can be issued in a 12 month period. The cap was originally set at 5,000 and, as a result of analysis of labour shortages in the industry, was increased in the following years:
  - 10.1 to 8,000 in 2006/07;
  - 10.2 to 9,500 in December 2015; and

<sup>1</sup> The eligible Pacific nations are the Federated States of Micronesia, Fiji, Kiribati, Nauru, Palau, Papua New Guinea, the Republic of Marshall Islands, Samoa, the Solomon Islands, Tonga, Tuvalu and Vanuatu.

10.3 to 10,500 in September 2016.

- 11 The cap number is specified in Immigration instructions, which can be changed by the Minister of Immigration. Previous Ministers of Immigration have traditionally made decisions on the cap jointly with the Minister for Social Development.
- 12 During peak season, RSE workers comprise around 9 per cent of the horticulture and viticulture workforce. The majority of the workforce is made up of New Zealand citizens and permanent residents, followed by working holidaymakers.

### **The available evidence supports an increase in the cap for the RSE scheme**

- 13 In consultation with the Minister for Social Development, I intend to increase the cap on the number of temporary workers that can be granted visas under the RSE scheme in a 12 month period by 600 places to 11,100 from the 2017/18 horticulture and viticulture season.
- 14 The Minister for Social Development and I consider that the key principles of the RSE scheme are being met and that an increase in the number of RSE workers will provide a reliable source of labour to fill expected shortages in the 2017/18 horticulture and viticulture season, and will support industry growth and regional economic development. The key factors that we have considered are:
  - 14.1 The forecast shortfall of workers in the horticulture and viticulture industry for 2017/18;
  - 14.2 RSE employers' commitment to employing New Zealanders;
  - 14.3 The available accommodation to support an increased number of RSE workers;
  - 14.4 The positive impacts of the RSE scheme in Pacific Island countries; and
  - 14.5 RSE employers' commitment to providing pastoral care and acceptable employment conditions.

### **A moderate worker shortfall is expected in 2017/18**

- 15 The national and regional RSE governance process has determined that 616 additional RSE workers will be required in the 2017/18 season. The expected number of workers required is consistent with forecasting that was undertaken by the New Zealand Institute of Economic Research (NZIER) in 2016 which predicted that in a mid-case scenario, the worker shortfall will increase by 548 in 2017/18 in comparison to 2016/17.
- 16 The RSE scheme is managed by a national and regional governance process that comprises the horticulture and viticulture industry, the Ministry of Business, Innovation and Employment (MBIE) and the Ministry of Social Development (MSD). Each year, the industry identifies its labour needs, and these are tested against the available sources of labour to determine the number of RSE workers required by each region. This includes determining what efforts are being made by employers to recruit New Zealanders, particularly Work and Income clients.
- 17 MBIE and MSD have responsibility for signing off the regional allocations of RSE workers, with the role of industry advisory only, as agreed by Cabinet in 2014 [CAB Min (14) 1/9].

## **RSE employers are demonstrating their commitment to employing New Zealanders**

- 18 One of the key principles of the RSE scheme is “New Zealanders first”. RSE employers are expected to attempt to hire New Zealanders (particularly Work and Income clients) before they seek to hire migrant labour through the scheme.
- 19 There is evidence that RSE employers are actively seeking to hire New Zealanders, and particularly Work and Income clients. Of the 134 current RSE employers, feedback provided to MSD officials indicates that approximately 90 per cent have a positive working relationship with MSD. Most RSE employers also report that they are able to employ more permanent and seasonal New Zealand workers as a result of their participation in the scheme.
- 20 The Minister for Social Development and I consider that there is also merit in assessing whether some of the regional initiatives to improve the access of New Zealanders to employment opportunities in the horticulture and viticulture industry could be applied more widely. We consider that there is scope for the sector to undertake more workforce capability planning and development to demonstrate their commitment to developing a domestic workforce.
- 21 The Minister for Social Development and I have directed officials to undertake further analysis of the opportunities for New Zealand workers in the sector, including an outline of existing initiatives being undertaken by government and industry, and areas where new or improved initiatives could be considered. We expect officials to report back in the first half of 2018.

## **Accommodation pressures**

- 22 In coming to the decision to increase the cap for the RSE scheme, the Minister for Social Development and I have acknowledged that there are accommodation pressures in some regions where the RSE scheme operates, particularly in Marlborough and the Bay of Plenty.
- 23 We have carefully considered the impact of an increase in the cap on accommodation pressures. RSE employers are required to provide access to safe and suitable accommodation for their RSE employees, which can be purpose-built or provided by a third party. Currently, around half of all accommodation provided by RSE employers is purpose-built. Purpose-built accommodation is preferred as it reduces demand on other accommodation types.
- 24 The Labour Inspectorate assists Immigration New Zealand (INZ) to ensure that RSE employers provide an acceptable standard of accommodation that provides sufficient capacity for the RSE workers that they wish to employ. This process is undertaken before an Agreement to Recruit (ATR) is granted, and ensures that accommodation for RSE workers has been identified before they arrive in New Zealand.
- 25 The horticulture and viticulture industry has indicated that it is intending to move towards providing more purpose-built accommodation for RSE workers. Officials across government will continue to work closely with the industry to encourage employers to fulfil this intention and meet their obligations to provide accommodation for workers.

## **Employment conditions for RSE workers are closely monitored**

- 26 The Labour Inspectorate has a responsibility, as it does for all employers, to ensure that RSE employers are meeting their obligations to provide employees with their minimum

employment entitlements. Accommodation for RSE workers is subject to assessment by the Labour Inspectorate before an ATR can be decided by INZ.

- 27 A Labour Inspectorate survey found that on average, RSE workers were paid more than the minimum wage – in 2016, the average hourly wage for an RSE worker was \$18.73 compared with the national minimum wage of \$15.25.
- 28 In 2016, 11 per cent of RSE employers reported character-related issues with RSE workers occurring during work hours, and 38 per cent had experienced issues outside of work hours.<sup>2</sup> These figures are not significantly different to previous years, indicating that any issues in regards to worker behaviour are isolated and not reflective of an increasing issue.

### **The RSE scheme has positive impacts in Pacific Island countries**

- 29 The RSE scheme has been described by the World Bank as the “one of the most effective development interventions for which rigorous evaluations are available”. The World Bank estimates that Pacific RSE workers remit \$40m to the Pacific each year, an important source of foreign exchange. In Samoa and Tonga, for example, total remittances account for approximately 20% of GDP. Per capita income of households in Tonga and Vanuatu that participated in the RSE scheme were found to have risen by 30 per cent in comparison to other households. This increase in income was associated with increased saving and home improvement, indicating that the RSE scheme was having a long-term positive impact on participating countries.
- 30 The RSE scheme also provides an opportunity for Pacific workers to access training while in New Zealand, through industry training organisations and bespoke training programmes funded by the New Zealand Aid Programme. Developing Pacific workers’ skills, for example in horticulture, basic trades, small business and leadership, provide an important contribution to economic development in the Pacific.
- 31 The RSE scheme is integral to the Labour Mobility Arrangement signed alongside the Pacific Agreement on Closer Economic Relations Plus (PACER Plus) between New Zealand, Australia and nine Pacific Island countries in June 2017.<sup>3</sup> Under the Labour Mobility Arrangement, New Zealand has committed to enhancing the RSE scheme to maximise the development benefits for the Pacific as well as exploring opportunities for new labour mobility schemes beyond the horticulture and viticulture sectors.

### **Consultation**

- 32 The following government agencies were consulted on the proposals in this paper: the Ministry of Social Development, the Ministry of Foreign Affairs and Trade and the Department of Prime Minister and Cabinet.
- 33 The horticulture and viticulture industry is involved in the national and regional governance process that determines the number and regional allocations of RSE workers for each season.

<sup>2</sup> Research New Zealand *RSE Monitoring Survey*, October 2017.

<sup>3</sup> The nine Pacific Island countries are the Cook Islands, Kiribati, Nauru, Niue, Samoa, the Solomon Islands, Tonga, Tuvalu and Vanuatu.

## Financial Implications

34 This proposal has no financial implications.

## Human Rights

35 The proposed changes appear to be consistent with the New Zealand Bill of Rights Act 1990 and the Human Rights Act 1993.

## Legislative and regulatory implications

36 There are no legislative or regulatory implications associated with changing the cap number for the RSE scheme. The cap number is specified in Immigration instructions, which can be changed by the Minister of Immigration.

## Publicity

37 An announcement of the decision to increase the cap number for the RSE scheme will be made by my office, in consultation with the Minister for Social Development. Employers in the horticulture and viticulture industry will have a strong interest in the decision as it will support planning for the 2017/18 season, which is underway.

38 This paper will be proactively released in due course.

## Recommendations

39 The Minister of Immigration recommends that the Committee:

- 1 note that the Recognised Seasonal Employer (RSE) scheme currently allows the horticulture and viticulture industry to employ up to 10,500 seasonal migrant workers each year, mostly from the Pacific;
- 2 note the three key principles underlying the RSE scheme:
  - 2.1 New Zealanders first: employers should seek to employ local workers first; if they are unable to find New Zealanders, then migrant workers can be employed
  - 2.2 "Recognition" of employers: employers must be able to demonstrate that their employment and pastoral care practices are sufficiently high quality for them to be permitted to access the scheme
  - 2.3 Pacific preference: employers should employ migrant workers from the Pacific, unless they have an established relationship with workers outside the Pacific
- 3 note that the Minister of Immigration and the Minister for Social Development consider that the principles in recommendation (2) are being adhered to, and have considered:
  - 3.1 The forecast shortfall of workers in the horticulture and viticulture industry for 2017/18;
  - 3.2 RSE employers' commitment to employing New Zealanders;

- 3.3 The available accommodation to support an increased number of RSE workers;
- 3.4 The positive impacts of the RSE scheme in Pacific Island countries; and
- 3.5 RSE employers' commitment to providing pastoral care and acceptable employment conditions.
- 4 note that a moderate worker shortfall of approximately 600 workers has been identified for the 2017/18 horticulture and viticulture season
- 5 note the intention of the Minister of Immigration, in consultation with the Minister for Social Development, to increase the cap on the number of temporary visas that can be granted by under the RSE scheme in a 12 month period by 600 to 11,100 from the 2017/18 season
- 6 note that the Minister for Social Development and I acknowledge that there are accommodation pressures in some regions where the RSE scheme operates, and consider that the proposed increase in the cap number is appropriate given that:
- 6.1 RSE employers must satisfy the Labour Inspectorate and Immigration New Zealand that they are able to provide access to an acceptable standard of accommodation for RSE workers before they are able to recruit workers under the scheme
- 6.2 officials across government will continue to work with the horticulture and viticulture industry to encourage employers to fulfil their intention to provide more purpose-built accommodation for RSE workers, which will reduce pressure on other accommodation types
- 7 note that the Minister for Social Development and I have directed officials to undertake further analysis of the opportunities for New Zealand workers in the horticulture and viticulture industry, and expect officials to report back in the first half of 2018
- 8 note that this paper will be proactively released in due course.

Authorised for lodgement

Hon Iain Lees-Galloway  
**Minister of Immigration**



## Contact details

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## Submission details

### This is a submission to:

Plan modification number: Plan change 16

Plan modification name: Improving consistency of provisions for Zones

### My submission relates to

Rule or rules:  
Chapter J - Definitions

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:  
Refer to attached submission document.

14.1 | I or we seek the following decision by council: Amend the plan modification if it is not declined

Details of amendments: Refer to attached submission document.

Submission date: 31 January 2019

Supporting documents  
Ngati Whatua Quay Park - Submission on Plan Change 16.pdf

## Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?  
Yes

### **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.



**SUBMISSION ON PLAN CHANGE 16 TO THE AUCKLAND UNITARY  
PLAN – IMPROVING CONSISTENCY OF PROVISIONS: CHAPTER J  
DEFINITIONS  
UNDER CLAUSE 6 OF THE FIRST SCHEDULE,  
RESOURCE MANAGEMENT ACT 1991**

**To:** Auckland Council  
Private Bag 92300  
Victoria Street West  
Auckland 1142

**Submission on:** Plan Change 16 Improving Consistency of Provisions

**Name:** Whai Rawa Railway Lands LP (Whai Rawa)

**Address:** C/- Bentley & Co Ltd  
PO Box 4492 Shortland St  
Auckland 1140

**1. Introduction**

- 1.1. Ngāti Whātua Ōrākei Whai Rawa Limited (Whai Rawa) is a property development and investment company, whose principal objective is to maximise the financial or economic returns to the Ngāti Whātua Ōrākei Group, so it is able to support Ngāti Whātua Ōrākei whānau for generations to come.
- 1.2. Ngāti Whātua Ōrākei Whai Rawa Limited is a wholly owned subsidiary of the Ngāti Whātua Ōrākei Trust. The structure was put in place following the WAI388 Treaty Settlement with the Crown in 2012.
- 1.3. Funds generated by Whai Rawa are used to support the tribal development goals of Ngāti Whātua Ōrākei Whai Maia Limited. Whai Maia is the Tribal Development arm that is responsible for portfolios including education, health and wellbeing, sporting and cultural activities.
- 1.4. Over time, Ngāti Whātua Ōrākei has acquired significant landholdings in the Tāmaki Isthmus (over 160 hectares). While some of these properties are purely cultural in nature (such as Takaparawhau and Pourewa), the vast majority provide the hapū with the opportunity to generate income in the form of rent or through development opportunities. Such properties include the commercial landholdings in Quay Park.
- 1.5. Whai Rawa is the entity that is responsible for growing the Ngāti Whātua Ōrākei asset base. The assets that the Trust have are conservative and low yielding and Whai Rawa will work toward growing the profitability of these assets for the hapū.
- 1.6. Correspondingly, Whai Rawa are concerned with any proposed changes to the provisions of the Auckland Unitary Plan (AUP) which implicate yield and the opportunity to generate income in the form of rent or through development opportunities.

- 1.7. Auckland Council proposes to introduce a change to the AUP for the purposes of ‘improving consistency of provisions’, including Chapter J Definitions. This includes a proposed change to the definition of Floor Area Ratio (FAR) in Chapter J of the AUP, as set out below:

*Floor area ratio*

*Floor area ratio (FAR) is the relationship between building gross floor area and net site area, and is expressed by the formula:*

- *floor area ratio = gross floor area/net site area.*

*In calculating floor area ratio, the net site area:*

- *excludes any part of the site which is made up of an interest in any airspace above or subsoil below a road, and*
- *includes any part of the site which is a vehicle access way.*

- 1.8. This proposed change has corresponding implications to the consistency of interpretation of the AUP rules, relative to other definitions within the AUP, and in particular the definition of Net Site Area (NSA).

## **2. Scope of Submission**

- 2.1. Whai Rawa’s submission relates to:

- (a) the proposed change to the definition of FAR; and
- (b) the relationship of the proposed change to the definition of FAR with the definition of NSA, and the necessity to appropriately amend the definition of FAR for consistency of interpretation.

## **3. Submission**

- 3.1. The objective of the proposed plan change is stated as:

*‘An evaluation under Section 32 of the RMA must examine the extent to which the objectives of PC 16 are the most appropriate way to achieve the purpose of the RMA. The objective of PC 16, or the purpose of the plan change, is to address the identified technical issues as outlined in sections 7-10 of this report, to ensure:*

- *the wording of provisions is clear and unambiguous;*
- *the provisions of the AUP cascade vertically and horizontally; and*
- *there is a high level of integration across the different chapters of the AUP.*

*The plan change should assist the Council to carry out its functions in order to achieve the purpose of the RMA, being to promote the sustainable management of natural and physical resources. The evaluation of the identified amendments to the AUP zones and definitions concludes that these are technical issues which have the potential to create confusion for plan users. The uncertainty or ambiguity created by the current provisions identified in sections 7 to 10 of this report impacts the functionality and workability of the AUP and increases the risk of debate and litigation when administering the AUP. Amending the AUP to resolve these identified issues is the*

most appropriate way to achieve the purpose of the RMA, as outlined in the evaluation of options below.<sup>1</sup>

- 3.2. Within Attachment 1D to the proposed plan change (which contains the proposed change to the definitions), the advice note states:

*This attachment sets out the content of the proposed plan change with cross references to the part of the Section 32 Evaluation report which contains the explanation for the proposed amendment. The proposed additions are shown in underline and the proposed deletions are shown in ~~strikethrough~~. Where a proposed amendment has legal effect upon notification of the plan change under Section 86B(3) of the Resource Management Act 1991 this is shown in grey highlight.*

- 3.3. The ‘cross reference’ to the part of the Section 32 Evaluation report associated with the proposed change to the definition of FAR is to: ‘Residential Theme 4’ (refer extract in figure 1 below).

**Floor area ratio**

Floor area ratio (FAR) is the relationship between building gross floor area and net site area, and is expressed by the formula:

- floor area ratio = gross floor area/net site area.

In calculating floor area ratio, the net site area:

4

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Proposed amendments to J1 Definitions

- excludes any part of the site which is made up of an interest in any airspace above or subsoil below a road, and
- includes any part of the site which is a vehicle access way.

Comment [A4]: Residential Theme 4

Figure 1

- 3.4. Residential Theme 4 is contained in Section 7 of the Section 32 Evaluation report. This ‘theme’ corresponds to an evaluation of the ‘Height in Relation to Boundary standard, and its relationship with Pedestrian Access ways, and does not contain an assessment or evaluation as to the issues associated with the current definition, the proposals/options considered to promulgate the proposed change, or why the proposed change is necessary to achieve the above objective.

<sup>1</sup> Proposed Plan Change 16 Section 32 Evaluation, section 1.4

- 3.5. Section 10 of the Section 32 Evaluation Report, which relates to the proposed changes to definitions, similarly does not contain an assessment or evaluation as to the issues associated with the current definition, the proposals/options considered to promulgate the proposed change, or why the proposed change is necessary to achieve the above objective.
- 3.6. FAR is calculated by gross floor area (GFA)/net site area (NSA). When calculating NSA (for the purpose of FAR) the proposed change to the definition introduces includes any part of the site which is a vehicle access way. There is no corresponding definition of ‘vehicle access way’ either in the AUP or proposed by Plan Change 16.
- 3.7. Plan Change 16 does not include any proposed changes to the definition of NSA.
- 3.8. The current definition of NSA is:  
*The total area of a site excluding:*
- *any area subject to a road widening designation;*
  - *any part of an entrance strip;*
  - *any legal right of way; and*
  - *any access site*
- 3.9. The proposed change to the definition of FAR appears to rectify an anomaly in the AUP, which was seemingly inadvertently introduced when the definition of FAR was amended during the course of the hearing process on the Proposed AUP (PAUP).
- 3.10. In this regard, the definition of FAR as notified was:  
*FAR is the **relationship between building gross floor area and land area of the site**, and is expressed by the formula:*  

$$FAR = \text{Gross floor area} / \text{Land area of the site}$$
*In computing FAR, **land area of the site** excludes:*
- *any portion of the site affected by a building line restriction for the purpose of future road widening*
  - *any part of the site which is made up of an interest in any airspace above, or subsoil below a road*
- (emphasis added)
- 3.11. No submissions or further submissions were made to the PAUP in relation to the definition of ‘floor area ratio’.
- 3.12. Mediation on the ‘definitions’ chapter of the Proposed Unitary Plan was held on 17<sup>th</sup> and 18<sup>th</sup> August 2015 and 3<sup>rd</sup> and 4<sup>th</sup> September 2015. The Mediation Joint Statement records that no amendments to the definition of ‘floor area ratio’ were sought or proposed by any party, including Auckland Council.
- 3.13. Auckland Council’s planning witness, Robert Bruce Buxton did not recommend any changes to the definition of ‘floor area ratio’ in either his statement of primary evidence (dated 2<sup>nd</sup> October 2015), or his statement of rebuttal evidence (dated 3<sup>rd</sup> November 2015).

- 3.14. Council's closing statement (dated 1<sup>st</sup> December 2015), stated (at paragraph 29) that in relation to the definition of 'floor area ratio':

*During the course of the hearings, Judge Kirkpatrick suggested that the definition of Floor Area Ratio refer to "net site area" rather than "Land area of the site". This was agreed by Mr Buxton at the hearing and this is confirmed. The definition can be amended as follows, with the first bullet point deleted as it is already excluded for the definition of "net site area":*

*Floor area ratio*

*FAR is the relationship between building gross floor area and ~~land~~ net site area of the site, and is expressed by the formula:*

*FAR = Gross floor area / ~~Land~~ net site area of the site*

*In computing FAR, ~~land~~ net site area of the site excludes:*

- ~~any portion of the site affected by a building line restriction for the purpose of future road widening~~*
- any part of the site which is made up of an interest in any airspace above, or subsoil below a road*

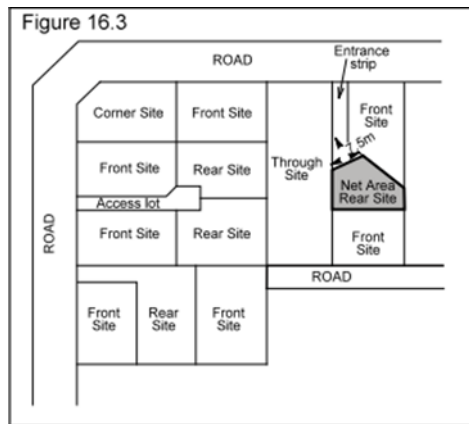
(emphasis added)

- 3.15. The Auckland Unitary Plan Independent Hearings Panel (AUPIHP) report to Auckland Council on hearing topic 65 (Definitions) does not contain any reasons for the recommended changes to the definition of 'floor area ratio', and advised that all changes made to the provisions relating to this topic were within the 'scope' of submissions.
- 3.16. The Auckland Unitary Plan Decisions Version (19<sup>th</sup> August 2016) incorporated the recommendations of the AUPIHP.
- 3.17. The basis for the change to the definition of FAR (to refer to 'net site area' compared with 'the land area of the site') appears to derive from an attempt at simplification by Judge Kirkpatrick, and to use terminology otherwise contained elsewhere in the AUP, without appreciating the implications of the use of term as it was defined, relative to FAR.
- 3.18. The definition of NSA in the PAUP was:

*The total area of a site, excluding any area owned in common, any area subject to a road widening designation, any part of an entrance strip and any private ways*

- 3.19. This corresponded to a change from the definition contained in the Auckland District Plan Central Area Section which defined NSA as:

*In relation to a rear site net site area means the difference in area between the total area of the site (gross area) and the area of its entrance strip (see Figure 16.3).*



- 3.20. Notwithstanding there being no section 32 analysis prepared by Council for the definition of FAR, the purpose of this definition was to explain how to calculate the area of a site for the purpose of subdivision, and to determine the area of site for the subsequent calculation of bulk and location standards (such as building coverage, impervious area, and landscape areas), as opposed to being a determinant of FAR.
- 3.21. This is supported by a review of the hearing process on the (PAUP).
- 3.22. In this regard, some six submissions were made in relation to the definition of NSA, which related to matters of clarification (and in particular how the extent of an entrance strip was to be determined). Mediation on the ‘definitions’ chapter of the Proposed Unitary Plan was held on 17th and 18th August 2015 and 3rd and 4th September 2015. The Mediation Joint Statement records that that no amendments to the definition of net site area were sought or proposed by any party, including Auckland Council. However, the Statement does record that Housing NZ were to pursue this definition through the ‘residential’ topic.
- 3.23. Auckland Council’s planning witness, Robert Buxton did not recommend any changes to the definition of FAR in either his statement of primary evidence (dated 2<sup>nd</sup> October 2015), or his statement of rebuttal evidence (dated 3<sup>rd</sup> November 2015). Instead, he defers to the evidence of Nick Roberts (Council’s witness for the ‘residential’ topic) in respect of this definitional matter, stating: ‘This definition is being considered, and amendments suggested, in the Residential Topic hearing and I do not propose to consider it further.’
- 3.24. Mediation on the residential topics of the Proposed Unitary Plan was held on 27<sup>th</sup> to 31<sup>st</sup> July 2015, the 4<sup>th</sup> to 7<sup>th</sup> August 2015, and the 10<sup>th</sup> and 11<sup>th</sup> August 2015. The Mediation Joint Statement (dated 12<sup>th</sup> August 2015), records that while there was discussion in respect of the appropriateness of using NSA for the purposes of development controls (standards), no changes were sought or proposed by any party to the definition of NSA.
- 3.25. Notwithstanding that, Auckland Council’s planning witness for the ‘residential’ topic (Mr Nicholas Roberts) made the following comments in respect of the definition of ‘net site area’ within his primary statement of evidence (dated 9<sup>th</sup> September 2015):

*In my view, it is appropriate for the maximum building coverage and minimum landscaping requirements to be percentages of the net site area at the time of application. Amendments to the definition for net site area are proposed as follows:*

*The total area of a site, excluding: ~~any area owned in common,~~*

- *Any area subject to a road widening designation,*
- *Any part of an entrance strip ~~and~~*
- *Any legal right of way*
- *Any access site ~~private ways~~*

3.26. In support of this, Mr Roberts stated:

*This will ensure that parts of the site that are legally secured to provide vehicle access (and are therefore highly unlikely to be built on in the future) are excluded from the calculation of building coverage and landscaping. This will ensure that sites are developed in accordance with character objectives of the zone, as the actual perceived developable area will be used as the basis for calculation.*

*The HPO consenting data indicates that the rule has been applied to proposed site areas, for example to individual lots for proposed terraced housing. For comprehensively designed multi-unit development, it is appropriate for the building coverage and landscaping requirements to be calculated on the full net site area at the time of application, rather than the proposed site areas. This is as for these types of developments, landscaping area is often not evenly distributed between sites, however the purpose of the control in achieving the planned built character of the zone would still be met. Appropriate legal mechanisms such as consent notices could be applied at the time of subdivision for multi-unit developments, to ensure that additional building coverage or reduction of landscaping within individual sites is assessed through a resource consent to avoid potential cumulative effects on built character as a result of incremental additions to each unit (refer subdivision assessment criteria 4.2(5) as attached to the joint evidence of Ms Stewart and Ms Hardman-Miller).*

- 3.27. This definition was subsequently recommended by the AUPIHP, adopted by Council, and corresponds to the version contained in the AUP.
- 3.28. Therefore, it is clear from this chain of events that there is a disconnect between the respective FAR and NSA definitions, relative to the purpose for which they are used/applied.
- 3.29. Whai Rawa supports the attempt to rectify this through the changes proposed to the definition of FAR, but considers this does not fully resolve the situation of achieving consistency of provisions. The proposed change to include ‘vehicle access ways’ within the definition of FAR when calculating the area of the site introduces further ambiguity, with that term not being defined, and being inconsistent with other terminology used in the definition of NSA, such as ‘entrance strip’ and ‘access site’. Further to this, the change proposed does not address other aspects of the definition of NSA which implicate the area of the site for the purpose of calculating FAR, which would continue to apply, and inadvertently reduce the area of the site. For example, ‘any legal right of way’ could relate to a range of matters unrelated to vehicle access, such as utilities.

**4. Relief sought**

4.1. Whai Rawa seeks the following relief:

- (a) That the definition of FAR be amended as follows to avoid inadvertent ambiguity, and to achieve consistency of interpretation:

*Floor area ratio (FAR) is the relationship between building gross floor area and land area of the site, and is expressed by the formula:*

14.2

- *Floor area ratio = gross floor area / Land area of the site*

*In calculating floor area ratio, the land area of the site excludes:*

- *any portion of the site affected by a building line restriction for the purpose of future road widening*
- *any part of the site which is made up of an interest in any airspace above, or subsoil below a road*

14.3

- (b) Any other consequential amendments required to give effect to the relief sought.

**5. Conclusion**

5.1. Whai Rawa wishes to be heard in support of this submission.

5.2. If others make a similar submission, consideration would be given to presenting a joint case with them at any hearing.

**Whai Rawa Railway Lands LP**

**Signature**

by its planning and resource management consultants and authorised agents Bentley & Co. Ltd



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Craig McGarr

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Auckland 2019

## Submission details

### This is a submission to:

Plan modification number: Plan change 16

Plan modification name: Improving consistency of provisions for Zones

### My submission relates to

Rule or rules:

H2 Residential – Rural and Coastal Settlement Zone (Standard H2.6.10) H3 Residential – Single House Zone (Standards H3.6.7 and H3.6.12) H4 Residential – Mixed Housing Suburban Zone (Standards H4.6.5, H4.6.6, H4.6.11, H4.6.13, and H4.6.14) H5 Residential – Mixed Housing Urban Zone (Standards H5.6.5, H5.6.6, H5.6.7, H5.6.12, H5.6.15, H6.6.16); H6 Residential – Terrace Housing and Apartment Buildings Zone (Standards H6.6.6, H6.6.7, H6.6.8, H6.6.13, H5.6.14, H6.6.15 and H6.6.16); H10 Business – Town Centre Zone (Standard H10.6.10); H11 Business – Local Centre Zone (Standard H11.6.8); H12 Business – Neighbourhood Centre Zone (Standard H12.6.8); and H11 Business – Mixed Use Zone (Standard H13.6.9). Chapter J – Definitions.

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

Refer to the attached submission, including details on which changes are supported or opposed.

15.1 | I or we seek the following decision by council: Accept the plan modification with amendments

Details of amendments: Refer to the attached submission.

Submission date: 31 January 2019

Supporting documents

Submission of Aaron Grey on PC16\_20190131103856.852.pdf

### **Attend a hearing**

Do you wish to be heard in support of your submission? No

### **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

## Submission on Plan Change 16 to the Auckland Unitary Plan – Improving Consistency of Provisions for Zones

**To:** Auckland Council  
Private Bag 92300  
**Auckland 1142**

Attn: Planning Technician

**Name of Submitter:** Aaron Grey

**Address for Service:** 596 Redoubt Road  
Flat Bush  
**Auckland 2019**

**Telephone:** 0274 612 319

**Email:** aaronjgrey@gmail.com

This is a submission on:

- Plan Change 16 to the Auckland Unitary Plan – Improving Consistency of Provisions for Zones.

The submitter could not gain an advantage in trade competition through this submission.

The specific provisions that this submission relates to are:

- Chapter H – Zones:
  - H2 Residential – Rural and Coastal Settlement Zone (Standard H2.6.10)
  - H3 Residential – Single House Zone (Standards H3.6.7 and H3.6.12)
  - H4 Residential – Mixed Housing Suburban Zone (Standards H4.6.5, H4.6.6, H4.6.11, H4.6.13, and H4.6.14)
  - H5 Residential – Mixed Housing Urban Zone (Standards H5.6.5, H5.6.6, H5.6.7, H5.6.12, H5.6.15, H6.6.16);
  - H6 Residential – Terrace Housing and Apartment Buildings Zone (Standards H6.6.6, H6.6.7, H6.6.8, H6.6.13, H5.6.14, H6.6.15 and H6.6.16);
  - H10 Business – Town Centre Zone (Standard H10.6.10);
  - H11 Business – Local Centre Zone (Standard H11.6.8);
  - H12 Business – Neighbourhood Centre Zone (Standard H12.6.8); and
  - H11 Business – Mixed Use Zone (Standard H13.6.9).
- Chapter J – Definitions.

# 1. Changes to Residential Zone Standards

## 1.1 Height in Relation to Boundary Standards

1.1.1 PC16 proposes to amend Standards H3.6.7, H4.6.5, H4.6.6, H5.6.5, H5.6.6, H5.6.7, H6.6.6, H6.6.7 and H6.6.8 so that:

- a. Recession planes will apply along the boundary of sites zoned Open Space that are not greater than 20 m in width (in addition to sites less than 2,000 m<sup>2</sup> in area); and
- b. Where a site adjoins a pedestrian access way, the recession plane is to be taken from the opposite boundary of the pedestrian access way.

1.1.2 This submission is neutral towards this change but proposes amendments.

1.1.3 The provisions relate to narrow strips of publicly-owned land and the extent that access to sunlight should be provided for these. However, the proposed amendments provide for a potentially unintended outcome for sites zoned Open Space as follows:

- a. For sites less than 7.5 m in width (forming part of an entrance strip), the recession plane is taken from the furthest boundary, not requiring access to sunlight;
- b. For sites between 7.5 m and 20 m in width, the recession plane is taken from the closest boundary, requiring the reserve to be provided with access to sunlight, unless the reserve is considered to be a pedestrian access way (which is not defined) where the recession plane is taken from the furthest boundary; and
- c. For sites greater than 20 m in width, no recession planes apply, not requiring access to sunlight (at least at the edges of the reserve).

1.1.4 It is understood that the amendments seek to provide access to sunlight to smaller Open Space zoned sites that are for passive or active recreation, or a community purpose, rather than those that primarily serve an access purpose. However, the amendments result in potential confusion on the location of recession planes for sites adjacent to reserves between 7.5 m and 20 m in width that connect to a wider network.

1.1.5 In order to alleviate the potential confusion, the following relief is sought:

- a. Insert a definition of 'Pedestrian access way' into Chapter J Definitions as follows:  
  
*"An area of land vested in Council as road or reserve that provides pedestrian access (but not vehicular access) between two or more public places and is no greater than 20 m in width."*

15.2

## 1.2 Fence Standards

1.2.1 PC16 proposed to amend Standards H2.6.10, H3.6.12, H4.6.14, H5.6.15 and H6.6.16 to include restrictions on fencing with coastal protection yards, riparian yards and lakeside yards.

1.2.2 This submission opposes this change.

1.2.3 It is clear from the proposed additions that the purpose of the standard is to control the interface with waterbodies when they are in public ownership. However, this is not carried through in the wording of the standard.

1.2.4 This submission is neutral towards restrictions within coastal protection yards. It is recognised that this provision would only apply in instances when an esplanade reserve does not yet exist, and the coastal marine area is never in private ownership.

1.2.5 This submission opposes restrictions within riparian and lakeside yards where these waterbodies are in private ownership. In particular, there would be a significant number of intermittent streams that cross private land, sometimes without property owners aware of their status as streams (with riparian yards). The proposed amendments would impose fencing restrictions along these waterbodies that are not necessary to achieve the stated (amended) purpose of the standards

1.2.6 The following relief is sought:

15.3 | a. The proposed changes to Standards H2.6.10, H3.6.12, H4.6.14, H5.6.15 and H6.6.16 are not made.

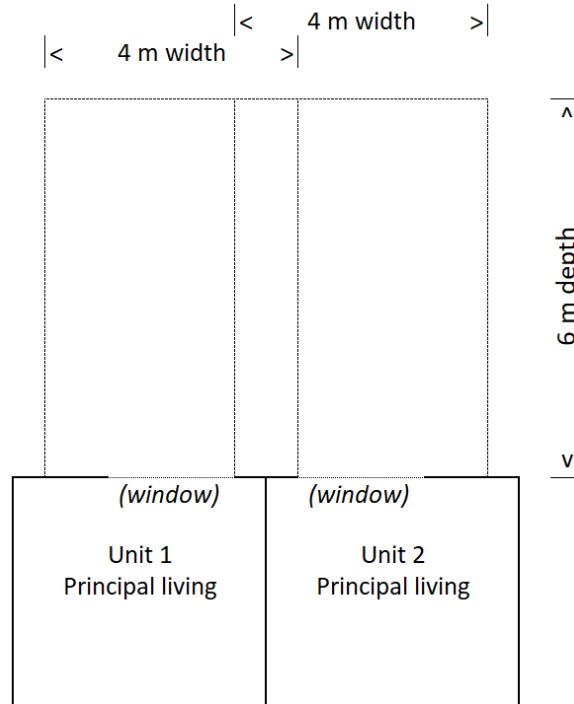
15.4 | b. Alternatively, further amendments to the above listed standards are included to identify that the fencing restrictions within coastal protection yards, riparian yards and lakeside yards only apply where the waterbody is not contained within privately owned land.

## 1.3 Outlook Space Standards

1.3.1 PC16 proposes various amendments to Standards H4.6.11, H5.6.12 and H6.6.13, including the circumstances in which overlaps are allowed, and restrictions on fences and walls.

1.3.2 This submission opposes the changes to subsections (7) and supports the changes to subsections (9), and proposes amendments.

1.3.3 The standards currently enable outlook spaces to overlap where they are from the same wall plane of the same building, even when they are for different dwellings. It is not considered necessary to prevent this occurrence, as no loss of visual privacy or increase visual dominance would occur. An example of this occurrence is provided in the figure below.



1.3.4 The restrictions on fences and walls are supported, but the proposed wording should be amended to acknowledge that outlook space is often provided for across a balcony from a habitable space above ground level. Therefore, the reference to fences and walls should also include railing and balustrades and the height of these structures should be measured from the floor height of the building (where the outlook space commences) rather than ground.

1.3.5 The following relief is sought:

15.5 a. The proposed changes to Standards H4.6.11(7), H5.6.12(7) and H6.6.13(7) are not made;

15.6 b. The following further text is added to the end of the amendments to Standards H4.6.11(9)(c), H5.6.12(9)(c) and H6.6.13(9)(c): “unless the outlook spaces are from rooms within the same building on the same wall plane”; and

c. Standards H4.6.11(9)(d), H5.6.12(9)(d) and H6.6.13(9)(d) is instead inserted as follows:

15.7 *“Fences ~~and~~ walls, railings and balustrades within an outlook space must:*

- i. *not ~~exceed 1.2 m~~ be greater in height than 1.2 m above the relevant floor height, or*
- ii. *be at least 50 per cent visually open as viewed perpendicular from the glazing of the habitable room.”*

## 1.4 Outdoor Living Space Standards

1.4.1 PC16 proposed to amend Standards H4.6.13, H5.6.14 and H6.6.15 so as to require all outdoor living space to be accessible from a principal living room, dining room or kitchen.

- 1.4.2 This submission opposes this change.
- 1.4.3 The primary reason for opposing this change is that the currently flexibility providing for the location and distribution of outdoor living spaces would be removed.
- 1.4.4 This would also result in a contradiction with the standard that enables outdoor living space to comprise “ground floor *and/or* balcony roof terrace space” [emphasis added]. Separate outdoor living spaces that together comprise the minimum required area are therefore anticipated – it is highly unlikely that the principal living room, dining room or kitchen would traverse multiple floors of a building and so any development that comprises both ground floor and roof terrace space would be unable to comply with the proposed new requirement.
- 1.4.5 The following relief is sought:

- 15.8 | a. The proposed changes to Standards H4.6.13, H5.6.14 and H6.6.15 are not made.
- 15.9 | b. Alternatively, amendments to Standards H4.6.13(1)(c), H5.6.14(1)(c) and H6.6.15(1)(c) are made to instead read “includes at least one area that is accessible from the principal living room, dining room or kitchen of the dwelling, supported residential care unit or boarding house”.

## 2. Changes to Business Zone Standards

### 2.1 Outlook Space Standards (excluding City and Metropolitan Centres)

- 2.1.1 PC16 proposes various amendments to Standards H10.6.10, H11.6.8, H12.6.8 and H13.6.9, similar to (but not identical to) those proposed to the outlook spaces in residential zones.
- 2.1.2 This submission is neutral to this change.
- 2.1.3 It is unclear why there remains inconsistent wording between these standards and the residential zone equivalents when the outcome sought is the same. For ease of use, Council should take the opportunity available to them within the scope of this plan change to streamline the wording of these standards to be the same.
- 2.1.4 The following relief is sought:

- 15.10 | a. Standards H10.6.10, H11.6.8, H12.6.8 and H13.6.9 be amended to be the same as Standards H4.6.11, H5.6.12 and H6.6.13 (including any amendments under this plan change).

## 3. Changes to Definitions

### 3.1 Definition of Building

- 3.1.1 PC16 proposes to amend the definition of ‘building’ to make clearer the threshold for which structures are included and excluded.
- 3.1.2 This submission supports this change.

3.1.3 While potentially outside the scope of this plan change, it is considered that the type of structure “fences or walls” should be expanded to also include the railings and balustrades associated with decks and balconies. A strict interpretation subjects these structures to the 1.5 m limit (for “decks, steps or terraces”), when a 2.5 m limit is considered more suitable. This would allow for a 1.5 m deck to and its required 1 m barrier (under the Building Code) to both not be classified as a building (currently any deck over 1 m would become a building because of the required 1 m barrier).

3.1.4 The following relief is sought:

15.11 | a. The changes proposed to the definition of ‘building’ are made; and

15.12 | b. If within scope of the plan change, replace “Fences or walls” with “Fences, walls, railings or balustrades”.

### 3.2 Definition of Landscaped Area

3.2.1 PC16 proposes to amend the definition of ‘landscaped area’ to make clearer that ground cover plants are included as part of landscaped area and that the listed hard landscaping elements collectively must not exceed 25% of this area

3.2.2 This submission supports this change.

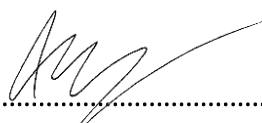
3.2.3 While potentially outside the scope of this plan change, it is considered pathways up to 1.5 m in width that qualify as part of landscaped area should not be limited to pathways that are non-permeable. While most permeable paths would consist of pavers not exceeding 650 mm in dimension (and therefore qualify under criterion (2)), if porous paving is used, the path would not qualify as any of the listed hard landscaping elements. This is considered to be an unintended outcome that should be rectified.

3.2.4 The following relief is sought:

15.13 | a. The changes proposed to the definition of ‘landscaped area’ are made; and

15.14 | b. If within scope of the plan change, remove “non-permeable” from item (5) of the definition of landscaped area.

The submitter does not wish to be heard in support of this submission.

Signature:   
.....  
Aaron Grey

Date: 31/01/19



## Contact details

Full name of submitter: Viaduct Harbour Holdings Limited

Organisation name:

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PO Box 4492  
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## Submission details

### This is a submission to:

Plan modification number: Plan change 16

Plan modification name: Improving consistency of provisions for Zones

### My submission relates to

Rule or rules:  
Chapter J - Definitions

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:  
Refer to the attached submission document.

16.1 | I or we seek the following decision by council: Accept the plan modification with amendments

Details of amendments: Refer to the attached submission document.

Submission date: 31 January 2019

Supporting documents  
VHHL - Submission on Plan Change 16.pdf

## Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?  
Yes

### **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

**SUBMISSION ON PLAN CHANGE 16 TO THE AUCKLAND UNITARY  
PLAN – IMPROVING CONSISTENCY OF PROVISIONS: CHAPTER J  
DEFINITIONS  
UNDER CLAUSE 6 OF THE FIRST SCHEDULE,  
RESOURCE MANAGEMENT ACT 1991**

**To:** Auckland Council  
Private Bag 92300  
Victoria Street West  
Auckland 1142

**Submission on:** Plan Change 16 Improving Consistency of Provisions

**Name:** **Viaduct Harbour Holdings Limited (VHHL)**

**Address:** Level 5  
16 Viaduct Harbour Ave  
Viaduct Harbour 1010

**1. Introduction**

- 1.1. VHHL is the owner of the fee simple interest in approximately 14 hectares of land located in the southern parts of the Viaduct Harbour and Wynyard Precincts, immediately to the north of Fanshawe Street. This land is occupied by extensive commercial office, food and beverage and residential activities, together with brownfields land that is prime for redevelopment of a similar nature (“**the VHHL Land**”). The VHHL Land is identified by blue shading on the plan attached as **Annexure 1**.
- 1.2. As a substantial land owner in the Viaduct and Wynyard precincts, VHHL has been involved in the master planning of both precincts to create a high amenity mix of commercial office, residential and hospitality uses with high quality public spaces and a focus on the unique connection to the Auckland waterfront. VHHL has actively participated in plan change processes, and more recently the Auckland Unitary Plan, over the last 20 years to ensure a co-ordinated approach to the development of this part of the City’s waterfront.
- 1.3. VHHL is concerned with any proposed changes to the provisions of the Auckland Unitary Plan (AUP) which could adversely affect development opportunities within the VHHL Land.
- 1.4. Auckland Council proposes to introduce a change to the AUP for the purposes of ‘improving consistency of provisions’, including Chapter J Definitions. This includes a proposed change to the definition of Floor Area Ratio (FAR) in Chapter J of the AUP, as set out below:

### *Floor area ratio*

*Floor area ratio (FAR) is the relationship between building gross floor area and net site area, and is expressed by the formula:*

- *floor area ratio = gross floor area/net site area.*

*In calculating floor area ratio, the net site area:*

- *excludes any part of the site which is made up of an interest in any airspace above or subsoil below a road, and*
- *includes any part of the site which is a vehicle access way.*

- 1.5. This proposed change has corresponding implications to the consistency of interpretation of the AUP rules, relative to other definitions within the AUP, and in particular the definition of Net Site Area (NSA).

## **2. Scope of Submission**

- 2.1. VHHL's submission relates to:

- (a) the proposed change to the definition of FAR; and
- (b) the relationship of the proposed change to the definition of FAR with the definition of NSA, and the necessity to appropriately amend the definition of FAR for consistency of interpretation.

## **3. Submission**

- 3.1. The objective of the proposed plan change is stated as:

*'An evaluation under Section 32 of the RMA must examine the extent to which the objectives of PC 16 are the most appropriate way to achieve the purpose of the RMA. The objective of PC 16, or the purpose of the plan change, is to address the identified technical issues as outlined in sections 7-10 of this report, to ensure:*

- *the wording of provisions is clear and unambiguous;*
- *the provisions of the AUP cascade vertically and horizontally; and*
- *there is a high level of integration across the different chapters of the AUP.*

*The plan change should assist the Council to carry out its functions in order to achieve the purpose of the RMA, being to promote the sustainable management of natural and physical resources. The evaluation of the identified amendments to the AUP zones and definitions concludes that these are technical issues which have the potential to create confusion for plan users. The uncertainty or ambiguity created by the current provisions identified in sections 7 to 10 of this report impacts the functionality and workability of the AUP and increases the risk of debate and litigation when administering the AUP. Amending the AUP to resolve these identified issues is the most appropriate way to achieve the purpose of the RMA, as outlined in the evaluation of options below.'*<sup>1</sup>

<sup>1</sup> Proposed Plan Change 16 Section 32 Evaluation, section 1.4

- 3.2. Within Attachment 1D to the proposed plan change (which contains the proposed change to the definitions), the advice note states:

*This attachment sets out the content of the proposed plan change with cross references to the part of the Section 32 Evaluation report which contains the explanation for the proposed amendment. The proposed additions are shown in underline and the proposed deletions are shown in ~~strikethrough~~. Where a proposed amendment has legal effect upon notification of the plan change under Section 86B(3) of the Resource Management Act 1991 this is shown in grey highlight.*

- 3.3. The ‘cross reference’ to the part of the Section 32 Evaluation report associated with the proposed change to the definition of FAR is to: ‘Residential Theme 4’ (refer extract in figure 1 below).

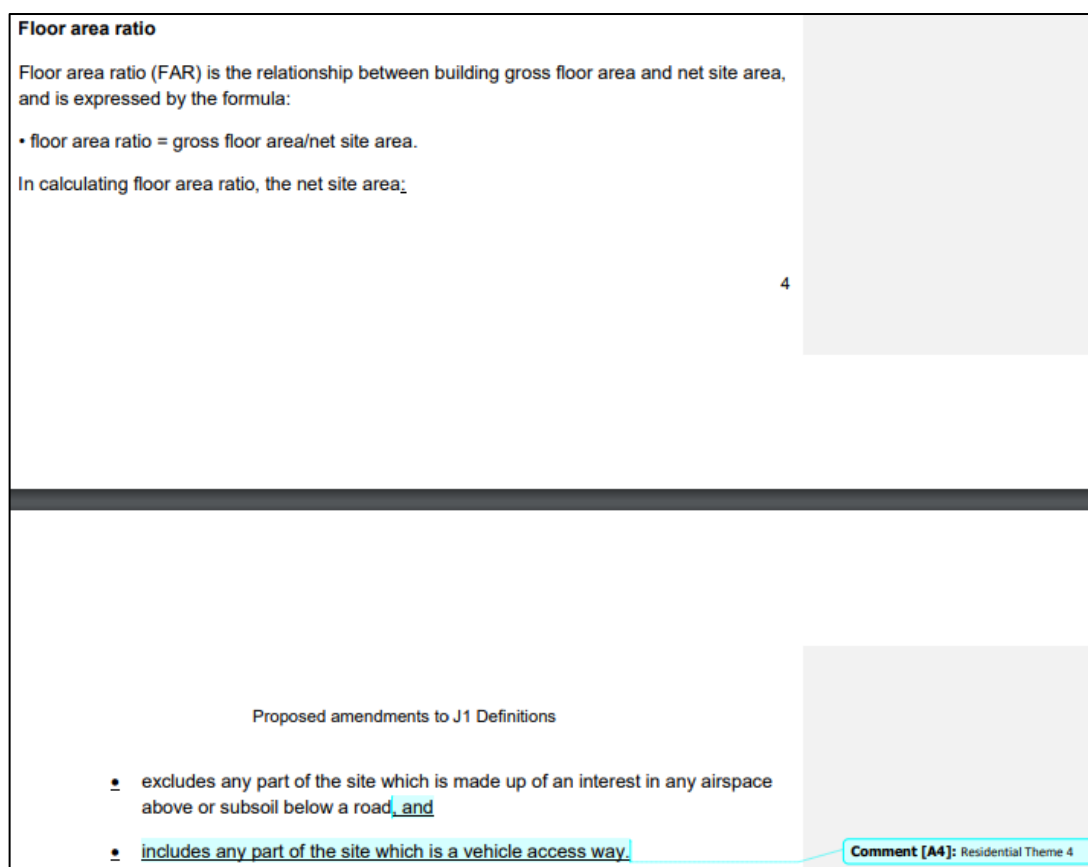


Figure 1

- 3.4. Residential Theme 4 is contained in Section 7 of the Section 32 Evaluation report. This ‘theme’ corresponds to an evaluation of the ‘Height in Relation to Boundary standard, and its relationship with Pedestrian Access ways, and does not contain an assessment or evaluation as to the issues associated with the current definition, the proposals/options considered to promulgate the proposed change, or why the proposed change is necessary to achieve the above objective.
- 3.5. Section 10 of the Section 32 Evaluation Report, which relates to the proposed changes to definitions, similarly does not contain an assessment or evaluation as to the issues associated with the current definition, the proposals/options considered to promulgate the proposed change, or why the proposed change is necessary to achieve the above objective.

3.6. FAR is calculated by gross floor area (GFA)/net site area (NSA). When calculating NSA (for the purpose of FAR) the proposed change to the definition introduces includes any part of the site which is a vehicle access way. There is no corresponding definition of ‘vehicle access way’ either in the AUP or proposed by Plan Change 16.

3.7. Plan Change 16 does not include any proposed changes to the definition of NSA.

3.8. The current definition of NSA is:

*The total area of a site excluding:*

- *any area subject to a road widening designation;*
- *any part of an entrance strip;*
- *any legal right of way; and*
- *any access site*

3.9. The proposed change to the definition of FAR appears to rectify an anomaly in the AUP, which was seemingly inadvertently introduced when the definition of FAR was amended during the course of the hearing process on the Proposed AUP (PAUP).

3.10. In this regard, the definition of FAR as notified was:

*FAR is the **relationship between building gross floor area and land area of the site**, and is expressed by the formula:*

*FAR = Gross floor area / **Land area of the site***

*In computing FAR, **land area of the site** excludes:*

- *any portion of the site affected by a building line restriction for the purpose of future road widening*
- *any part of the site which is made up of an interest in any airspace above, or subsoil below a road*

(emphasis added)

3.11. No submissions or further submissions were made to the PAUP in relation to the definition of ‘floor area ratio’.

3.12. Mediation on the ‘definitions’ chapter of the Proposed Unitary Plan was held on 17<sup>th</sup> and 18<sup>th</sup> August 2015 and 3<sup>rd</sup> and 4<sup>th</sup> September 2015. The Mediation Joint Statement records that no amendments to the definition of ‘floor area ratio’ were sought or proposed by any party, including Auckland Council.

3.13. Auckland Council’s planning witness, Robert Bruce Buxton did not recommend any changes to the definition of ‘floor area ratio’ in either his statement of primary evidence (dated 2<sup>nd</sup> October 2015), or his statement of rebuttal evidence (dated 3<sup>rd</sup> November 2015).

3.14. Council’s closing statement (dated 1<sup>st</sup> December 2015), stated (at paragraph 29) that in relation to the definition of ‘floor area ratio’:

*During the course of the hearings, Judge Kirkpatrick suggested that the definition of Floor Area Ratio refer to “net site area” rather than “Land*

area of the site”. This was agreed by Mr Buxton at the hearing and this is confirmed. The definition can be amended as follows, with the first bullet point deleted as it is already excluded for the definition of “net site area”:

*Floor area ratio*

*FAR is the relationship between building gross floor area and ~~land~~ net site area of the site, and is expressed by the formula:*

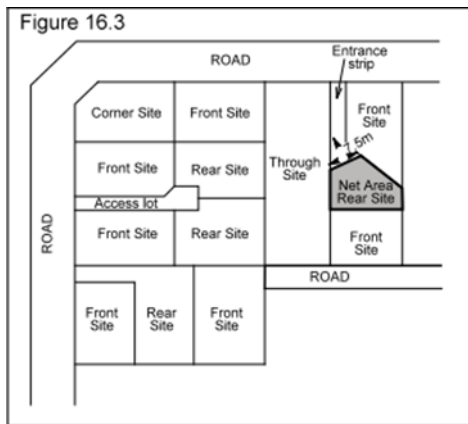
*FAR = Gross floor area / ~~Land~~ net site area of the site*

*In computing FAR, ~~land~~ net site area of the site excludes:*

- ~~any portion of the site affected by a building line restriction for the purpose of future road widening~~*
- any part of the site which is made up of an interest in any airspace above, or subsoil below a road*

(emphasis added)

- 3.15. The Auckland Unitary Plan Independent Hearings Panel (AUPIHP) report to Auckland Council on hearing topic 65 (Definitions) does not contain any reasons for the recommended changes to the definition of ‘floor area ratio’, and advised that all changes made to the provisions relating to this topic were within the ‘scope’ of submissions.
- 3.16. The Auckland Unitary Plan Decisions Version (19<sup>th</sup> August 2016) incorporated the recommendations of the AUPIHP.
- 3.17. The basis for the change to the definition of FAR (to refer to ‘net site area’ compared with ‘the land area of the site’) appears to derive from an attempt at simplification by Judge Kirkpatrick, and to use terminology otherwise contained elsewhere in the AUP, without appreciating the implications of the use of term as it was defined, relative to FAR.
- 3.18. The definition of NSA in the PAUP was:  
*The total area of a site, excluding any area owned in common, any area subject to a road widening designation, any part of an entrance strip and any private ways*
- 3.19. This corresponded to a change from the definition contained in the Auckland District Plan Central Area Section which defined NSA as:  
*In relation to a rear site net site area means the difference in area between the total area of the site (gross area) and the area of its entrance strip (see Figure 16.3).*



- 3.20. Notwithstanding there being no section 32 analysis prepared by Council for the definition of FAR, the purpose of this definition was to explain how to calculate the area of a site for the purpose of subdivision, and to determine the area of site for the subsequent calculation of bulk and location standards (such as building coverage, impervious area, and landscape areas), as opposed to being a determinant of FAR.
- 3.21. This is supported by a review of the hearing process on the (PAUP).
- 3.22. In this regard, some six submissions were made in relation to the definition of NSA, which related to matters of clarification (and in particular how the extent of an entrance strip was to be determined). Mediation on the ‘definitions’ chapter of the Proposed Unitary Plan was held on 17th and 18th August 2015 and 3rd and 4th September 2015. The Mediation Joint Statement records that that no amendments to the definition of net site area were sought or proposed by any party, including Auckland Council. However, the Statement does record that Housing NZ were to pursue this definition through the ‘residential’ topic.
- 3.23. Auckland Council’s planning witness, Robert Buxton did not recommend any changes to the definition of FAR in either his statement of primary evidence (dated 2<sup>nd</sup> October 2015), or his statement of rebuttal evidence (dated 3<sup>rd</sup> November 2015). Instead, he defers to the evidence of Nick Roberts (Council’s planning witness for the ‘residential’ topic) in respect of this definitional matter, stating: ‘This definition is being considered, and amendments suggested, in the Residential Topic hearing and I do not propose to consider it further.’
- 3.24. Mediation on the residential topics of the Proposed Unitary Plan was held on 27<sup>th</sup> to 31<sup>st</sup> July 2015, the 4<sup>th</sup> to 7<sup>th</sup> August 2015, and the 10<sup>th</sup> and 11<sup>th</sup> August 2015. The Mediation Joint Statement (dated 12<sup>th</sup> August 2015), records that while there was discussion in respect of the appropriateness of using NSA for the purposes of development controls (standards), no changes were sought or proposed by any party to the definition of NSA.
- 3.25. Notwithstanding that, Auckland Council’s planning witness for the ‘residential’ topic (Mr Nicholas Roberts) made the following comments in respect of the definition of ‘net site area’ within his primary statement of evidence (dated 9<sup>th</sup> September 2015):

*In my view, it is appropriate for the maximum building coverage and minimum landscaping requirements to be percentages of the net site area at the time of application. Amendments to the definition for net site area are proposed as follows:*



*The total area of a site, excluding: ~~any area owned in common,~~*

- *Any area subject to a road widening designation,*
- *Any part of an entrance strip ~~and~~*
- *Any legal right of way*
- *Any access site ~~private ways~~*

3.26. In support of this, Mr Roberts stated:

*This will ensure that parts of the site that are legally secured to provide vehicle access (and are therefore highly unlikely to be built on in the future) are excluded from the calculation of building coverage and landscaping. This will ensure that sites are developed in accordance with character objectives of the zone, as the actual perceived developable area will be used as the basis for calculation.*

*The HPO consenting data indicates that the rule has been applied to proposed site areas, for example to individual lots for proposed terraced housing. For comprehensively designed multi-unit development, it is appropriate for the building coverage and landscaping requirements to be calculated on the full net site area at the time of application, rather than the proposed site areas. This is as for these types of developments, landscaping area is often not evenly distributed between sites, however the purpose of the control in achieving the planned built character of the zone would still be met. Appropriate legal mechanisms such as consent notices could be applied at the time of subdivision for multi-unit developments, to ensure that additional building coverage or reduction of landscaping within individual sites is assessed through a resource consent to avoid potential cumulative effects on built character as a result of incremental additions to each unit (refer subdivision assessment criteria 4.2(5) as attached to the joint evidence of Ms Stewart and Ms Hardman-Miller).*

- 3.27. This definition was subsequently recommended by the AUPIHP, adopted by Council, and corresponds to the version contained in the AUP.
- 3.28. Therefore, it is clear from this chain of events that there is a disconnect between the respective FAR and NSA definitions, relative to the purpose for which they are used/applied.
- 3.29. VHHL supports the attempt to rectify this through the changes proposed to the definition of FAR, but considers this does not fully resolve the situation of achieving consistency of provisions. The proposed change to include ‘vehicle access ways’ within the definition of FAR when calculating the area of the site introduces further ambiguity, with that term not being defined, and being inconsistent with other terminology used in the definition of NSA, such as ‘entrance strip’ and ‘access site’. Further to this, the change proposed does not address other aspects of the definition of NSA which implicate the area of the site for the purpose of calculating FAR, which would continue to apply, and inadvertently reduce the area of the site. For example, ‘any legal right of way’ could relate to a range of matters unrelated to vehicle access, such as utilities.

#### 4. Relief sought

4.1. VHHL seeks the following relief:

- (a) That the definition of FAR be amended as follows to avoid inadvertent ambiguity, and to achieve consistency of interpretation:

*Floor area ratio (FAR) is the relationship between building gross floor area and land area of the site, and is expressed by the formula:*

- *Floor area ratio = gross floor area / Land area of the site*

*In calculating floor area ratio, the land area of the site excludes:*

- *any portion of the site affected by a building line restriction for the purpose of future road widening*
- *any part of the site which is made up of an interest in any airspace above, or subsoil below a road*

- 16.3 (b) Any other consequential amendments required to give effect to the relief sought.

#### 5. Conclusion

5.1. VHHL wishes to be heard in support of this submission.

5.2. If others make a similar submission, consideration would be given to presenting a joint case with them at any hearing.

#### Viaduct Harbour Holdings Ltd

**Signature**

by its planning and resource management consultants and authorised agents Bentley & Co. Ltd



---

Craig McGarr

**Address for Service**

Viaduct Harbour Holdings Limited  
C/- Craig McGarr  
Bentley & Co.  
PO Box 4492  
Shortland Street  
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ANNEXURE 1 – VHHL Land Holdings



## Contact details

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Organisation name: Heritage New Zealand Pouhere Taonga

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Contact phone number: 027 202 3935

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PO Box 105 291  
Auckland City  
Auckland 1143

## Submission details

### This is a submission to:

Plan modification number: Plan change 16

Plan modification name: Improving consistency of provisions for Zones

### My submission relates to

Rule or rules:  
Please see attached submission.

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we support the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:  
Please see attached submission.

17.1 | I or we seek the following decision by council: Accept the plan modification

Submission date: 31 January 2019

Supporting documents  
HNZPT Submission PC16 Zones.pdf

## Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?  
Yes

## **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.





31<sup>st</sup> January 2019

File ref: LBY 309

Attention: Planning Technician  
Auckland Council  
Level 24  
135 Albert Street  
Private Bag 92300  
Auckland 1143

Dear Sir or Madam

**SUBMISSION OF HERITAGE NEW ZEALAND POUHERE TAONGA**

**PROPOSED PLAN CHANGE 16: IMPROVING CONSISTENCY OF PROVISIONS FOR ZONES**

**To:** Auckland Council

**Name of submitter:** Heritage New Zealand Pouhere Taonga

**1. This is a submission on the following proposed change to the Auckland Unitary Plan (Operative in Part) (the proposal):**

Proposed Plan Change 16: Improving consistency of provisions in Chapter H Zones and Chapter J Definitions of the Auckland Unitary Plan (Operative in Part).

**2. Heritage New Zealand could not gain an advantage in trade competition through this submission.**

**3. The specific provisions of the proposal that Heritage New Zealand's submission relates to are:**

Within Chapter H8 Business – City Centre Zone:

- deletion of the words 'or in close proximity to' in assessment criteria H8.8.2(1)(b)(i) to ensure the wording aligns with the corresponding matter of discretion H8.8.1(1)(b) which refers to buildings adjoining historic heritage places only (and not in close proximity).
- amendment also of assessment criteria H8.8.2(1)(b) to likewise ensure alignment with the wording of the corresponding matter of discretion H8.8.1(1)(b) by deleting the words 'design and scale' and inserting alternatively the words 'form and design'.

**4. Heritage New Zealand's submission is:**

- Heritage New Zealand is an autonomous Crown Entity with statutory responsibilities under the Heritage New Zealand Pouhere Taonga Act 2014 for the identification, protection, preservation and conservation of New Zealand's historical and cultural heritage.
- Heritage New Zealand supports the proposed change to improve certainty with regard to matters which require assessment.

**5. Heritage New Zealand seeks the following decision from the local authority:**

17.2

That the specific provisions of the proposed plan change that Heritage New Zealand's submission relates to be adopted.

**6. Heritage New Zealand does wish to be heard in support of our submission.**

Yours sincerely



Sherry Reynolds  
Director Northern Region

Address for Service:  
Susan Andrews  
PO Box 105 291, Auckland  
09 307 9920  
[sandrews@heritage.org.nz](mailto:sandrews@heritage.org.nz)

## Contact details

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Organisation name:

Agent's full name:

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Contact phone number: 09 638 2612

Postal address:  
PO Box 109 207  
Newmarket  
Auckland 1149

## Submission details

### This is a submission to:

Plan modification number: Plan change 16

Plan modification name: Improving consistency of provisions for Zones

### My submission relates to

Rule or rules:  
Theme 7: Fences within an Outlook Space Standards H4.6.11, H5.6.12 and H6.6.13

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we support the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:  
The proposed additional clause wording requires further clarification to achieve the intended planning outcomes of the outlook space provisions.

18.1 | I or we seek the following decision by council: Accept the plan modification with amendments

Details of amendments: Refer to Section 5 of the submission document

Submission date: 31 January 2019

Supporting documents  
AUP PC16 submission - John Yan.pdf

## Attend a hearing



Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?  
Yes

### **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

## AUCKLAND UNITARY PLAN: OPERATIVE IN PART

### SUBMISSION FOR PLAN CHANGE 16

To: Auckland Council  
[unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

Name: Envivo Limited  
Attn: John Yan  
[john.yan@envivo.co.nz](mailto:john.yan@envivo.co.nz)

#### 1.0 INTRODUCTION

1.1 This submission is made by Envivo Limited (the **Submitter**) on the:

*Auckland Unitary Plan: Operative In Part*

1.2 The specific part(s) of the Plan to which this submission relates to is:

- Proposed Plan Change 16 (**PC 16**) – Theme 7: Fences within an Outlook Space
- Standard H4.6.11, H5.6.12 and H6.6.13

#### 2.0 ISSUE OF THE SUBMISSION

2.1 PC 16 seeks to clarify the requirement of an “unobstructed” Outlook in the residential zone standards (H4.6.11, H5.6.12, H6.6.13).

2.2 In particular, Clause (9) of each Standard states that the outlook space must “*be clear and unobstructed by buildings*”, and proposed Clause (10) seeks to clarify the height or visual permeability of a fence or wall within an outlook space.

2.3 When the definition ‘buildings’ from Chapter J1 of the AUP is applied to the Standard, it is noted that without the proposed Clause (10) which would limit the height of fences or walls to 1.2m in height, it would be possible for an up to 2.5m high close boarded fence to be located within the outlook space (with detrimental effects on outlook).

2.4 The current Standards are inconsistent with key policies and does not achieve the purpose of the standard, specifically ‘*ensuring habitable rooms have an outlook and sense of space*’. Policy H5.2 (5) requires that accommodation be designed to meet the needs of residents by providing

privacy and outlook. High fences within a required outlook space are inconsistent with such policies as they do not provide a sense of outlook and sense of space.

- 2.5 PC 16 recommends the inclusion of a new clause (Clause 10), to enable a threshold for fences located within a required outlook space, as follows:

**(10) Fences or walls within an outlook space must:**

- i. not exceed 1.2m in height, or
- ii. be at least 50 per cent visually open as viewed perpendicular from the glazing of the habitable room.

- 2.6 It is considered that the inclusion of Clause 10 aligns with the purpose of the standard, whilst allowing some types of fence structures for privacy, or where the site topography is restrictive. The amendment would ensure that outlook is provided from ground floor habitable rooms to achieve the purpose of the standard and (for example) Policy H5.3(5) which requires that outlook spaces be clear and unobstructed by buildings, providing residents with privacy and outlook.

### **3.0 PART 2 OF THE ACT**

- 3.1 This submission seeks to ensure that the AUP: OIP applies planning control(s) that can be effectively implemented to promote sustainable management in accordance with Part 2 of the Resource Management Act 1991 (RMA). The control(s) should represent the most efficient use and development of the natural and physical resources of the land.

### **4.0 REASON FOR SUBMISSION**

- 4.1 This submission **supports** the proposed inclusion of Clause 10 to H4.6.11, H5.6.12 and H6.6.13 in meeting of the Outlook space standard for residential zones. However, the clause wording requires further clarification to achieve the intended planning outcomes sought by the proposed amendment.

### **5.0 AMENDMENT(S) SOUGHT**

- 5.1 This submission suggests the following further matters to be considered as part of Clause 10:

- 18.2 | • Clarification of the fence/wall being referenced as either an existing structure or a new structure within the subject site boundaries.

- 18.3 | • Clarification of where the fence/wall height is measured from, i.e. relative to the internal floor level of the applicable habitable room window/glazing area.
- 18.4 | • Clarification of a minimum setback distance of the fence/wall from the applicable habitable room window/glazing area.
- 18.5 | • Clarification of the appearance of a 'visually open' fence/wall by provision of a visual diagram or example in addition to the text.

And/or

- 18.6 | 5.2 Such alternative or consequential relief is necessary.

## 6.0 PROCEEDURAL MATTERS

- 6.1 The submitter wishes to be heard in support of its submission.
- 6.2 If others make a similar submission, the submitter will consider presenting a joint case with them at a hearing.
- 6.3 The submitter does not seek to gain advantage in trade competition through this submission.

Dated this 31<sup>st</sup> day of January 2019



John Yan  
Planning Consultant – Envivo Limited

### Address for service of person making submission:

Envivo Limited  
PO Box 109 207  
Newmarket  
Auckland 1149

Attention: John Yan  
Phone: (09) 638 2612  
Email: john.yan@envivo.co.nz

## Contact details

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PO Box 109 207  
Newmarket  
Auckland 1149

## Submission details

### This is a submission to:

Plan modification number: Plan change 16

Plan modification name: Improving consistency of provisions for Zones

### My submission relates to

Rule or rules:  
Theme 8 - Outdoor Living Space standard

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we support the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:  
The changes proposed do not provide sufficient clarity to achieve the outcomes sought.

19.1 | I or we seek the following decision by council: Accept the plan modification with amendments

Details of amendments: Refer attached

Submission date: 31 January 2019

Supporting documents  
Submission - Plan Change 16 - Outdoor Living Space.pdf

## Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?  
Yes

### **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

## AUCKLAND UNITARY PLAN: OPERATIVE IN PART

### SUBMISSION FOR PLAN CHANGE 16

To: Auckland Council  
[unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

Name: Envivo Limited  
Attn: Tracey Morse  
[Tracey.Morse@envivo.co.nz](mailto:Tracey.Morse@envivo.co.nz)

#### 1.0 INTRODUCTION

1.1 This submission is made by Envivo Limited (the **Submitter**) on the:

*Auckland Unitary Plan: Operative In Part*

1.2 The specific part(s) of the Plan to which this submission relates to is:

- Proposed Plan Change 16 (**PC 16**) – Theme 8: Outdoor Living Space Standard
- Standards H4.6.13, H5.6.14, and H6.6.15

#### 2.0 ISSUE OF THE SUBMISSION

2.1 PC 16 addresses an issue relating to the Outdoor Living Space Standard (H4.6.13, H5.6.14, H6.6.15) in residential zones, in particular Clause (1)(c) outdoor living space must be provided that *“is accessible from the principal living room, dining room or kitchen or the dwelling, supported residential care unit or boarding house...”*

2.2 The Plan currently does not include any definition of “accessible”. This leaves the standard vulnerable to differing interpretations as to what could reasonably be considered accessible in the context of this standard.

2.3 This lack of clarity is inconsistent with key policies and does not achieve the purpose of the standard, specifically to provide accommodation with outdoor living space that *“is directly accessible from the principal living room, dining room or kitchen”*. Policy H4.2(6) encourages accommodation to be designed to provide accessible outdoor living space.

- 2.4 PC 16 recommends the variation of an existing clause (Clause 1(c)), to provide greater clarity regarding which parts of the dwelling outdoor living space are intended to be accessible from, as follows:

**H4.6.13. Outdoor living space**

**Purpose:** to provide dwellings, supported residential care and boarding houses with outdoor living space that is of a functional size and dimension, has access to sunlight, and is directly accessible from the principal living room, dining room or kitchen and is separated from vehicle access and manoeuvring areas.

(1) A dwelling, supported residential care or boarding house at ground floor level, must have an outdoor living space that is at least 20m<sup>2</sup> that comprises ground floor and/or balcony/roof terrace space that:

....

(c) is accessible from the principal living room, dining room or kitchen of the dwelling, supported residential care unit or boarding house; and

- 2.5 It is considered that the variation of Clause 1(c) provides clarity of where in the dwelling the outdoor living space should be accessible from, while also achieving the intention of the standard, resulting in better amenity outcomes.

### 3.0 PART 2 OF THE ACT

- 3.1 This submission seeks to ensure that the AUP: OIP applies planning control(s) that can be effectively implemented to promote sustainable management in accordance with Part 2 of the Resource Management Act 1991 (RMA). The control(s) should represent the most efficient use and development of the natural and physical resources of the land.

### 4.0 REASON FOR SUBMISSION

- 4.1 This submission **supports, subject to** further amendments for clarification, the proposed variation of Clause 1(c) to H4.6.13, H5.6.14, and H6.6.15 in meeting of the Outdoor living space standard for residential zones.
- 4.2 In particular, the wording of the clause requires further amendment to clarify the intended planning outcomes sought and to provide a certain and unambiguous standard.



## 5.0 AMENDMENT(S) SOUGHT

5.1 This submission requests that the following further matters are resolved via further amendments to Clause 1(c):

- 19.2 | a) Clarification of what constitutes “accessible” / “directly accessible” through amended wording or the provision of a definition.
- 19.3 | b) Clarification of “accessible” / “directly accessible” by provision of a visual diagram or example in addition to the text.

And/Or

19.4 | 5.2 Such consequential relief is necessary.

## 6.0 PROCEDURAL MATTERS

6.1 The submitter wishes to be heard in support of its submission.

6.2 If others make a similar submission, the submitter will consider presenting a joint case with them at a hearing.

6.3 The submitter does not seek to gain advantage in trade competition through this submission.

Dated this 31<sup>st</sup> day of January 2019



Tracey Morse  
Planning Consultant – Envivo Limited

### Address for service of person making submission:

Envivo Limited  
PO Box 109 207  
Newmarket  
Auckland 1149

Attention: Tracey Morse  
Phone: (09) 623 3794  
Email: tracey.morse@envivo.co.nz

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**Submission on the Proposed Plan Change 16 for the Auckland Unitary Plan (Operative in Part)**

**T&G Global – Chapter J: Definitions**

Clause 6 of Schedule 1, Resource Management Act 1991 (Form 5)

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To: **Auckland Council**

**1. SUBMITTER DETAILS**

Name of Submitter: T&G Global (“T&G”)

This is a submission on Auckland Council’s Proposed Plan Change 16.

T&G Global could not gain an advantage in trade competition through this submission.

T&G Global is directly affected by effects of the subject matter of the submission that:

- a) Adversely affect the environment; and
- b) Do not relate to trade competition or the effects of trade competition.

**2. SCOPE OF SUBMISSION**

The specific aspect and provision of Proposed Plan Change 16 that this submission relates to is:

- a) Chapter J: Definitions and all consequential changes.

**3. SUBMISSION**

**3.1 Introduction**

T&G undertakes horticultural activities within the Auckland Region. This includes growing under glass house cover, packing depots, the accommodation of horticultural workers and general administration and office functions. T&G also undertake the import and export of fresh produce and the operation of various MPI approved transitional facilities.

T&G is a Recognised Seasonal Employer (“RSE”) under the associated scheme and employs RSE workers for the Auckland Region. In 2018 the cap on seasonal workers under the RSE for New

Zealand was increased from 11,100 employees to 12,850 employees<sup>1</sup> due to additional demand for such workers.

T&G submit on the proposed amendment to the definition of ‘workers’ accommodation’ which affects the provision of accommodation for rural workers such as those provided for by the RSE.

### **3.2 General Submission**

T&G support the Auckland Unitary Plan (Operative in Part) in so far as it acknowledges the importance of horticultural activities within the Auckland region and seeks to protect such uses from the reverse sensitivity effects of incompatible land use.

T&G seek to ensure the provision for the accommodation of horticultural and seasonal workers within the rural environment. The specific submissions provided below do not limit the scope of these general submissions

### **3.3 Specific Submissions**

#### **3.3.1 Chapter J: Definitions – Workers’ Accommodation**

Proposed Plan Change 16 seeks to make the following amendments to the definition of ‘Workers’ Accommodation’ in Chapter J of the AUP (OP):

##### **Workers’ accommodation**

A dwelling for people whose duties require them to live onsite, ~~and in the rural zones a~~ dwelling for people who work on the site for the activities set out in Nesting Table J1.3.6 ~~or in the surrounding rural area.~~

Includes:

- accommodation for rangers;
- artists in residence;
- farm managers and workers; and
- staff.

T&G submit in opposition to these proposed amendments for the following reasons:

- T&G do not consider that this amendment is the most appropriate way to achieve the purpose of the Resource Management Act 1991;

<sup>1</sup> <https://www.immigration.govt.nz/about-us/research-and-statistics/research-reports/recognised-seasonal-employer-rse-scheme>

- T&G do not consider that this amendment is the most appropriate way to achieve the objectives of the Auckland Unitary Plan (Operative in Part).

Requiring workers' to be accommodated on the same site as their work would result in productive land being utilised for accommodation purposes (including ancillary requirements such as accessways and car parking). This is not an efficient use of productive land. Productive land supply is finite and should not be consumed by accommodation activities. PPC16 is contrary to objective H19.2.1(1) of the Auckland Unitary Plan (Operative in Part) which seeks to ensure that *"elite soil is protected and prime soil is managed, for potential rural production"*.

Limiting the scope of Workers' Accommodation to 'a dwelling for people whose duties require them to live on site' does not acknowledge the nature of landholdings in rural areas, where often a single entity owns a number of contiguous titles, or may rotate properties within the rural area for production over different seasons, or over time. The term 'Site' is defined in the AUP (OP) as follows:

**Site**

Any area of land which meets one of the descriptions set out below:

(a) an area of land which is:

- (i) comprised of one allotment in one certificate of title, or two or more contiguous allotments held together in one certificate of title, in such a way that the allotments cannot be dealt with separately without the prior consent of the council; or
- (ii) contained in a single lot on an approved survey plan of subdivision for which a separate certificate of title could be issued without any further consent of the council;

being in any case the smaller area of clauses (i) or (ii) above; or

(b) an area of land which is composed of two or more contiguous lots held in two or more certificates of title where such titles are:

- (i) subject to a condition imposed under section 75 of the Building Act 2004 or section 643 of the Local Government Act 1974; or
- (ii) held together in such a way that they cannot be dealt with separately without the prior consent of the council; or

(c) an area of land which is:

- (i) partly made up of land which complies with clauses (a) or (b) above; and
- (ii) partly made up of an interest in any airspace above or subsoil below a road where (a) and (b) are adjacent and are held together in such a way that they cannot be dealt with separately without the prior approval of the council;

Except in relation to each description that in the case of land subdivided under the Unit Titles Act 2010, the cross lease system or stratum subdivision, 'site' must be deemed to be the whole of the land subject to the unit development, cross lease or stratum subdivision.

Notably 'Site' is defined as 'one allotment in one certificate of title'. Many rural production activities are across contiguous titles which are all used in conjunction with one another. It should not be necessary to provide separate accommodation for each of these sites. Given the seasonality of some types of rural production, or the need to rotate cropping activities, it may also be necessary for workers to work across more than one Site within the surrounding rural area.

The standards for Workers' Accommodation in Rural Zones (set out in H19.10.12 of the AUP (OP)) already control the extent to which workers accommodation may be provided for within the rural environment. In particular, the standards require that there is '*no more than one workers' accommodation building per site*' and that they '*have a floor area equal to or less than 120m<sup>2</sup> excluding decks and garaging*'. The additional control proposed by the amended definition above would result in rules which are overly restrictive. With respect to this the following comments are made:

- (a) One Workers Accommodation dwelling of 120m<sup>2</sup> on a Site of rural production will not be sufficient to house the larger numbers of seasonal workers employed by T&G. If those workers cannot be housed in Worker's Accommodation elsewhere in the Rural Zone, accommodation would be needed in other dwellings including minor dwellings within the Rural Zone or dwellings within Residential Zones. This may increase the distance travelled to the areas of employment resulting in a number of adverse environmental effects as well as increased costs. This would also cause undue stress on the rental market of the surrounding area which will need to be relied upon to meet the accommodation shortfall. In late 2018, the Recognised Seasonal Employer Scheme<sup>2</sup> cap increased by 1,750 to 12,850<sup>3</sup> which will increase the number of seasonal workers requiring accommodation. Employers of seasonal workers employed under the RSE scheme must provide pastoral care, which includes 'somewhere for workers to live at a fair price'<sup>4</sup>. The amendments to the definition of workers' accommodation under PPC16 will restrict the ability to supply workers accommodation within the rural environment.

<sup>2</sup> The Recognised Seasonal Employer (RSE) scheme came into effect in April 2007. The policy allows the horticulture and viticulture industries to recruit workers from overseas for seasonal work when there are not enough New Zealand workers. (source: <https://www.immigration.govt.nz/about-us/research-and-statistics/research-reports/recognised-seasonal-employer-rse-scheme>)

<sup>3</sup> <https://www.beehive.govt.nz/release/recognised-seasonal-employer-cap-increase>

<sup>4</sup> <https://www.immigration.govt.nz/employ-migrants/hire-a-candidate/employer-criteria/recognised-seasonal-employer/apply-atr>

- (b) Limiting Workers' Accommodation to one such additional dwelling per site does not take into account the different sizes of sites or scale of operation occurring on sites. I.e. dairy farms have a far low worker to site area ratio than greenhouse growing.

**3.3.2 Chapter J: Definitions – Building**

Proposed Plan Change 16 seeks to make the following amendments to the definition of 'Building' in Chapter J of the AUP (OP):

<p><del>Swimming pools, or tanks, including retention tanks, spa pools, swirl pools, plunge pools or hot tubs</del></p>	<p><u>Over 1m high in height from ground level, inclusive of the height of any supporting structure or</u>           More than 25,000l capacity   <del>Supported directly by the ground or supported not more than 1m above the ground</del></p>
---	--

T&G oppose this amendment for the following reasons:

- T&G do not consider that this amendment is the most appropriate way to achieve the purpose of the Resource Management Act 1991;
- T&G do not consider that this amendment is the most appropriate way to achieve the objectives of the Auckland Unitary Plan (Operative in Part).

The proposed amendment would result in retention tanks being subject to yard setbacks of 10m, 12m and 20m within the Rural Production and Rural Coastal zones. This would apply even if a tank that met the 25,000L capacity threshold was partially buried (resulting in it being less than 1m in height).

As identified in the Section 32 Report, this amendment is intended to address concerns around bulk and visual appearance. While it is appropriate to consider the potential visual dominance of tanks and their amenity effects in the Rural Conservation and Countryside Living Zone, this must be weighed more carefully in productive rural areas where retention tanks are vital infrastructure, required to support the efficient operation of activities. Consideration of the particular requirements of these productive rural areas is reflected within the policies of the Rural Zones, in

particular Policy H19.2.2(6) seeks to ‘recognise that a range of buildings and structures accessory to farming and forestry, and other operational structures for rural production activities are an integral part of rural character and amenity values’.

Retention tanks are integral infrastructure for the horticultural activities and such structures are anticipated within the rural environments as acknowledged by Policy H19.2.2(6). Further, retention tanks are often located close to boundaries in order to maximise land for productive use, it is therefore appropriate that retention tanks are not subject to yard setbacks within the Rural Production, Mixed Rural and Rural Coastal Zones.

**4. DECISIONS SOUGHT**

T&G seek the following:

20.1 | a) That the amendment proposed by PPC16 to the definition of Workers Accommodation be deleted;

b) That the definition of Building as it relates to retention tanks is amended as follows:

20.2	Tanks including retention tanks	Over 1m in height from ground level, inclusive of the height of any supporting structure or  More than 25,000L capacity, where any part of the tank is above ground level.  <u>Except that this shall not apply to retention tanks in the Rural Production, Mixed Rural, or Rural Coastal Zones.</u>
------	---------------------------------	--

20.3 | c) Any such further or consequential changes necessary or appropriate to address the concerns expressed in this submission.

T&G wishes to be heard in support of this submission.

If others make a similar submission, then T&G will consider presenting a joint case with them at the hearing.

*Burnette O'Connor*

*Elizabeth Molloy*

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Burnette O'Connor/Elizabeth Molloy, Barker & Associates Ltd  
(Person authorised to sign on behalf of submitter)

Date: 31/01/2019

**5. ADDRESS FOR SERVICE**

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**WARKWORTH**

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**RYMAN HEALTHCARE LIMITED'S SUBMISSION ON PLAN CHANGE 16 TO THE  
AUCKLAND UNITARY PLAN**

*Clause 6 of Schedule 1, Resource Management Act 1991*

**To** Auckland Council

**Name of submitter:** Ryman Healthcare Limited (*Ryman*)

- 1 This is a submission on proposed Plan Change 16 (*PC16*) to the Auckland Unitary Plan (*AUP*).
- 2 Ryman could not gain an advantage in trade competition through this submission.

**Submission points**

- 3 The specific provisions of *PC16* that Ryman's submission relate to are:
  - 3.1 the provisions for outlook space in residential and business zones; and
  - 3.2 the assessment criterion for traffic effects.
- 4 Ryman opposes the parts of *PC16* that relate to outlook space and conditionally supports the parts of *PC16* that relate to traffic effects.

**Outlook space standards**

- 5 Ryman opposes the parts of *PC16* that relate to outlook space for the following reasons:
  - 5.1 Retirement villages fall within the definition of "*integrated residential developments*" under the *AUP*.
  - 5.2 Under the *AUP*, in the main residential zones, the outlook space standard does not apply to integrated residential developments, including retirement villages. Outlook space has some limited relevance, as a matter of restricted discretion. This approach was agreed by Council officers at the time of the *AUP* process and endorsed through the Independent Hearings Panel recommendations and Council decisions.
  - 5.3 The application of the outlook space standard to retirement villages is also limited in the main residential zones through the relevant dimensions. The larger outlook space dimensions apply to dwellings, boarding houses and supported residential care only. It is only the smaller 1m x 1m outlook space dimension that applies to retirement villages. Amendments are needed to ensure this approach is consistent across the residential and business zones.
  - 5.4 The *AUP* definitions state that "*retirement village*" excludes "*dwellings*". That text recognises the important differences between retirement villages and other types of residential development. It was added to the definition in response to submissions that some standards should apply to dwellings only, and not to retirement villages.

- 5.5 The primary reason for this different approach for retirement villages is because retirement villages have significantly different operational and functional requirements to typical dwellings due to catering for the specialist care, amenity and accommodation needs of elderly people. Residents of retirement villages typically have access to a much wider range of amenity areas (such as dining rooms, bars, bowling greens, pools, and libraries) to most other types of residential development. Much of this amenity is indoors, due to the frailty and sensitivity to climatic conditions of residents. Some retirement units are for very specific purposes, such as care rooms and hospital beds. Retirement village operators also take an integrated and whole-of-site approach to landscaping to ensure a pleasant outlook from all units and common areas.
- 5.6 The proposed amendments would result in a more restrictive approach being applied to the consideration of outlook space for retirement villages than under the AUP. The proposed amendments therefore go beyond the stated intention of PC16 ("*consistency*"), in changing the policy behind the outlook space provisions. There are no obvious justifications for the changes impacting on retirement villages. In that context, Ryman anticipates that the consequences of the amendments on retirement villages were unintended.
- 5.7 The proposed amendments are inconsistent with the relevant objectives and policies in the AUP, particularly the policy directions to:
- (a) Enable a variety of housing types including integrated residential development such as retirement villages;
  - (b) Recognise the functional and operational requirements of activities and development; and
  - (c) Enable more efficient use of larger sites by providing for integrated residential developments.
- 5.8 The proposed amendments are not the most appropriate plan provisions in terms of section 32 of the Resource Management Act 1991 (*RMA*).
- 5.9 It is acknowledged that there are some inconsistencies between the approach for outlook space in the business and residential zone provisions in the AUP. Ryman agrees that this inconsistency does need to be addressed. It considers the changes should better align with the AUP approach for the residential zones, rather than the business zones, for the above reasons. The relief sought by Ryman seeks to achieve that outcome, while recognising the different drafting structures used in the residential and business zones (in particular, whether activities or buildings are permitted or restricted discretionary).

**Traffic assessment criterion**

- 6 As the matters of discretion require the transport effects of integrated residential developments to be considered, the addition of an assessment criterion is appropriate. Ryman supports the reference to "*immediate transport network*" in the

proposed amendment. That wording is consistent with case law, which confirms that the effects of a development on the *immediate* transport environment, not the *wider* transport environment, are relevant to the consideration of an application.

**Relief sought**

7 Ryman seeks:

21.1 | 7.1 The relief set out in the table at **Appendix 1** or other relief to achieve the same intent; and

21.2 | 7.2 Any consequential or related relief to give effect to this submission.

**Hearing**

8 Ryman wishes to be heard in support of this submission.

9 If others make a similar submission, Ryman will consider presenting a joint case with them at a hearing.

**Signed** for and on behalf of Ryman Healthcare Limited by its solicitors and authorised agents Chapman Tripp

---

Luke Hinchey / Nicola de Wit  
Partner / Senior Solicitor  
30 January 2019

(A signature is not required if you make your submission by electronic means)

Address for service of submitter:

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**APPENDIX 1 - TABLE OF SPECIFIC RELIEF**

Provision	Relief sought (Council changes identified with single underline and single strike through, Ryman’s proposed changes identified with double underline and double strike through)
Residential – Mixed Housing Suburban Zone (H4.6.11)	<p>Purpose:</p> <ul style="list-style-type: none"> <li>• to ensure a reasonable standard of visual privacy between habitable rooms of different <del>buildings, buildings dwellings or units within an integrated residential development, a boarding house or supported residential care</del> on the same or adjacent sites; and ...</li> </ul> <p>(7) <u>Outlook spaces required from different rooms within the same building dwelling, or <del>the</del> building within an integrated residential development, or unit within a boarding house or supported residential care, may overlap.</u></p> <p>(8) Outlook spaces may overlap where they are on the same wall plane.</p> <p>(9) Outlook spaces must:</p> <ul style="list-style-type: none"> <li>(a) be clear and unobstructed by buildings;</li> <li>(b) not extend over adjacent sites, except for where the outlook space is over a public street or public open space as outlined in Standard H4.6.1(6) above; and</li> <li>(c) not extend over an outlook space or outdoor living space required by another dwelling, or unit within <del>an integrated residential development, boarding house or supported residential care.</del></li> </ul> <p>(10) <u>Fences or walls within an outlook space for a dwelling or unit within a boarding house or supported residential care must:</u></p> <ul style="list-style-type: none"> <li>i. <u>not exceed 1.2m in height, or</u></li> <li>ii. <u>be at least 50 per cent visually open as viewed perpendicular from the glazing of the habitable room.</u></li> </ul>

21.3

21.4

21.5

21.6

<p>Residential – Mixed Housing Urban Zone (H5.6.12)</p>	<p>Purpose:</p> <ul style="list-style-type: none"> <li>to ensure a reasonable standard of visual privacy between habitable rooms of different <del>buildings dwellings of units within an integrated residential development, a boarding house or supported residential care</del> on the same or adjacent sites; and ...</li> </ul> <p>(7) Outlook spaces required from different rooms within the same building <del>dwelling or unit</del> <u>building within an integrated residential development, or unit within a boarding house or supported residential care, may overlap.</u></p> <p>...</p> <p>(9) Outlook spaces must: ...</p> <p>(c) not extend over an outlook space or outdoor living space required by another dwelling or unit within <del>an integrated residential development, a boarding house or supported residential care.</del></p> <p>(10) <u>Fences or walls within an outlook space for a dwelling or unit within a boarding house or supported residential care must:</u></p> <ol style="list-style-type: none"> <li>not exceed 1.2m in height, or</li> <li>be at least 50 per cent visually open as viewed perpendicular from the glazing of the habitable room.</li> </ol>	21.7
		21.8
		21.9
		21.10
<p>Residential – Terraced Housing and Apartment Buildings Zone (H6.6.13)</p>	<p>Purpose:</p> <ul style="list-style-type: none"> <li>to ensure a reasonable standard of visual privacy between habitable rooms of different <del>buildings dwellings of units within an integrated residential development, a boarding house or supported residential care</del> on the same or adjacent sites; and...</li> </ul> <p>(7) Outlook spaces required from different rooms within the same building <del>dwelling or unit</del> <u>building within an integrated residential development, or unit within a boarding house or supported residential care, may overlap.</u></p> <p>...</p> <p>(9) Outlook spaces must:</p> <ol style="list-style-type: none"> <li>be clear and unobstructed by buildings;</li> </ol>	21.11
		21.12

	<p>(b) not extend over adjacent sites, except for where the outlook space is over a public street or public open space as outlined in Standard H6.6.13(2) above; and</p> <p>(c) not extend over an outlook spaces or outdoor living space required by another dwelling or unit within an <del>integrated residential development</del>, boarding house or supported residential care.</p> <p><del>fe) (10)</del> <u>Fences or walls within an outlook space for a dwelling or unit within a boarding house or supported residential care must:</u></p> <ul style="list-style-type: none"> <li>i. not exceed 1.2m in height, or</li> <li>ii. be at least 50 per cent visually open as viewed perpendicular from the glazing of the habitable room.</li> </ul>	21.13
<p>Business – Metropolitan Centre Zone (H9.6.10)</p>	<p>Purpose:</p> <ul style="list-style-type: none"> <li>• ensure a reasonable standard of visual and acoustic privacy between <u>habitable rooms of different buildings, different dwellings, and units in an integrated residential development, visitor accommodation and boarding houses</u>, including their outdoor living space, on the same or adjacent sites; and</li> </ul> <p>...</p> <p>(1) <del>The</del> This standard below applies to new buildings containing dwellings, <del>units in an</del> integrated residential development, <u>units in</u> visitor accommodation and boarding houses, and buildings that are converted to dwellings, <del>units in an integrated residential development, visitor accommodation and boarding houses</del>.</p> <p>(2) An outlook space must be provided from the <del>each</del> face of a <del>the</del> building containing windows to a habitable room <del>principal living areas or bedrooms of any dwelling</del>. Where the room has <del>windows to a principal living area or bedroom these rooms are provided from</del> two or more external faces with windows <del>of a building</del>, the outlook space must be provided <del>to</del> from the face with the <u>largest area of glazing, greatest window area of outlook</u>.</p> <p>(3) The minimum dimensions for a <u>required</u> outlook space are:</p> <p>(a) for principal living areas of a dwelling, or units in visitor accommodation or boarding houses, the dimensions of the outlook space, measured perpendicular to the exterior face</p>	21.15
	<p>...</p> <p>(1) <del>The</del> This standard below applies to new buildings containing dwellings, <del>units in an</del> integrated residential development, <u>units in</u> visitor accommodation and boarding houses, and buildings that are converted to dwellings, <del>units in an integrated residential development, visitor accommodation and boarding houses</del>.</p> <p>(2) An outlook space must be provided from the <del>each</del> face of a <del>the</del> building containing windows to a habitable room <del>principal living areas or bedrooms of any dwelling</del>. Where the room has <del>windows to a principal living area or bedroom these rooms are provided from</del> two or more external faces with windows <del>of a building</del>, the outlook space must be provided <del>to</del> from the face with the <u>largest area of glazing, greatest window area of outlook</u>.</p> <p>(3) The minimum dimensions for a <u>required</u> outlook space are:</p> <p>(a) for principal living areas of a dwelling, or units in visitor accommodation or boarding houses, the dimensions of the outlook space, measured perpendicular to the exterior face</p>	21.16
	<p>...</p> <p>(1) <del>The</del> This standard below applies to new buildings containing dwellings, <del>units in an</del> integrated residential development, <u>units in</u> visitor accommodation and boarding houses, and buildings that are converted to dwellings, <del>units in an integrated residential development, visitor accommodation and boarding houses</del>.</p> <p>(2) An outlook space must be provided from the <del>each</del> face of a <del>the</del> building containing windows to a habitable room <del>principal living areas or bedrooms of any dwelling</del>. Where the room has <del>windows to a principal living area or bedroom these rooms are provided from</del> two or more external faces with windows <del>of a building</del>, the outlook space must be provided <del>to</del> from the face with the <u>largest area of glazing, greatest window area of outlook</u>.</p> <p>(3) The minimum dimensions for a <u>required</u> outlook space are:</p> <p>(a) for principal living areas of a dwelling, or units in visitor accommodation or boarding houses, the dimensions of the outlook space, measured perpendicular to the exterior face</p>	21.17
	<p>...</p> <p>(1) <del>The</del> This standard below applies to new buildings containing dwellings, <del>units in an</del> integrated residential development, <u>units in</u> visitor accommodation and boarding houses, and buildings that are converted to dwellings, <del>units in an integrated residential development, visitor accommodation and boarding houses</del>.</p> <p>(2) An outlook space must be provided from the <del>each</del> face of a <del>the</del> building containing windows to a habitable room <del>principal living areas or bedrooms of any dwelling</del>. Where the room has <del>windows to a principal living area or bedroom these rooms are provided from</del> two or more external faces with windows <del>of a building</del>, the outlook space must be provided <del>to</del> from the face with the <u>largest area of glazing, greatest window area of outlook</u>.</p> <p>(3) The minimum dimensions for a <u>required</u> outlook space are:</p> <p>(a) for principal living areas of a dwelling, or units in visitor accommodation or boarding houses, the dimensions of the outlook space, measured perpendicular to the exterior face</p>	21.18
	<p>...</p> <p>(1) <del>The</del> This standard below applies to new buildings containing dwellings, <del>units in an</del> integrated residential development, <u>units in</u> visitor accommodation and boarding houses, and buildings that are converted to dwellings, <del>units in an integrated residential development, visitor accommodation and boarding houses</del>.</p> <p>(2) An outlook space must be provided from the <del>each</del> face of a <del>the</del> building containing windows to a habitable room <del>principal living areas or bedrooms of any dwelling</del>. Where the room has <del>windows to a principal living area or bedroom these rooms are provided from</del> two or more external faces with windows <del>of a building</del>, the outlook space must be provided <del>to</del> from the face with the <u>largest area of glazing, greatest window area of outlook</u>.</p> <p>(3) The minimum dimensions for a <u>required</u> outlook space are:</p> <p>(a) for principal living areas of a dwelling, or units in visitor accommodation or boarding houses, the dimensions of the outlook space, measured perpendicular to the exterior face</p>	21.19

	<p>of the building, must be in accordance with Figure H9.6.10.2, for the relative height of the floor above the average ground level along each building face; <del>and</del></p> <p>(b) for bedrooms of a dwelling, or units in visitor accommodation or boarding houses, the outlook space must be a minimum of 6m, measured perpendicular to the exterior face of the building; and</p> <p><u>(c) all other habitable rooms must have an outlook space with a minimum dimension of 1m in depth and 1m in width.</u></p> <p>...</p> <p>(5) The outlook space may be over:</p> <p>(a) the site on which the building is located, but not towards a side boundary if the building is within 10m of the site frontage (refer Figure H9.6.10.1);</p> <p>...</p> <p>(6) In the situation where an outlook space is provided over a legal road narrower than the width specified in Figure H9.6.32.2 required by Standard H9.6.10(3), the street width is deemed to satisfy the minimum outlook space requirement.</p>	21.20
<p>Business – Town Centre Zone (H10.6.10)</p>	<p>(1) This standard applies to dwellings, <del>units in an</del> integrated residential development, <u>units in</u> visitor accommodation and boarding houses.</p> <p>...</p> <p>(3) The minimum dimensions for a required outlook space are as follows:</p> <p>(a) a principal living room of a dwelling, <del>or unit in an integrated residential development</del> or main living and dining area within a boarding house or supported residential care visitor accommodation must have a outlook space with a minimum dimension of 6m in depth and 4m in width; and</p> <p>(b) all other habitable rooms of a dwelling, <del>or unit in an integrated residential development</del> or a bedroom within a boarding house or supported residential care unit visitor accommodation must have an outlook space with a minimum dimension of 3m in depth and 3m in width; and</p> <p>(c) all habitable rooms in an integrated residential development must have an outlook space with a minimum dimension of <u>1m in depth and 1m in width.</u></p>	21.21
	<p>...</p> <p>(3) The minimum dimensions for a required outlook space are as follows:</p> <p>(a) a principal living room of a dwelling, <del>or unit in an integrated residential development</del> or main living and dining area within a boarding house or supported residential care visitor accommodation must have a outlook space with a minimum dimension of 6m in depth and 4m in width; and</p> <p>(b) all other habitable rooms of a dwelling, <del>or unit in an integrated residential development</del> or a bedroom within a boarding house or supported residential care unit visitor accommodation must have an outlook space with a minimum dimension of 3m in depth and 3m in width; and</p> <p>(c) all habitable rooms in an integrated residential development must have an outlook space with a minimum dimension of <u>1m in depth and 1m in width.</u></p>	21.22
	<p>...</p> <p>(3) The minimum dimensions for a required outlook space are as follows:</p> <p>(a) a principal living room of a dwelling, <del>or unit in an integrated residential development</del> or main living and dining area within a boarding house or supported residential care visitor accommodation must have a outlook space with a minimum dimension of 6m in depth and 4m in width; and</p> <p>(b) all other habitable rooms of a dwelling, <del>or unit in an integrated residential development</del> or a bedroom within a boarding house or supported residential care unit visitor accommodation must have an outlook space with a minimum dimension of 3m in depth and 3m in width; and</p> <p>(c) all habitable rooms in an integrated residential development must have an outlook space with a minimum dimension of <u>1m in depth and 1m in width.</u></p>	21.23
	<p>...</p> <p>(3) The minimum dimensions for a required outlook space are as follows:</p> <p>(a) a principal living room of a dwelling, <del>or unit in an integrated residential development</del> or main living and dining area within a boarding house or supported residential care visitor accommodation must have a outlook space with a minimum dimension of 6m in depth and 4m in width; and</p> <p>(b) all other habitable rooms of a dwelling, <del>or unit in an integrated residential development</del> or a bedroom within a boarding house or supported residential care unit visitor accommodation must have an outlook space with a minimum dimension of 3m in depth and 3m in width; and</p> <p>(c) all habitable rooms in an integrated residential development must have an outlook space with a minimum dimension of <u>1m in depth and 1m in width.</u></p>	21.24
	<p>...</p> <p>(3) The minimum dimensions for a required outlook space are as follows:</p> <p>(a) a principal living room of a dwelling, <del>or unit in an integrated residential development</del> or main living and dining area within a boarding house or supported residential care visitor accommodation must have a outlook space with a minimum dimension of 6m in depth and 4m in width; and</p> <p>(b) all other habitable rooms of a dwelling, <del>or unit in an integrated residential development</del> or a bedroom within a boarding house or supported residential care unit visitor accommodation must have an outlook space with a minimum dimension of 3m in depth and 3m in width; and</p> <p>(c) all habitable rooms in an integrated residential development must have an outlook space with a minimum dimension of <u>1m in depth and 1m in width.</u></p>	21.25

	<p>...</p> <p>(8) Outlook spaces required from different rooms within the same building dwelling, or <del>different rooms within the same building</del> <u>in an integrated residential development, unit within visitor accommodation or boarding house may overlap.</u></p> <p>...</p> <p>(10) Outlook spaces must:</p> <p>...</p> <p>(c) not extend over an outlook spaces or outdoor living space required by another dwelling or unit <del>within an integrated residential development</del>, <u>visitor accommodation or boarding house.</u></p>	21.26
<p>Business – Local Centre Zone (H11.6.8)</p>	<p>(1) This standard applies to dwellings, <del>units in an</del> <u>integrated residential development, units in visitor accommodation and boarding houses.</u></p> <p>...</p> <p>(3) The minimum dimensions for a required outlook space are as follows:</p> <p>(a) a principal living room of a dwelling, <del>or unit in an integrated residential development</del> or main living and dining area within a boarding house or supported residential care visitor accommodation must have a outlook space with a minimum dimension of 6m in depth and 4m in width; and</p> <p>(b) all other habitable rooms of a dwelling <del>or unit in an integrated residential development</del> or a bedroom within a boarding house or supported residential care unit <u>visitor accommodation must have an outlook space with a minimum dimension of 3m in depth and 3m in width;</u> and</p> <p>(c) <u>all habitable rooms in an integrated residential development must have an outlook space with a minimum dimension of 1m in depth and 1m in width.</u></p> <p>...</p>	21.27
	<p>(1) This standard applies to dwellings, <del>units in an</del> <u>integrated residential development, units in visitor accommodation and boarding houses.</u></p> <p>...</p> <p>(3) The minimum dimensions for a required outlook space are as follows:</p> <p>(a) a principal living room of a dwelling, <del>or unit in an integrated residential development</del> or main living and dining area within a boarding house or supported residential care visitor accommodation must have a outlook space with a minimum dimension of 6m in depth and 4m in width; and</p> <p>(b) all other habitable rooms of a dwelling <del>or unit in an integrated residential development</del> or a bedroom within a boarding house or supported residential care unit <u>visitor accommodation must have an outlook space with a minimum dimension of 3m in depth and 3m in width;</u> and</p> <p>(c) <u>all habitable rooms in an integrated residential development must have an outlook space with a minimum dimension of 1m in depth and 1m in width.</u></p> <p>...</p>	21.28
	<p>(3) The minimum dimensions for a required outlook space are as follows:</p> <p>(a) a principal living room of a dwelling, <del>or unit in an integrated residential development</del> or main living and dining area within a boarding house or supported residential care visitor accommodation must have a outlook space with a minimum dimension of 6m in depth and 4m in width; and</p> <p>(b) all other habitable rooms of a dwelling <del>or unit in an integrated residential development</del> or a bedroom within a boarding house or supported residential care unit <u>visitor accommodation must have an outlook space with a minimum dimension of 3m in depth and 3m in width;</u> and</p> <p>(c) <u>all habitable rooms in an integrated residential development must have an outlook space with a minimum dimension of 1m in depth and 1m in width.</u></p> <p>...</p>	21.29
	<p>(c) <u>all habitable rooms in an integrated residential development must have an outlook space with a minimum dimension of 1m in depth and 1m in width.</u></p> <p>...</p>	21.30
	<p>(c) <u>all habitable rooms in an integrated residential development must have an outlook space with a minimum dimension of 1m in depth and 1m in width.</u></p> <p>...</p>	21.31



<p>(8) Outlook spaces required from different rooms within the same <del>building</del> <u>dwelling or different rooms within the same building</u> <del>unit</del> in an integrated residential development, <u>unit within visitor accommodation or boarding house</u> may overlap.</p> <p>...</p> <p>(10) Outlook spaces must:</p> <p>...</p> <p>(c) not extend over an outlook spaces or outdoor living space required by another dwelling or unit <del>within an integrated residential development</del> <u>visitor accommodation or boarding house</u>.</p>		21.32
<p>(1) This standard applies to dwellings, <del>units in an</del> integrated residential development, <u>units in</u> visitor accommodation and boarding houses.</p> <p>...</p> <p>(3) The minimum dimensions for a required outlook space are as follows:</p> <p>(a) a principal living room of a dwelling, <del>or unit in an integrated residential development</del> or main living and dining area within a boarding house or supported residential-care visitor accommodation must have a outlook space with a minimum dimension of 6m in depth and 4m in width; and</p> <p>(b) all other habitable rooms of a dwelling <del>or unit in an integrated residential development</del> or a bedroom within a boarding house or supported residential-care unit visitor accommodation must have an outlook space with a minimum dimension of 3m in depth and 3m in width; <u>and</u></p> <p>(c) <u>all habitable rooms in an integrated residential development must have an outlook space with a minimum dimension of 1m in depth and 1m in width.</u></p> <p>...</p> <p>(8) Outlook spaces required from different rooms within the same <del>building</del> <u>dwelling or different rooms within the same building</u> <del>unit</del> in an integrated residential development, <u>unit within visitor accommodation or boarding house</u> may overlap.</p>	<p>Business – Neighbourhood Centre Zone (H12.6.8)</p>	21.33
		21.34
		21.35
		21.36
		21.37
		21.38

	<p>...</p> <p>(10) Outlook spaces must:</p> <p>...</p> <p>(c) not extend over an outlook spaces or outdoor living space required by another dwelling or unit in <del>an integrated residential development</del>, <u>visitor accommodation or boarding house</u>.</p>	21.39
<p>Business – Mixed Use Zone (H13.6.9)</p>	<p>(1) This standard applies to dwellings, <del>units in an</del> <u>integrated residential development, units in visitor accommodation and boarding houses.</u></p> <p>...</p> <p>(3) The minimum dimensions for a required outlook space are as follows:</p> <p>(a) a principal living room of a dwelling, <del>or unit in an integrated residential development</del> or main living and dining area within a boarding house or supported residential-care visitor accommodation must have a outlook space with a minimum dimension of 6m in depth and 4m in width; and</p> <p>(b) all other habitable rooms of a dwelling <del>or unit in an integrated residential development</del> or a bedroom within a boarding house or supported residential-care unit visitor accommodation must have an outlook space with a minimum dimension of 3m in depth and 3m in width; <u>and</u></p> <p><u>(c) all habitable rooms in an integrated residential development must have an outlook space with a minimum dimension of 1m in depth and 1m in width.</u></p> <p>...</p> <p>(8) Outlook spaces required from different rooms within the same <del>building dwelling or different rooms within the same building</del> <u>in an integrated residential development, unit within visitor accommodation or boarding house may overlap.</u></p> <p>...</p> <p>(10) Outlook spaces must:</p> <p>...</p>	21.40
		21.41
		21.42
		21.43
		21.44

	<p>(c) not extend over an outlook spaces or outdoor living space required by another dwelling or unit in <del>an integrated residential development</del> <u>visitor accommodation or boarding house.</u></p>	21.45
<p>Residential – Terrace Housing and Apartment Building Zone (H6.8.2(3)(k))</p>	<p>The Council will consider the relevant assessment criteria below for restricted discretionary activities: ...</p> <p>(3) for integrated residential development: ...</p> <p>(k) <u>traffic:</u></p> <p>(i) <u>the extent to which the activity avoids or mitigates adverse effects on the safe and efficient operation of the immediate transport network.</u></p> <p>(ii) <u>H6.8.2 (3)(k)(i) is not considered where the development is located adjacent to a Business – City Centre Zone, Business – Metropolitan Centre Zone or Business – Town Centre Zone...</u></p>	21.46

**RETIREMENT VILLAGES ASSOCIATION OF NEW ZEALAND INCORPORATED'S  
SUBMISSION ON PLAN CHANGE 16 TO THE AUCKLAND UNITARY PLAN**

*Clause 6 of Schedule 1, Resource Management Act 1991*

**To** Auckland Council

**Name of submitter:** Retirement Villages Association of New Zealand Incorporated (RVA)

- 1 This is a submission on proposed Plan Change 16 (PC16) to the Auckland Unitary Plan (AUP).
- 2 The RVA could not gain an advantage in trade competition through this submission.

**Submission points**

- 3 The specific provisions of PC16 that the RVA's submission relate to are:
  - 3.1 the provisions for outlook space in residential and business zones; and
  - 3.2 the assessment criterion for traffic effects.
- 4 The RVA opposes the parts of PC16 that relate to outlook space and conditionally supports the parts of PC16 that relate to traffic effects.

**Outlook space standards**

- 5 The RVA opposes the parts of PC16 that relate to outlook space for the following reasons:
  - 5.1 Retirement villages fall within the definition of "*integrated residential developments*" under the AUP.
  - 5.2 Under the AUP, in the main residential zones, the outlook space standard does not apply to integrated residential developments, including retirement villages. Outlook space has some limited relevance, as a matter of restricted discretion. This approach was agreed by Council officers at the time of the AUP process and endorsed through the Independent Hearings Panel recommendations and Council decisions.
  - 5.3 The application of the outlook space standard to retirement villages is also limited in the main residential zones through the relevant dimensions. The larger outlook space dimensions apply to dwellings, boarding houses and supported residential care only. It is only the smaller 1m x 1m outlook space dimension that applies to retirement villages. Amendments are needed to ensure this approach is consistent across the residential and business zones.
  - 5.4 The AUP definitions state that "*retirement village*" excludes "*dwellings*". That text recognises the important differences between retirement villages and other types of residential development. It was added to the definition in response to submissions that some standards should apply to dwellings only, and not to retirement villages.

- 5.5 The primary reason for this different approach for retirement villages is because retirement villages have significantly different operational and functional requirements to typical dwellings due to catering for the specialist care, amenity and accommodation needs of elderly people. Residents of retirement villages typically have access to a much wider range of amenity areas (such as dining rooms, bars, bowling greens, pools, and libraries) to most other types of residential development. Much of this amenity is indoors, due to the frailty and sensitivity to climatic conditions of residents. Some retirement units are for very specific purposes, such as care rooms and hospital beds. Retirement village operators also take an integrated and whole-of-site approach to landscaping to ensure a pleasant outlook from all units and common areas.
- 5.6 The proposed amendments would result in a more restrictive approach being applied to the consideration of outlook space for retirement villages than under the AUP. The proposed amendments therefore go beyond the stated intention of PC16 ("*consistency*"), in changing the policy behind the outlook space provisions. There are no obvious justifications for the changes impacting on retirement villages. In that context, the RVA anticipates that the consequences of the amendments on retirement villages were unintended.
- 5.7 The proposed amendments are inconsistent with the relevant objectives and policies in the AUP, particularly the policy directions to:
- (a) Enable a variety of housing types including integrated residential development such as retirement villages;
  - (b) Recognise the functional and operational requirements of activities and development; and
  - (c) Enable more efficient use of larger sites by providing for integrated residential developments.
- 5.8 The proposed amendments are not the most appropriate plan provisions in terms of section 32 of the Resource Management Act 1991 (*RMA*).
- 5.9 It is acknowledged that there are some inconsistencies between the approach for outlook space in the business and residential zone provisions in the AUP. The RVA agrees that this inconsistency does need to be addressed. It considers the changes should better align with the AUP approach for the residential zones, rather than the business zones, for the above reasons. The relief sought by the RVA seeks to achieve that outcome, while recognising the different drafting structures used in the residential and business zones (in particular, whether activities or buildings are permitted or restricted discretionary).

**Traffic assessment criterion**

- 6 As the matters of discretion require the transport effects of integrated residential developments to be considered, the addition of an assessment criterion is appropriate. The RVA supports the reference to "*immediate transport network*" in

the proposed amendment. That wording is consistent with case law, which confirms that the effects of a development on the *immediate* transport environment, not the *wider* transport environment, are relevant to the consideration of an application.

**Relief sought**

7 The RVA seeks:

22.1 | 7.1 The relief set out in the table at **Appendix 1** or other relief to achieve the same intent; and

22.2 | 7.2 Any consequential or related relief to give effect to this submission.

**Hearing**

8 The RVA wishes to be heard in support of this submission.

9 If others make a similar submission, the RVA will consider presenting a joint case with them at a hearing.

**Signed** for and on behalf of Retirement Villages Association of New Zealand Incorporated by its solicitors and authorised agents Chapman Tripp

---

Luke Hinchey / Nicola de Wit  
Partner / Senior Solicitor  
31 January 2019

(A signature is not required if you make your submission by electronic means)

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**APPENDIX 1 - TABLE OF SPECIFIC RELIEF**

Provision	Relief sought (Council changes identified with single underline and single strike through, RVA's proposed changes identified with double underline and double strike through)
Residential – Mixed Housing Suburban Zone (H4.6.11)	<p>Purpose:</p> <ul style="list-style-type: none"> <li>• to ensure a reasonable standard of visual privacy between habitable rooms of different <del>buildings, buildings, dwellings or units within an integrated residential development, a boarding house or supported residential care</del> on the same or adjacent sites; and ...</li> </ul> <p>(7) <u>Outlook spaces required from different rooms within the same building dwelling, or <del>the</del> building within an integrated residential development, or unit within a boarding house or supported residential care, may overlap.</u></p> <p>(8) Outlook spaces may overlap where they are on the same wall plane.</p> <p>(9) Outlook spaces must:</p> <ul style="list-style-type: none"> <li>(a) be clear and unobstructed by buildings;</li> <li>(b) not extend over adjacent sites, except for where the outlook space is over a public street or public open space as outlined in Standard H4.6.1(6) above; and</li> <li>(c) not extend over an outlook space or outdoor living space required by another dwelling, or unit within <del>an integrated residential development, boarding house or supported residential care.</del></li> </ul> <p>(10) <u>Fences or walls within an outlook space for a dwelling or unit within a boarding house or supported residential care must:</u></p> <ul style="list-style-type: none"> <li>i. <u>not exceed 1.2m in height, or</u></li> <li>ii. <u>be at least 50 per cent visually open as viewed perpendicular from the glazing of the habitable room.</u></li> </ul>

22.3

22.4

22.5

22.6

<p>Residential – Mixed Housing Urban Zone (H5.6.12)</p>	<p>Purpose:</p> <ul style="list-style-type: none"> <li>to ensure a reasonable standard of visual privacy between habitable rooms of different <del>buildings dwellings of units within an integrated residential development, a boarding house or supported residential care</del> on the same or adjacent sites; and ...</li> </ul> <p>(7) Outlook spaces required from different rooms within the same building dwelling, or <del>the</del> building within an integrated residential development, or unit within a boarding house or supported residential care, may overlap.</p> <p>...</p> <p>(9) Outlook spaces must: ...</p> <p>(c) not extend over an outlook spaces or outdoor living space required by another dwelling or unit within an <del>integrated residential development,</del> boarding house or supported residential care.</p> <p>(10) Fences or walls within an outlook space for a dwelling or unit within a boarding house or supported residential care must:</p> <ol style="list-style-type: none"> <li>not exceed 1.2m in height, or</li> <li>be at least 50 per cent visually open as viewed perpendicular from the glazing of the habitable room.</li> </ol>	22.7
<p>Residential – Terraced Housing and Apartment Buildings Zone (H6.6.13)</p>	<p>Purpose:</p> <ul style="list-style-type: none"> <li>to ensure a reasonable standard of visual privacy between habitable rooms of different <del>buildings dwellings of units within an integrated residential development, a boarding house or supported residential care</del> on the same or adjacent sites; and...</li> </ul> <p>(7) Outlook spaces required from different rooms within the same building dwelling or <del>the</del> building within an integrated residential development, or unit within a boarding house or supported residential care, may overlap.</p> <p>...</p> <p>(9) Outlook spaces must:</p> <p>(a) be clear and unobstructed by buildings;</p>	22.11
		22.12



	<p>(b) not extend over adjacent sites, except for where the outlook space is over a public street or public open space as outlined in Standard H6.6.13(2) above; and</p> <p>(c) not extend over an outlook spaces or outdoor living space required by another dwelling or unit within an <del>integrated residential development</del>, boarding house or supported residential care.</p> <p><del>10</del> (10) <u>Fences or walls within an outlook space for a dwelling or unit within a boarding house or supported residential care must:</u></p> <ul style="list-style-type: none"> <li>i. not exceed 1.2m in height, or</li> <li>ii. be at least 50 per cent visually open as viewed perpendicular from the glazing of the habitable room.</li> </ul>	22.13
<p>Business – Metropolitan Centre Zone (H9.6.10)</p>	<p>Purpose:</p> <ul style="list-style-type: none"> <li>• ensure a reasonable standard of visual and acoustic privacy between <u>habitable rooms of different buildings, different dwellings, and units in an integrated residential development, visitor accommodation and boarding houses</u>, including their outdoor living space, on the same or adjacent sites; and</li> <li>...</li> <li>(1) <del>The</del> This standard below applies to new buildings containing dwellings, <del>units in an</del> integrated residential development, <u>units in</u> visitor accommodation and boarding houses, and buildings that are converted to dwellings, <del>units in an integrated residential development, visitor accommodation and boarding houses</del>.</li> <li>(2) An outlook space must be provided from the <del>each</del> face of a <del>the</del> building containing windows to a habitable room <del>principal living areas or bedrooms of any dwelling</del>. Where the room has <del>windows to a principal living area or bedroom these rooms are provided from</del> two or more external faces with windows <del>of a building</del>, the outlook space must be provided <del>to</del> from the face with the <u>largest area of glazing, greatest window area of outlook</u>.</li> <li>(3) The minimum dimensions for a <u>required</u> outlook space are: <ul style="list-style-type: none"> <li>(a) for principal living areas of a dwelling, or units in visitor accommodation or boarding houses, the dimensions of the outlook space, measured perpendicular to the exterior face</li> </ul> </li> </ul>	22.15
	<p>...</p> <p>(1) <del>The</del> This standard below applies to new buildings containing dwellings, <del>units in an</del> integrated residential development, <u>units in</u> visitor accommodation and boarding houses, and buildings that are converted to dwellings, <del>units in an integrated residential development, visitor accommodation and boarding houses</del>.</p> <p>(2) An outlook space must be provided from the <del>each</del> face of a <del>the</del> building containing windows to a habitable room <del>principal living areas or bedrooms of any dwelling</del>. Where the room has <del>windows to a principal living area or bedroom these rooms are provided from</del> two or more external faces with windows <del>of a building</del>, the outlook space must be provided <del>to</del> from the face with the <u>largest area of glazing, greatest window area of outlook</u>.</p> <p>(3) The minimum dimensions for a <u>required</u> outlook space are:</p> <ul style="list-style-type: none"> <li>(a) for principal living areas of a dwelling, or units in visitor accommodation or boarding houses, the dimensions of the outlook space, measured perpendicular to the exterior face</li> </ul>	22.16
	<p>...</p> <p>(2) An outlook space must be provided from the <del>each</del> face of a <del>the</del> building containing windows to a habitable room <del>principal living areas or bedrooms of any dwelling</del>. Where the room has <del>windows to a principal living area or bedroom these rooms are provided from</del> two or more external faces with windows <del>of a building</del>, the outlook space must be provided <del>to</del> from the face with the <u>largest area of glazing, greatest window area of outlook</u>.</p> <p>(3) The minimum dimensions for a <u>required</u> outlook space are:</p> <ul style="list-style-type: none"> <li>(a) for principal living areas of a dwelling, or units in visitor accommodation or boarding houses, the dimensions of the outlook space, measured perpendicular to the exterior face</li> </ul>	22.17
	<p>(a) for principal living areas of a dwelling, or units in visitor accommodation or boarding houses, the dimensions of the outlook space, measured perpendicular to the exterior face</p>	22.18
	<p>(a) for principal living areas of a dwelling, or units in visitor accommodation or boarding houses, the dimensions of the outlook space, measured perpendicular to the exterior face</p>	22.19

22.19	<p>of the building, must be in accordance with Figure H9.6.10.2, for the relative height of the floor above the average ground level along each building face; <del>and</del></p> <p>(b) for bedrooms of a dwelling, or units in visitor accommodation or boarding houses, the outlook space must be a minimum of 6m, measured perpendicular to the exterior face of the building; and</p> <p><u>(c) all other habitable rooms must have an outlook space with a minimum dimension of 1m in depth and 1m in width.</u></p> <p>...</p> <p>(5) The outlook space may be over:</p> <p>(a) the site on which the building is located, but not towards a side boundary if the building is within 10m of the site frontage (refer Figure H9.6.10.1);</p> <p>...</p> <p>(6) In the situation where an outlook space is provided over a legal road narrower than the width specified in Figure H9.6.32.2 required by Standard H9.6.10(3), the street width is deemed to satisfy the minimum outlook space requirement.</p>
22.20	
22.21	
22.22	<p>Business – Town Centre Zone (H10.6.10)</p> <p>(1) This standard applies to dwellings, <del>units in an</del> integrated residential development, <u>units in</u> visitor accommodation and boarding houses.</p> <p>...</p> <p>(3) The minimum dimensions for a required outlook space are as follows:</p> <p>(a) a principal living room of a dwelling, <del>or unit in an integrated residential development</del> or main living and dining area within a boarding house or supported residential care visitor accommodation must have a outlook space with a minimum dimension of 6m in depth and 4m in width; and</p> <p>(b) all other habitable rooms of a dwelling, <del>or unit in an integrated residential development</del> or a bedroom within a boarding house or supported residential care unit visitor accommodation must have an outlook space with a minimum dimension of 3m in depth and 3m in width; and</p> <p>(c) all habitable rooms in an integrated residential development must have an outlook space with a minimum dimension of 1m in depth and 1m in width.</p>
22.23	
22.24	
22.25	

	<p>...</p> <p>(8) Outlook spaces required from different rooms within the same building dwelling, or <del>different rooms within the same building</del> <u>in an integrated residential development, unit within visitor accommodation or boarding house may overlap.</u></p> <p>...</p> <p>(10) Outlook spaces must:</p> <p>...</p> <p>(c) not extend over an outlook spaces or outdoor living space required by another dwelling or unit <del>within an integrated residential development</del>, visitor accommodation or boarding house.</p>		22.26
	<p>(1) This standard applies to dwellings, <del>units in an</del> integrated residential development, <u>units in</u> visitor accommodation and boarding houses.</p> <p>...</p> <p>(3) The minimum dimensions for a required outlook space are as follows:</p> <p>(a) a principal living room of a dwelling, <del>or unit in an integrated residential development</del> or main living and dining area within a boarding house or supported residential care visitor accommodation must have a outlook space with a minimum dimension of 6m in depth and 4m in width; and</p> <p>(b) all other habitable rooms of a dwelling <del>or unit in an integrated residential development</del> or a bedroom within a boarding house or supported residential care unit visitor accommodation must have an outlook space with a minimum dimension of 3m in depth and 3m in width; <u>and</u></p> <p>(c) <u>all habitable rooms in an integrated residential development must have an outlook space with a minimum dimension of 1m in depth and 1m in width.</u></p> <p>...</p>	<p>Business – Local Centre Zone (H11.6.8)</p>	22.27
			22.28
			22.29
			22.30
			22.31

22.32	<p>(8) Outlook spaces required from different rooms within the same <del>building</del> <u>dwelling or different rooms within the same building</u> <del>unit</del> in an integrated residential development, <u>unit within visitor accommodation or boarding house</u> may overlap.</p> <p>...</p> <p>(10) Outlook spaces must:</p> <p>...</p> <p>(c) not extend over an outlook spaces or outdoor living space required by another dwelling or unit <del>within an integrated residential development</del> <u>visitor accommodation or boarding house</u>.</p>
22.33	
22.34	<p>(1) This standard applies to dwellings, <del>units in an</del> <u>integrated residential development, units in</u> visitor accommodation and boarding houses.</p> <p>...</p> <p>(3) The minimum dimensions for a required outlook space are as follows:</p> <p>(a) a principal living room of a dwelling, <del>or unit in an integrated residential development</del> or main living and dining area within a boarding house or supported residential care visitor accommodation must have a outlook space with a minimum dimension of 6m in depth and 4m in width; and</p> <p>(b) all other habitable rooms of a dwelling <del>or unit in an integrated residential development</del> or a bedroom within a boarding house or supported residential care unit visitor accommodation must have an outlook space with a minimum dimension of 3m in depth and 3m in width; <u>and</u></p> <p>(c) <u>all habitable rooms in an integrated residential development must have an outlook space with a minimum dimension of 1m in depth and 1m in width.</u></p>
22.35	
22.36	
22.37	<p>...</p> <p>(8) Outlook spaces required from different rooms within the same <del>building</del> <u>dwelling or different rooms within the same building</u> <del>unit</del> in an integrated residential development, <u>unit within visitor accommodation or boarding house</u> may overlap.</p>
22.38	

	<p>...</p> <p>(10) Outlook spaces must:</p> <p>...</p> <p>(c) not extend over an outlook spaces or outdoor living space required by another dwelling or unit in <del>an integrated residential development</del>, visitor accommodation or boarding house.</p>	22.39
<p>Business – Mixed Use Zone (H13.6.9)</p>	<p>(1) This standard applies to dwellings, <del>units in an</del> integrated residential development, <u>units in</u> visitor accommodation and boarding houses.</p> <p>...</p> <p>(3) The minimum dimensions for a required outlook space are as follows:</p> <p>(a) a principal living room of a dwelling, <del>or unit in an integrated residential development</del> or main living and dining area within a boarding house or supported residential care visitor accommodation must have a outlook space with a minimum dimension of 6m in depth and 4m in width; and</p> <p>(b) all other habitable rooms of a dwelling <del>or unit in an integrated residential development</del> or a bedroom within a boarding house or supported residential care unit visitor accommodation must have an outlook space with a minimum dimension of 3m in depth and 3m in width; <u>and</u></p> <p><u>(c) all habitable rooms in an integrated residential development must have an outlook space with a minimum dimension of 1m in depth and 1m in width.</u></p> <p>...</p> <p>(8) Outlook spaces required from different rooms within the same building dwelling or <del>different rooms within the same building</del> <u>unit in an integrated residential development, unit within visitor accommodation or boarding house may overlap.</u></p> <p>...</p> <p>(10) Outlook spaces must:</p> <p>...</p>	<p>22.40</p> <p>22.41</p> <p>22.42</p> <p>22.43</p> <p>22.44</p>

	<p>(c) not extend over an outlook spaces or outdoor living space required by another dwelling or unit in <del>an integrated residential development</del> <u>visitor accommodation or boarding house.</u></p>	22.45
<p>Residential – Terrace Housing and Apartment Building Zone (H6.8.2(3)(k))</p>	<p>The Council will consider the relevant assessment criteria below for restricted discretionary activities: ...</p> <p>(3) for integrated residential development: ...</p> <p>(k) <u>traffic:</u></p> <p>(i) <u>the extent to which the activity avoids or mitigates adverse effects on the safe and efficient operation of the immediate transport network.</u></p> <p>(ii) <u>H6.8.2 (3)(k)(i) is not considered where the development is located adjacent to a Business – City Centre Zone, Business – Metropolitan Centre Zone or Business – Town Centre Zone...</u></p>	22.46

## Contact details

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## Submission details

**This is a submission to:**

Plan modification number: Plan change 16

Plan modification name: Improving consistency of provisions for Zones

**My submission relates to**

Rule or rules:

PC 16 see attachment

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

see attachment

23.1 | I or we seek the following decision by council: Amend the plan modification if it is not declined

Details of amendments: see attachment

Submission date: 31 January 2019

Supporting documents

Submission pc16.pdf

**Attend a hearing**

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?  
Yes

### **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.



**SUBMISSION**

**PLAN CHANGE 16**

**BETTER LIVING LANDSCAPES LTD**

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## Plan Change 16

### Submissions

#### Better Living Landscape Ltd

#### Parallax Surveyors Ltd

*Residential zones Rural and Coastal setelement zone*

*H2.6.9 Building coverage Purpose: to manage the extent of buildings on a site to maintain and complement the rural and coastal built character of the zone and any landscape qualities and natural features. (1) The maximum building coverage must not exceed 20 per cent of net site area or 200 400m<sup>2</sup>, whichever is the lesser.*

#### Submission

23.2 | I agree with the above amendment as it take into account context and scale.

*Rural and coastal settlement zone and all other zones that have this rule wording*

*H2.6 Standards .... H2.6.6. Height in relation to boundary ....*

*(2) Standard H2.6.6*

*(1) above does not apply to a boundary, or part of a boundary, adjoining any of the following: (a) .... (b) sites within the: Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or the Open Space – Community Zone: exceeding 2000m<sup>2</sup>. i) that are greater than 2000m<sup>2</sup>; and ii) where that part of the site in (i) is greater than 20 metres in width, when measured perpendicular to the shared boundary.*

#### Submission

Adding in a requirement for the waiver for Open Space to be greater then 20 metres wide means that the numerous paths between properties to reserves or beaches must now be considered for Height to Boundary infringements in an adhoc way as some are road and some are Open Space but the issue is the Height to Boundary is about shadow. It s hardly an adverse effects on a foot path that happens to be zoned open space. Delete this new insertion.

23.3 |

## Residential – Large Lot Zone

### **H1.8. Assessment – restricted discretionary activities**

#### **H1.8.1. Matters of discretion**

*The Council will restrict its discretion to all the following matters when assessing a restricted discretionary activity resource consent application:*

*(1) for supported residential care accommodating up to 10 people ....*

*.....*

*(b) the effects on the neighbourhood character, residential amenity and the surrounding residential area from all of the following:*

*.....*

*(iii) location and design of parking and access; and*

*.....*

*(2) for minor dwellings:*

*(a) the effects on the landscaped character, landscape qualities and natural features of the zone; and*

*(3) for buildings that do not comply with Standard H1.6.4 Building height; Standard 1.6.5 Yards; Standard H1.6.6 Maximum impervious areas; and Standard 01.6.7 Building coverage:*

*.....*

*(d) the effects on the landscape character, landscape qualities and natural features of the zone;*

## **Submission**

23.4

I don't believe that the words 'landscape qualities' is a recognised quantitative terms. Landscape qualities should be replaced with landscape amenity values which is a recognised and understood term .

## **J1.1 Definitions**

### **Definition of Building**

#### **Add further exclusions;**

23.5

Power poles, telephone poles and road name signs should all be excluded from the definition of a building. This could either be by including it in the exclusions after the table, or it could be inserted in the table alongside 'Flagpoles, masts or lighting poles'. If it was inserted along side it would require the height to be based I the height of a standard power pole.

At the moment in zones where all new buildings or structures require consent power poles and telephone poles fall into this category .

The assessment criteria of buildings and structures talk about walls, windows and roofs which is ludicrous.

It is nonsensical to have to obtain land use consent for power and telephone poles. It is overly restrictive and just another unnecessary cost burden. We are now bound by LINZ to provide a road name for any right of way or private access to six or more lots. This means that we are having to

erect road name signs much more frequently than in the past. It does not make sense to have to apply for land use consent for a sign exceeding 1.5m for all signs for road names. (they are not in the road reserve often but on the ROW as they are private road signs.

and excludes the following types of structures:

- roof mounted chimneys, aerials and water overflow pipes.

#### Submission

23.6 | Chimneys should not be deleted from this exclusion list. This could mean that if someone wants to put a new fireplace into an existing dwelling that they would have to get land use consent for the chimney on an existing roof. Why are aerials and water overflow pipes excluded and chimneys included? Surely the effects are similar. A compromise could be to insert a maximum height of chimney such as 'roof mounted chimneys less than 2m in height above the roof level'. A chimney is a well understood vernacular of a building.

- Stacks and heaps of materials for no more than 2 months

#### Submission

23.7 | Baled agricultural produce should be deliberately excluded from this definition. Baled agricultural produce and silage pits are a part of farming operations with a long held permitted baseline however the stacks and heaps may well move around the farm and some will be in place for more than 2 months to be used as winter feed. It is an entirely unreasonable burden on farmers in zones and overlays to require consent for normal farming operations that are part of the seasonal activities. The far greater portion of the Auckland Unitary Authority is Rural yet some sort of Urban Design protocol is being heaped on the farmers and the reality is Council Compliance staff are not going to monitor compliance as its simply not a matter that anyone would consider is required. A building consent is not required and its not a nuisance issue so why on earth is it not excluded.

#### Definition of Workers' accommodation

A dwelling for people whose duties require them to live onsite, and in the rural zones a dwelling for people who work on the site for the activities set out in Nesting Table J1.3.6. of in the surrounding rural area.

Includes:

- accommodation for rangers;
- artists in residence;
- farm managers and workers; and
- staff.

#### Submission

Firstly I do not believe that this proposed amendment fits within the purpose of this plan change which is listed as 'improving consistency of provisions' and 'to address identified technical issues'. This proposed change to the workers' accommodation definition seeks to severely restrict what workers' accommodation can be used for, which is a significant departure from the operative definition.

Removing the ability to use worker's accommodation for workers in the surrounding rural area is counterproductive. We have many clients who need a worker on their property, but not full time. Many of these workers would work on site a few days a week, and then could work the rest of the week on neighbouring properties. This change to the definition would prevent this. There is also the situation where a site may need seasonal workers, and would then use the accommodation for workers on other sites outside those times. These are valid uses which should not be restricted. Having a ready supply of rural based accommodation on 5-40 ha sites which can easily absorb this built element is surely something which meets the objectives and policies of the plan. Rural work is often low paying, so having accommodation within rural areas which is low cost and avoids transport costs will help rural businesses secure employees.

Restricting the activities to the nesting table J1.3.6 is also nonsensical. Many of our clients who are looking at doing workers accommodation are on sites with large areas of covenanted wetlands, bush or revegetation planting. These covenants require a lot of ongoing maintenance, and it is ideal to have worker's accommodation for people to do this work for them. This does not fit into the nesting table activities – but is a very valid use of this type of accommodation. This is just one example.

Finally, the changes proposed to this definition are completely unenforceable. Is Council going to be checking that workers do not leave the site for employment elsewhere? And are they going to be checking exactly what type of work they are doing to see if it fits into the nesting table activities? And what happens when workers' accommodation is established say for an orchard, and then the property is sold and the new owners remove the orchard and don't need workers? Will the accommodation have to be removed? Why would you remove it if there is a need for accommodation for workers on other farms in the area?

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**Submission on the Proposed Plan Change 16 for the Auckland Unitary Plan (Operative in Part)**

**Southern Paprika – Chapter J: Definitions**

Clause 6 of Schedule 1, Resource Management Act 1991 (Form 5)

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To: **Auckland Council**

**1. SUBMITTER DETAILS**

Name of Submitter: Southern Paprika

This is a submission on Auckland Council's Proposed Plan Change 16.

Southern Paprika could not gain an advantage in trade competition through this submission.

Southern Paprika is directly affected by effects of the subject matter of the submission that:

- a) Adversely affect the environment; and
- b) Do not relate to trade competition or the effects of trade competition.

**2. SCOPE OF SUBMISSION**

The specific aspect and provision of Proposed Plan Change 16 that this submission relates to is:

- a) Chapter J: Definitions and all consequential changes.

**3. SUBMISSION**

**3.1 Introduction**

Southern Paprika are New Zealand's largest single site glasshouse grower of capsicums, with 22ha of glasshouses at their Warkworth land holding, and another 4ha of glasshouses consented and in the process of being constructed.

Southern Paprika is a Recognised Seasonal Employer ("RSE") under the associated scheme and employs RSE workers for the Auckland region. In 2018 the cap on seasonal workers under the RSE

for New Zealand was increased from 11,100 employees to 12,850 employees<sup>1</sup> due to additional demand for such workers. In addition to seasonal workers, the nature of the activities Southern Paprika undertake requires a number of permanent workers to be accommodated on land holdings owned by Southern Paprika.

Southern Paprika submit on the proposed amendment to the definition of ‘workers’ accommodation’ which affects the provision of accommodation for permanent and seasonal rural workers.

### **3.2 General Submission**

Southern Paprika support the Auckland Unitary Plan (Operative in Part) in so far as it acknowledges the importance of horticultural activities within the Auckland region and seeks to protect such uses from the reverse sensitivity effects of incompatible land use.

Southern Paprika seek to ensure the provision for the accommodation of horticultural and seasonal workers within the rural environment. The specific submissions provided below do not limit the scope of these general submissions

### **3.3 Specific Submissions**

#### **3.3.1 Chapter J: Definitions – Workers’ Accommodation**

Proposed Plan Change 16 seeks to make the following amendments to the definition of ‘Workers’ Accommodation’ in Chapter J of the AUP (OP):

##### **Workers’ accommodation**

A dwelling for people whose duties require them to live onsite, ~~and in~~ the rural zones a dwelling for people who work on the site for the activities set out in Nesting Table J1.3.6 or in the surrounding rural area.

Includes:

- accommodation for rangers;
- artists in residence;
- farm managers and workers; and
- staff.

<sup>1</sup> <https://www.immigration.govt.nz/about-us/research-and-statistics/research-reports/recognised-seasonal-employer-rse-scheme>

Southern Paprika submit in opposition to these proposed amendments for the following reasons:

- Southern Paprika do not consider that this amendment is the most appropriate way to achieve the purpose of the Resource Management Act 1991;
- Southern Paprika do not consider that this amendment is the most appropriate way to achieve the objectives of the Auckland Unitary Plan (Operative in Part).

Requiring workers' to be accommodated on the same site as their work would result in productive land being utilised for accommodation purposes (including ancillary requirements such as accessways and car parking). This is not an efficient use of productive land. Productive land supply is finite and should not be consumed by accommodation activities. PPC16 is potentially inconsistent with objective H19.2.1(1) of the Auckland Unitary Plan (Operative in Part) which seeks to ensure that *"elite soil is protected and prime soil is managed, for potential rural production"*.

Limiting the scope of Workers' Accommodation to 'a dwelling for people whose duties require them to live on site' does not acknowledge the nature of landholdings in rural areas, where often a single entity owns a number of contiguous titles, or leases adjacent land holdings; or may rotate properties within the rural area for production over different seasons, or over time. The term 'Site' is defined in the AUP (OP) as follows:



**Site**

Any area of land which meets one of the descriptions set out below:

(a) an area of land which is:

- (i) comprised of one allotment in one certificate of title, or two or more contiguous allotments held together in one certificate of title, in such a way that the allotments cannot be dealt with separately without the prior consent of the council; or
- (ii) contained in a single lot on an approved survey plan of subdivision for which a separate certificate of title could be issued without any further consent of the council;

being in any case the smaller area of clauses (i) or (ii) above; or

(b) an area of land which is composed of two or more contiguous lots held in two or more certificates of title where such titles are:

- (i) subject to a condition imposed under section 75 of the Building Act 2004 or section 643 of the Local Government Act 1974; or
- (ii) held together in such a way that they cannot be dealt with separately without the prior consent of the council; or

(c) an area of land which is:

- (i) partly made up of land which complies with clauses (a) or (b) above; and
- (ii) partly made up of an interest in any airspace above or subsoil below a road where (a) and (b) are adjacent and are held together in such a way that they cannot be dealt with separately without the prior approval of the council;

Except in relation to each description that in the case of land subdivided under the Unit Titles Act 2010, the cross lease system or stratum subdivision, 'site' must be deemed to be the whole of the land subject to the unit development, cross lease or stratum subdivision.

Notably 'Site' is defined as 'one allotment in one certificate of title'. Many rural production activities are across contiguous titles which are all used in conjunction with one another. It should not be necessary to provide separate accommodation for each of these sites. Given the seasonality of some types of rural production, or the need to rotate cropping activities, it may also be necessary for workers to work across more than one Site within the surrounding rural area. Worker accommodation should be located in the best location for the efficient operation and management of rural production operation.

The standards for Workers' Accommodation in Rural Zones (set out in H19.10.12 of the AUP (OP)) already control the extent to which workers accommodation may be provided for within the rural environment. In particular, the standards require that there is '*no more than one workers' accommodation building per site*' and that they '*have a floor area equal to or less than 120m<sup>2</sup> excluding decks and garaging*'. The additional control proposed by the amended definition above would result in rules which are overly restrictive. With respect to this the following comments are made:

- (a) One Workers Accommodation dwelling of 120m<sup>2</sup> on a Site of rural production will not be sufficient to house the required number of permanent, and larger numbers of seasonal workers employed by Southern Paprika. If those workers cannot be housed in Worker's Accommodation elsewhere in the Rural Zone, accommodation would be needed in other dwellings including minor dwellings within the Rural Zone; or dwellings in urban zones. This will place pressure on the existing rental accommodation available in urban areas and will also increase the distance travelled to the areas of employment, resulting in a number of adverse environmental effects as well as increased costs. This would also cause undue stress on the rental market of the surrounding area which will need to be relied upon to meet the accommodation shortfall. In late 2018, the Recognised Seasonal Employer Scheme<sup>2</sup> cap increased by 1,750 to 12,850<sup>3</sup> which will increase the number of seasonal workers requiring accommodation. Employers of seasonal workers employed under the RSE scheme must provide pastoral care, which includes 'somewhere for workers to live at a fair price'<sup>4</sup>. The amendments to the definition of workers' accommodation under PPC16 will restrict the ability to supply workers accommodation within the rural environment and this in turn is likely to affect price (supply versus demand).
- (b) Limiting Workers' Accommodation to one such additional dwelling per site does not take into account the different sizes of sites or scale of operation occurring on sites. I.e. dairy farms have a far lower worker to site area ratio than greenhouse growing. There are also different requirements for horse stud farms. A more appropriate approach would be for the standards in H19.10.12 enabling multiple workers' accommodation be developed on land holdings used for rural production activities where a need for additional accommodation can be adequately demonstrated.

### **3.3.2 Chapter J: Definitions – Building**

Proposed Plan Change 16 seeks to make the following amendments to the definition of 'Building' in Chapter J of the AUP (OP):

<sup>2</sup> The Recognised Seasonal Employer (RSE) scheme came into effect in April 2007. The policy allows the horticulture and viticulture industries to recruit workers from overseas for seasonal work when there are not enough New Zealand workers. (source: <https://www.immigration.govt.nz/about-us/research-and-statistics/research-reports/recognised-seasonal-employer-rse-scheme>)

<sup>3</sup> <https://www.beehive.govt.nz/release/recognised-seasonal-employer-cap-increase>

<sup>4</sup> <https://www.immigration.govt.nz/employ-migrants/hire-a-candidate/employer-criteria/recognised-seasonal-employer/apply-atr>

<p><del>Swimming pools, or tanks, including retention tanks, spa pools, swirl pools, plunge pools or hot tubs</del></p>	<p><del>Over 1m high in height from ground level, inclusive of the height of any supporting structure or</del>  More than 25,000l capacity  <del>Supported directly by the ground or supported not more than 1m above the ground</del></p>
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Southern Paprika oppose this amendment for the following reasons:

- Southern Paprika do not consider that this amendment is the most appropriate way to achieve the purpose of the Resource Management Act 1991;
- Southern Paprika do not consider that this amendment is the most appropriate way to achieve the objectives of the Auckland Unitary Plan (Operative in Part).

The proposed amendment would result in retention tanks being subject to yard setbacks of 10m, 12m and 20m within the Rural Production and Rural Coastal zones. This would apply even if a tank that met the 25,000L capacity threshold was partially buried (resulting in it being less than 1m in height).

As identified in the Section 32 Report, this amendment is intended to address concerns around bulk and visual appearance. While it is appropriate to consider the potential visual dominance of tanks and their amenity effects in the Rural Conservation and Countryside Living Zone, this must be weighed more carefully in productive rural areas where retention tanks are vital infrastructure, required to support the efficient operation of activities. Consideration of the particular requirements of these productive rural areas is reflected within the policies of the Rural Zones, in particular Policy H19.2.2(6) seeks to *‘recognise that a range of buildings and structures accessory to farming and forestry, and other operational structures for rural production activities are an integral part of rural character and amenity values’*.

Retention tanks are integral infrastructure for the horticultural activities and such structures are anticipated within the rural environments as acknowledged by Policy H19.2.2(6). Further, retention tanks are often located close to boundaries in order to maximise land for productive use, it is therefore

appropriate that retention tanks are not subject to yard setbacks within the Rural Production, Mixed Rural and Rural Coastal Zones.

**4. DECISIONS SOUGHT**

Southern Paprika seek the following:

- 24.1 | a) That the amendment proposed by PPC16 to the definition of Workers Accommodation be deleted and the definition of Workers' Accommodation remain as, or with similar variation to achieve the relief sought:

*'A dwelling for people whose duties require them to live on-site, and in the rural zones for people who work on the site or in the surrounding rural area.'*

- 24.2 | b) That the standards for Workers' Accommodation are amended to enable multiple Workers' Accommodation to be developed on sites where a need for additional accommodation can be adequately demonstrated.

- 24.3 | c) That the definition of Building as it relates to retention tanks is amended as follows:

Tanks including retention tanks	<p>Over 1m in height from ground level, inclusive of the height of any supporting structure or</p> <p>More than 25,000L capacity, where any part of the tank is above ground level.</p> <p><u>Except that this shall not apply to retention tanks in the Rural Production, Mixed Rural, or Rural Coastal Zones.</u></p>
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- 24.4 | d) Any such further or consequential changes necessary or appropriate to address the concerns expressed in this submission.

Southern Paprika wishes to be heard in support of this submission.

If others make a similar submission, then Southern Paprika will consider presenting a joint case with them at the hearing.

*Burnette O'Connor*

Date: 31/01/2019

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Burnette O'Connor, Barker & Associates Ltd  
(Person authorised to sign on behalf of submitter)

**5. ADDRESS FOR SERVICE**

Southern Paprika

C /- Barker & Associates Ltd

PO Box 591

**WARKWORTH**

Attn: Burnette O'Connor

Mobile: 021 422 346

Email: burnetteo@barker.co.nz

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**Submission on the Proposed Plan Change 16 for the Auckland Unitary Plan (Operative in Part)**

**Pakiri Farms Limited – Chapter J: Definitions**

Clause 6 of Schedule 1, Resource Management Act 1991 (Form 5)

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To: **Auckland Council**

**1. SUBMITTER DETAILS**

Name of Submitter: Pakiri Farms Limited

This is a submission on Auckland Council's Proposed Plan Change 16 (PPC16).

Pakiri Farms Limited could not gain an advantage in trade competition through this submission.

Pakiri Farms Limited is directly affected by effects of the subject matter of the submission that:

- a) Adversely affect the environment; and
- b) Do not relate to trade competition or the effects of trade competition.

**2. SCOPE OF SUBMISSION**

The specific aspect and provision of Proposed Plan Change 16 that this submission relates to is:

- a) Chapter J: Definitions and all consequential changes.

**3. SUBMISSION**

**3.1 Introduction**

Pakiri Farms Limited own multiple properties in Pakiri where they employ a number of permanent and seasonal workers.

Pakiri Farms Limited submit on the proposed amendment to the definition of '*workers' accommodation*'.

### 3.2 General Submission

Pakiri Farms Limited support the Auckland Unitary Plan (Operative in Part) in so far as it acknowledges the importance of horticultural activities within the Auckland region and seeks to protect such uses from the reverse sensitivity effects of incompatible land use.

Pakiri Farms Limited seek to ensure the practical provision for the accommodation of workers within the rural environment.

The specific submissions provided below do not limit the scope of these general submissions.

### 3.3 Specific Submissions

#### 3.3.1 Chapter J: Definitions – *Workers' Accommodation*

Proposed Plan Change 16 seeks to make the following amendments to the definition of *workers' accommodation* in Chapter J of the AUP (OP):

##### **Workers' accommodation**

A dwelling for people whose duties require them to live onsite, ~~and in~~ the rural zones a dwelling for people who work on the site for the activities set out in Nesting Table J1.3.6 ~~or in the surrounding rural area.~~

Includes:

- accommodation for rangers;
- artists in residence;
- farm managers and workers; and
- staff.

Pakiri Farms Limited submit in opposition to these proposed amendments for the following reasons:

- Pakiri Farms Limited do not consider that this amendment is the most appropriate way to achieve the purpose of the Resource Management Act 1991;
- Pakiri Farms Limited do not consider that this amendment is the most appropriate way to achieve the objectives of the Auckland Unitary Plan (Operative in Part).

- Requiring workers' to be accommodated on the same site where their work is located is potentially an impractical and inefficient use of productive land. Productive land supply is finite and should not be consumed by accommodation activities. PPC16 is potentially inconsistent with, or contrary to objective H19.2.1(1) which seeks to ensure that *elite soil is protected and prime soil is managed, for potential rural production*.
- Limiting the scope of workers' accommodation to 'a dwelling for people who work on the site' does not acknowledge the nature of landholdings in rural areas, where often a single entity owns a number of contiguous titles. The term 'site' is defined in the AUP (OP) as follows:

**Site**

Any area of land which meets one of the descriptions set out below:

- (a) an area of land which is:
  - (i) comprised of one allotment in one certificate of title, or two or more contiguous allotments held together in one certificate of title, in such a way that the allotments cannot be dealt with separately without the prior consent of the council; or
  - (ii) contained in a single lot on an approved survey plan of subdivision for which a separate certificate of title could be issued without any further consent of the council;being in any case the smaller area of clauses (i) or (ii) above; or
- (b) an area of land which is composed of two or more contiguous lots held in two or more certificates of title where such titles are:
  - (i) subject to a condition imposed under section 75 of the Building Act 2004 or section 643 of the Local Government Act 1974; or
  - (ii) held together in such a way that they cannot be dealt with separately without the prior consent of the council; or
- (c) an area of land which is:
  - (i) partly made up of land which complies with clauses (a) or (b) above; and
  - (ii) partly made up of an interest in any airspace above or subsoil below a road where (a) and (b) are adjacent and are held together in such a way that they cannot be dealt with separately without the prior approval of the council;

Except in relation to each description that in the case of land subdivided under the Unit Titles Act 2010, the cross lease system or stratum subdivision, 'site' must be deemed to be the whole of the land subject to the unit development, cross lease or stratum subdivision.

Notably site is defined as 'one allotment in one certificate of title'. Pakiri Farms owns a number of contiguous titles which are all used in conjunction with one another. Rural activities are also often spread across a number of different blocks which may not be contiguous but which provide for different aspects of rural production (i.e. different types



of rural land uses and / or different intensities of production). Flexibility is therefore needed to enable workers to live in one part of the rural area but work in a different area. It would be inefficient and not represent sound resource management outcomes to provide separate accommodation for each rural site.

- As above, PPC16 seeks to require workers' accommodation to be located on the site, where the occupants will be working. Not only is this overly restrictive for the reasons outlined above, but also because of the standards for workers' accommodation in Rural Zones which are set out in H19.10.12 of the AUP (OP). In particular, the standards require that there is '*no more than one workers' accommodation building per site*' and that they '*have a floor area equal to or less than 120m<sup>2</sup> excluding decks and garaging*'. With respect to this the following comments are made:
  - One 120m<sup>2</sup> workers' accommodation will not be sufficient to house all employees of Pakiri Farms Limited, in particular when seasonal workers are employed during peak periods. This will cause undue stress on the rental market of the surrounding area which will need to be relied upon to meet the substantial accommodation shortfall. Pakiri has very limited urban areas and there are very limited opportunities to provide extra accommodation options in rural areas. The nearest urban areas, other than Pakiri township are Matakana, Leigh, Wellsford and Warkworth. Warkworth for example, has been identified as a strong growth area, and is already experiencing significant pressure on its rental market and restricting workers' accommodation will only exacerbate this. Additionally, in late 2018, the Recognised Seasonal Employer Scheme<sup>1</sup> cap increased by 1,750 to 12,850<sup>2</sup> which will increase the number of seasonal workers requiring accommodation in New Zealand. Employers of seasonal workers employed under the RSE scheme must provide pastoral care, which includes 'somewhere for workers to live at a fair price'<sup>3</sup>. The amendments to the definition of workers' accommodation under PPC16 will restrict the supply of workers accommodation within the rural environment.

<sup>1</sup> The Recognised Seasonal Employer (RSE) scheme came into effect in April 2007. The policy allows the horticulture and viticulture industries to recruit workers from overseas for seasonal work when there are not enough New Zealand workers. (source: <https://www.immigration.govt.nz/about-us/research-and-statistics/research-reports/recognised-seasonal-employer-rse-scheme>)

<sup>2</sup> <https://www.beehive.govt.nz/release/recognised-seasonal-employer-cap-increase>

<sup>3</sup> <https://www.immigration.govt.nz/employ-migrants/hire-a-candidate/employer-criteria/recognised-seasonal-employer/apply-atr>

- Limiting the number of workers' accommodations to one per site does not take into account the different sizes of rural sites, the combined use of sites, including leasing of adjacent land; or scale of operation occurring on sites. I.e. dairy farms have a far lower worker to site area ratio than greenhouse growing.

#### 4. DECISIONS SOUGHT

Pakiri Farms Limited seek the following:

- 25.1 | a) That the amendment proposed by PPC16 to the definition of Workers Accommodation be deleted;
- 25.2 | b) Any such further or consequential changes necessary or appropriate to address the concerns expressed in the submissions.
- 25.3 | c) That the standards be amended to enable multiple, and / or larger worker accommodations where the need for this is able to be adequately demonstrated.

Pakiri Farms Limited wishes to be heard in support of this submission.

If others make a similar submission, then Pakiri Farms Limited will consider presenting a join case with them at the hearing.



Date: 31/01/2019

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Burnette O'Connor, Barker & Associates Ltd  
(Person authorised to sign on behalf of submitter)

#### 5. ADDRESS FOR SERVICE

Pakiri Farms Limited  
C /- Barker & Associates Ltd  
BO Box 591  
**WARKWORTH**  
Attn: Burnette O'Connor  
Mobile: 021 422 346  
Email: burnetteo@barker.co.nz

#26 - Submission withdrawn

# Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991  
FORM 5



Send your submission to [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to :

Attn: Planning Technician  
Auckland Council  
Level 24, 135 Albert Street  
Private Bag 92300  
Auckland 1142

For office use only
Submission No:
Receipt Date:

## Submitter details

Full Name or Name of Agent (if applicable) Mr/Mrs/Miss/Ms(Full Name):

Jo Young

Organisation Name (if submission is made on behalf of Organisation)

Te Arai South Partners, Te Arai South Holdings Limited, Te Arai North Limited, Tara Iti Holdings NZ

Address for service of Submitter

Boffa Miskell Limited, 82 Wyndham Street, Auckland 1010

Telephone:

021 971 975

Fax/Email:

jo.young@boffamiskell.co.nz

Contact Person: (Name and designation, if applicable)

## Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number PC 16

Plan Change/Variation Name

Improving consistency of provisions in Chapter H Zones and Chapter J Definitions of the Auckland Unitary Plan (Operative in part)

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

J1.1 Definitions

Or

Property Address

Or

Map

Or

Other (specify)

## Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended

Yes

No

The reasons for my views are:

Refer to Table 1 attached

(continue on a separate sheet if necessary)

I seek the following decision by Council:

- 27.1 | Accept the proposed plan change / variation
- Accept the proposed plan change / variation with amendments as outlined below
- Decline the proposed plan change / variation
- If the proposed plan change / variation is not declined, then amend it as outlined below.

Refer to Table 1 attached

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing



31 January 2019

Signature of Submitter  
(or person authorised to sign on behalf of submitter)

Date

**Notes to person making submission:**

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could  / could not  gain an advantage in trade competition through this submission.

**If you could gain an advantage in trade competition through this submission please complete the following:**

I am  / am not  directly affected by an effect of the subject matter of the submission that:

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

**SUBMISSION ON PROPOSED PLAN CHANGE 16 (IMPROVING CONSISTENCY OF PROVISIONS IN CHAPTER H ZONES, CHAPTER J DEFINITIONS) TO THE AUCKLAND UNITARY PLAN (OPERATIVE IN PART)**

**To:** Auckland Council  
Level 24  
135 Albert Street  
Auckland 1142

Attention: Planning Technician  
Email: [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

**Submitter:** Te Arai South Partners, Te Arai South Holdings Limited, Te Arai North Limited, Tara Iti Holdings NZ ("the submitter")  
PO Box 1164  
Queenstown

Attention: Berin Smith  
Phone: 021 686 736  
Email: [berin@darbypartners.co.nz](mailto:berin@darbypartners.co.nz)

**Address for Service:** Boffa Miskell Limited  
PO Box 91250  
Auckland 1142

Attention: Jo Young  
Phone: 021 971 975  
Email: [jo.young@boffamiskell.co.nz](mailto:jo.young@boffamiskell.co.nz)

The submitter makes submissions on Proposed Plan Change 16 ("PC16") to the Auckland Unitary Plan (Operative in Part) ("AUP").

The submitter confirms it could not gain an advantage in trade competition through this submission.

The submitter would like to be heard in support of its submission. If other submitters make a similar submission, the submitter will consider presenting a joint case with them at a hearing.



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**Jo Young**

For and behalf of the submitter

Dated this 31st day of January 2019.

## Submission

This submission relates to the AUP provision J1.1 Definitions. The specific provisions this submission relates to, the relief sought and the reasons are set out in the **Table 1** below.

**Table 1:**

Specific AUP provision	PC 16 Proposed Change	Support / Oppose / seek amendments	Amendments sought (in highlighted text)	Reasons
J1.1 Definitions  Workers' Accommodation	<p><b>Workers' accommodation</b></p> <p>A dwelling for people whose duties require them to live onsite, <del>and in the rural zones a dwelling for people who work on the site for the activities set out in Nesting Table J1.3.6.</del> <del>or in the surrounding rural area.</del></p> <p>Includes:</p> <ul style="list-style-type: none"> <li>• accommodation for rangers;</li> <li>• artists in residence;</li> <li>• farm managers and workers; and</li> <li>• staff.</li> </ul>	<p>Oppose and seek amendment</p> <p style="text-align: center;"><b>27.2</b></p>	<p><b>Workers' accommodation</b></p> <p>A dwelling for people whose duties require them to live onsite, <del>and in the rural zones a dwelling for people who work on the site for the activities set out in Nesting Table J1.3.6.</del> <del>or in association with existing or consented activities.</del> <del>or in the surrounding rural area.</del></p> <p>Includes:</p> <ul style="list-style-type: none"> <li>• accommodation for rangers;</li> <li>• artists in residence;</li> <li>• <u>accommodation for managers and workers on a site for organised sport and recreation;</u></li> <li>• farm managers and workers; and</li> <li>• staff.</li> </ul>	<p>There are other activities occurring on rural land besides rural activities. Workers in these activities face similar issues to traditional rural workers due to remoteness. That is, accommodation shortages in proximity to work and travel distances.</p> <p>Therefore, it is desirable that all activities on rural land are able to provide workers' accommodation.</p>

# SUBMISSION

TELEPHONE 0800 327 646 | WEBSITE [WWW.FEDFARM.ORG.NZ](http://WWW.FEDFARM.ORG.NZ)



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To: Auckland Council  
Unitary Plan  
Private Bag 92300  
Auckland 1142  
  
Attention: Planning Technician

Name of Submitter: Federated Farmers of New Zealand

This is a submission on a change proposed to the following plan:

Auckland Unitary Plan - Proposed Plan Change 16 (the **Proposal**)

I could not gain an advantage in trade competition through this submission.



**SUBMISSION TO AUCKLAND COUNCIL ON:  
PROPOSED PLAN CHANGE 16**

**1 INTRODUCTION**

- 1.1 Federated Farmers of New Zealand (“Federated Farmers”) thanks the Auckland Council for the opportunity to make submissions on Proposed Plan Change 16 (the **Proposal** or the **Proposed Plan Change**).
- 1.2 In regard to this submission, Federated Farmers has consulted with its members who have interests in Auckland and in particular the rural areas of Auckland.
- 1.3 Federated Farmers looks forward to further consultation with the Auckland Council about the Proposal, as well as continued participation in the overall development of Auckland.
- 1.4 Accordingly, Federated Farmers would appreciate the opportunity to discuss this submission in greater detail. Federated Farmers seeks the opportunity to participate when the relevant hearings are held.

**2. GENERAL COMMENTS**

- 2.1 Federated Farmers understands that the Proposed Plan Change is aimed at improving the consistency of provisions in the Auckland Unitary Plan (Operative in part) (the **Unitary Plan**). Generally, Federated Farmers supports the intent of what is proposed, but is concerned at the potential impact of some of the proposals.
- 2.2 Accordingly, Federated Farmers generally supports the Proposed Plan Change, but asks that the Council modify what is proposed, in accordance with the submissions in the Specific Submissions section below.

**3. SPECIFIC SUBMISSIONS**

Proposed Plan Change 16

3.1 “ Stacks of Materials”

**1. The specific provisions of the Proposal that my submission relates to are:**

Definition of “Building” - Table J1.4.1: Buildings – “Stacks or heaps of materials”.

**2. My submission is:**

Federated Farmers supports the proposed changes, but takes the opportunity to request that stored fodder be exempt from being a “type of structure”, and therefore falling within the definition of “building”.

It is understood that “stacks or heaps of materials” are included within the definition of “building”, as a control on materials that might be accumulated, particularly in urban areas, where those materials remain in place for extended periods.

However, the control is proving problematic in rural areas, where fodder, such as wrapped bales of hay or silage, are stored in the open. Such stacks can easily exceed the 2m height limit specified and, in zones or overlays where there are restrictions on the size of buildings which are allowed as a permitted activity, can lead to the requirement for a resource consent if the area covered by the stack exceeds those restrictions. Federated Farmers considers that this is an unnecessary and inappropriate restriction.

**3. I seek the following decision from the Auckland Council:**

28.1

Include, as an exemption in the exemptions at the conclusion of Table J1.4.1: Buildings:

- in rural zones, stacks of animal fodder

**4. CONCLUSION**

4.1 I wish to be heard in support of my submission.

4.2 If others make a similar submission, I will consider presenting a joint case with them at a hearing.

**5. ABOUT FEDERATED FARMERS**

5.1 Federated Farmers of New Zealand is a primary sector organisation that represents farming and other rural businesses. Federated Farmers has a long and proud history of representing the needs and interests of New Zealand farmers.

5.2 The Federation aims to add value to its members' farming business. Our key strategic outcomes include the need for New Zealand to provide an economic and social environment within which:

- Our members may operate their business in a fair and flexible commercial environment;
- Our members' families and their staff have access to services essential to the needs of the rural community; and
- Our members adopt responsible management and environmental practices.

.....  
Richard Gardner  
Senior Policy Advisor, Federated Farmers of New Zealand  
(person authorised to sign on behalf of submitter)

31 January 2019

.....  
Date

**Contact Details**

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Auckland 1142

Contact person: Richard Gardner, Senior Policy Advisor

31 January 2019

Attention: Planning Technician  
Plans and Places  
Auckland Council  
Private Bay 92300  
Auckland 1142  
unitaryplan@aucklandcouncil.govt.nz

**SUBMISSION ON THE PROPOSED PLAN CHANGE 16: IMPROVING CONSISTENCY OF PROVISIONS FOR ZONES IN THE AUCKLAND UNITARY PLAN  
(OPERATIVE IN PART)**

Housing New Zealand Corporation (“**Housing New Zealand**”) at the address for service set out below makes the following submission on Proposed Plan Change 16: Improving consistency of provisions for Zones (“**PC16**”) to the Auckland Unitary Plan Operative in Part (“**AUP**”).

In summary, Housing New Zealand’s submission to PC16 is to:

- **Generally support the intent of PC16** in that the amendments proposed in PC16 generally seek to remove ambiguity and confusion around the interpretation of certain provisions, improve vertical and horizontal alignment across the AUP where there are current gaps or a misalignment of provisions, and improve integration of different chapters within the AUP.
- Seek changes to proposed amendments in PC16 relating to **outlook space standards and matters of discretion in the residential zones** of the AUP.
- Seek changes to proposed amendments in PC16 relating to **definitions**. The amendments proposed to the definitions in PC16 do not resolve the issues at hand and create further ambiguity and confusion. Further changes are necessary to the definitions to remove such ambiguity and confusion.

The remainder of this submission provides specific comment on those matters of greatest interest to Housing New Zealand.

## Background

1. Housing New Zealand's role includes the efficient and effective management of state houses and the tenancies of those living in them. Housing New Zealand's tenants are people who face barriers (for a number of reasons) to housing in the wider rental and housing market.
2. It is essential that Housing New Zealand is able to meet its responsibility of providing efficient and effective state housing for the most vulnerable members of our society, so as to deliver to the social and economic wellbeing of these people and the wider community. This responsibility drives Housing New Zealand's strategic goals for the reconfiguration of its portfolio to meet regional demand, reduce deprivation levels in communities with a high state housing presence, and meet the Crown's financial performance requirements.
3. These goals require Housing New Zealand to have the ability to construct and develop quality housing, and maintain this housing in a manner that:
  - (a) Provides healthy, comfortable, and fit-for-purpose housing to people in need, for the duration of their need;
  - (b) Improves the diversity and effectiveness of state housing delivery in Auckland Region to meet the changing needs of our communities and aligns the state housing portfolio with demographic trends and demand;
  - (c) Enables vacant homes to become ready for tenants and specific tenants' needs as quickly as possible;
  - (d) Enables increased supply for the delivery of state housing and other affordable housing options; and
  - (e) Undertakes the above in a cost effective way.
4. In the Auckland context, the housing portfolio managed by Housing New Zealand comprises approximately 27,750 dwellings. The Auckland Region is identified as a key area for Housing New Zealand to reconfigure and grow its housing stock to provide efficient and effective state housing that is aligned with current and future residential demand in the area, and the country as a whole.

## Housing New Zealand and Local Government

5. Housing New Zealand has a shared interest in the community as a key stakeholder, alongside local authorities. Housing New Zealand's interest lies in the provision of state housing to persons who are unable to be sustainably housed in private sector accommodation. Housing New Zealand works with local authorities to ensure that appropriate services and infrastructure are delivered for its developments.
6. Apart from its role as a state housing provider, Housing New Zealand 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.
7. 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 provision and capacity as well as an improved urban environment.
8. Housing New Zealand is interested in all issues that may affect the supply and affordability of housing.

## Scope of Submission

9. The submission relates to PC16 as a whole, including, but not limited to the matters set out above and below, and in **Attachment 1** to this submission.

## The Submission is:

10. Housing New Zealand opposes PC16, for the reasons set out in this submission.
11. Provided that the relief sought below and attached is granted:
  - (a) PC16 will be in accordance with the purpose and principles of the Resource Management Act 1991 ("**the Act**") and will be appropriate in terms of section 32 of the Act; and
  - (b) The potential adverse effects that might arise from activities allowed by PC16 will have been addressed appropriately.
12. In the absence of the relief sought, PC16:

- (a) Is contrary to the sustainable management of natural and physical resources and is otherwise inconsistent with Part 2 of the Act; and
  - (b) Will in those circumstances impact significantly and adversely on the ability of people and communities to provide for their social, economic and cultural wellbeing.
13. In particular, but without limiting the generality of the above:
- (a) Housing New Zealand recognises that PC16 is one of a series of four plan changes to address technical issues across the AUP that have a slightly broader scope than Plan Change 4 – Corrections to technical errors and anomalies in the AUP (“**PC4**”) and which enable a number of technical issues that did not meet the criteria for inclusion within PC4 to be addressed.
  - (b) Housing New Zealand notes that PC16 proposes amendments to Chapter H Zones and to Chapter J Definitions of the AUP. Due to Housing New Zealand’s operational and development requirements, it’s interest is broad; relating to the AUP provisions proposed to be amended / introduced by PC16, including provisions relating to residential zones, business zones and definitions.
  - (c) Housing New Zealand generally supports the intent of PC16 in that the amendments proposed in PC16 seek to remove ambiguity and confusion around the interpretation of certain provisions, improve vertical and horizontal alignment across the AUP where there are current gaps or a misalignment of provisions, and improve integration of different chapters within the AUP.
  - (d) There has been a marked change in the type of state housing that is required nationwide by Housing New Zealand’s tenant base. As such, reconfiguring its housing stock is a priority for Housing New Zealand so as to better meet the needs of its tenants, as well as to align it with current and future demand, delivering a range of affordable housing options within the Auckland region, and the country as a whole. PC16 clarifies certain provisions to better facilitate these activities and enable Housing New Zealand to deliver affordable housing in an efficient and effective manner, so as to better contribute to the social and economic wellbeing of the community, including the health and safety of their tenants.

- (e) While the intent of PC16 is to address technical issues across the AUP, Housing New Zealand considers that there are a number of amendments proposed in PC16 that do not resolve the issues at hand and create further ambiguity and confusion. Housing New Zealand opposes amendments proposed to the:
  - (i) Fences within outlook space standards contained in the AUP residential zone provisions;
  - (ii) Matters of discretion relating to waste storage in H6 Residential - Terrace Housing and Apartment Buildings Zone of the AUP;
  - (iii) Matters of discretion relating to traffic effects in H6 Residential - Terrace Housing and Apartment Buildings Zone of the AUP;
  - (iv) The definition of “building”; and
  - (v) The definition of “landscaped area” in the AUP.
- (f) Housing New Zealand’s submission is that while PC16 contains a range of provisions to promote the sustainable management of natural and physical resources in the Auckland Region, there are a number of areas where Housing New Zealand considers that further amendments to PC16 are required.

**Relief Sought**

14. The Corporation seeks the following decision from Auckland Council on PC16:

29.1 | (a) That the proposed provisions of PC16 be confirmed, deleted or amended, to address the matters raised in this submission and as set out in **Attachment 1** so as to provide for the sustainable management of the Region’s natural and physical resources and thereby achieve the purpose of the Act.

29.2 | (b) Such further or other relief, or other consequential or other amendments, as are considered appropriate and necessary to address the concerns set out herein.

15. Housing New Zealand does not consider it can gain an advantage in trade competition through this submission.



- 16. Housing New Zealand wishes to be heard in support of this submission.
- 17. If others make a similar submission, Housing New Zealand would be willing to consider presenting a joint case with them at hearing.

**Dated** the 31<sup>st</sup> of January 2019.

**HOUSING NEW ZEALAND CORPORATION** by its solicitors and duly authorised agents Ellis Gould




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**C E Kirman / A Devine**

**ADDRESS FOR SERVICE:** The offices of Ellis Gould Lawyers, Level 17, Vero Centre, 48 Shortland Street, PO Box 1509, Auckland 1140, DX CP22003, Auckland, Telephone: (09) 307-2172, Facsimile: (09) 358-5215. Attention: Dr Claire Kirman / Alex Devine. ckirman@ellisgould.co.nz / adevine@ellisgould.co.nz.

<p>Copies to:      Beca Limited                     PO Box 6345                     Auckland                     Attention: Matt Lindenberg                     Email: matt.lindenberg@beca.com</p>	<p>Housing New Zealand Corporation PO Box 74598 Greenlane, Auckland Attention: Gurv Singh Email: gurv.singh@hnzc.co.nz</p>
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**Attachment 1 – Table 1: Identifies the specific provisions of the PC16 which Housing New Zealand either supports, seeks amendment to, or opposes.**

ID	Plan Provision / Reference	Support / Oppose	Reasons for Submission	Decision Request  (retain, amend or delete)	Relief / Amendments sought by decision requested (additions shown in <b>red underline</b> , deletions shown in <b>red strikethrough</b> ). Note (...) means there is more text present in the PC16 that is not included below as it may be too long.  (in all cases where amendments to the PC16 are proposed, Housing New Zealand would consider words or amendments to the effect of the amendments / relief sought to address the reasons for their submission). Housing New Zealand also seeks any consequential or further amendments to methods of the PC16 to better give effect to the decisions sought by Housing New Zealand.
29.3	1. Height in relation to boundary standards - H2.6.6 - H3.6.7 - H4.6.5 - H5.6.5 - H6.6.6	Support	Housing New Zealand supports the proposed amendments to the height in relation to boundary standards in the residential zones of the AUP.	Retain	<i>Retain provisions as proposed.</i>
29.4	2. Alternative height in relation to boundary standards - H4.6.6 - H5.6.6 - H6.6.7	Support	Housing New Zealand supports the proposed amendments to the alternative height in relation to boundary standards in the residential zones of the AUP.	Retain	<i>Retain provisions as proposed.</i>
29.5	3. Height in relation to boundary adjoining lower intensity zones standards - H5.6.7 - H6.6.8	Support	Housing New Zealand supports the proposed amendments to the height in relation to boundary adjoining lower intensity zone standards in the residential zones of the AUP.	Retain	<i>Retain provisions as proposed.</i>
29.6	4. Front, side and rear fences and walls standards - H3.6.12 - H4.6.14 - H5.6.15 - H6.6.16	Support	Housing New Zealand supports the proposed amendments to the front, side, and rear fences and walls standards in the residential zones of the AUP.	Retain	<i>Retain provisions as proposed.</i>
29.7	5. Outlook space standards - H4.6.11 - H5.6.12 - H6.6.13	Oppose	Housing New Zealand opposes the proposed addition of a threshold for fences located within a required outlook space. Housing New Zealand seeks the proposed addition is deleted. While fences less than 2.5 metres in height are not considered a building and can be located within an outlook space, the	Delete	Delete the proposed addition to H4.6.11(9), H5.6.12(9) and H6.6.13(9) in specifying a fence height for fences required within outlook spaces.

ID	Plan Provision / Reference	Support / Oppose	Reasons for Submission	Decision Request (retain, amend or delete)	Relief / Amendments sought by decision requested (additions shown in <b>red underline</b> , deletions shown in <b>red strikethrough</b> ). Note (...) means there is more text present in the PC16 that is not included below as it may be too long.  (in all cases where amendments to the PC16 are proposed, Housing New Zealand would consider words or amendments to the effect of the amendments / relief sought to address the reasons for their submission). Housing New Zealand also seeks any consequential or further amendments to methods of the PC16 to better give effect to the decisions sought by Housing New Zealand.
			<p>essence of the issue is with the daylight standard “to manage visual dominance effects within a site by ensuring that habitable rooms have an outlook and sense of space.”</p> <p>In certain circumstances, a fence higher than 1.2m located in an outdoor space from a habitable room is built to provide privacy and screening from adjacent dwellings. A blanket rule of fences within an outlook space should be deleted. This will not achieve the purpose of the outlook space standard, nor resolve the resource management issue at hand.</p> <p>Amendments should be made to the daylight standard to consider fences in relation to the maximum height of that part of a building ‘and/or fence’ within a site facing a principal living room or bedroom window within the same site.</p>		
29.8	6. Outdoor living space standards - H4.6.13 - H5.6.14 - H6.6.15	Support	Housing New Zealand supports the proposed amendments to the outdoor living space standards in the residential zones of the AUP.	Retain	<i>Retain provisions as proposed.</i>
29.9	7. H3.8.1 Matters of discretion	Support	Housing New Zealand supports the proposed amendment to H3.8.1(2)(d) with replacing the words ‘rural and coastal’ with ‘suburban built’.	Retain	<i>Retain provisions as proposed.</i>
29.10	8. H4.8.1 Matters of discretion	Support	Housing New Zealand supports the proposed amendment to H4.8.1(3)(d) with replacing the words ‘rural and coastal’ with ‘suburban built’.	Retain	<i>Retain provisions as proposed.</i>
29.11	9. H5.8.1 Matters of discretion	Support	Housing New Zealand supports the proposed amendment to H5.8.1(4)(d) with replacing the words ‘rural and coastal’ with ‘urban built’.	Retain	<i>Retain provisions as proposed.</i>

ID	Plan Provision / Reference	Support / Oppose	Reasons for Submission	Decision Request (retain, amend or delete)	Relief / Amendments sought by decision requested (additions shown in <b>red underline</b> , deletions shown in <b>red strikethrough</b> ). Note (...) means there is more text present in the PC16 that is not included below as it may be too long.  (in all cases where amendments to the PC16 are proposed, Housing New Zealand would consider words or amendments to the effect of the amendments / relief sought to address the reasons for their submission). Housing New Zealand also seeks any consequential or further amendments to methods of the PC16 to better give effect to the decisions sought by Housing New Zealand.
29.12	10. Matters of Discretion and Assessment Criteria for Parking and Access - H5.8.1 - H5.8.2 - H6.8.1 - H6.8.2	Support	Housing New Zealand supports the proposed inclusion of 'location' in the matters of discretion and assessment criteria for considering the design of parking and access in the Residential – Mixed Housing Urban Zone and the Residential – Terraced Housing and Apartment Buildings Zone.	Retain	<i>Retain provisions as proposed.</i>
29.13	11. H6.8.1 Matters of discretion	Support	Housing New Zealand supports the proposed amendment to H6.8.1(4)(d) to replace the words 'rural and coastal' with 'urban built'.	Retain	<i>Retain provisions as proposed.</i>
29.14	12. H6.8.2(2)(k) Assessment criteria	Oppose	Housing New Zealand generally supports the additional assessment criteria relating to solid waste management with the Residential – Terraced Housing and Apartment Buildings Zone, however, this should not be limited to streets and public open spaces.  Housing New Zealand agrees there needs to be a space on site to provide for waste bin storage and bins should not clutter or block traffic and pedestrians. However there is a health and safety concern with odour and proximity of bins to habitable rooms in residential dwellings and neighbouring properties.  Adequate screening and distance needs to be planned for any necessary storage and waste collection and recycling facilities from habitable rooms in residential dwellings within a site and from adjacent neighbouring residential sites.	Amend	<b>H6.8.2. Assessment criteria</b>  The Council will consider the relevant assessment criteria below for restricted discretionary activities: ...  (2) for dwellings: ... <b>(k) The extent to which the necessary storage and waste collection and recycling facilities is provided in locations conveniently accessible and screened from streets, <u>habitable rooms of residential dwellings</u>, and public open spaces.</b>
29.15	13. H6.8.2(2)(l) and H6.8.2.(3)(k) Assessment criteria	Oppose	Housing New Zealand opposes the additional assessment criteria relating to traffic effects for dwellings and integrated residential development and disagrees with the use of 'immediate transport	Amend	<b>H6.8.2. Assessment criteria</b>  The Council will consider the relevant assessment criteria below for restricted discretionary activities: ...

ID	Plan Provision / Reference	Support / Oppose	Reasons for Submission	Decision Request (retain, amend or delete)	Relief / Amendments sought by decision requested (additions shown in <b>red underline</b> , deletions shown in <b>red strikethrough</b> ). Note (...) means there is more text present in the PC16 that is not included below as it may be too long.  (in all cases where amendments to the PC16 are proposed, Housing New Zealand would consider words or amendments to the effect of the amendments / relief sought to address the reasons for their submission). Housing New Zealand also seeks any consequential or further amendments to methods of the PC16 to better give effect to the decisions sought by Housing New Zealand.
			<p>network' in assessing adverse traffic effects.</p> <p>The words 'immediate transport network' need to be quantified in relation to a subject site / activity. The flow on effects in terms of localised congestion and adverse transportation on a wider environment or community is considered too broad.</p> <p>Congestion and/or transport effects on transport infrastructure and transport network 1 to 2kms away from a subject site are not created by a sole activity / site. One activity / site cannot avoid or mitigate adverse effects on the safe and efficient operation of the immediate transport network. There are a number of other activities and sites along that transport corridor / network that would contribute to the congestion and transportation effects.</p> <p>Effects of residential development should focus on the transport network adjacent to and correspond with the subject site / activity, not the wider environment.</p>		<p>(2) for dwellings: .... <u>(l) traffic:</u>  <u>(i) the extent to which the activity avoids or mitigates adverse effects on the safe and efficient operation of the <del>immediate</del>-transport network <b>abutting or adjacent to the site.</b></u> <u>(ii) H6.8.2 (2)(l)(i) is not considered where the development is located adjacent to a Business – City Centre Zone, Business – Metropolitan Centre Zone or Business – Town Centre Zone.</u></p> <p>(3) for integrated residential development: ..... <u>(k) traffic:</u> <u>(i) the extent to which the activity avoids or mitigates adverse effects on the safe and efficient operation of the <del>immediate</del>-transport network <b>abutting or adjacent to the site.</b></u> <u>(ii) H6.8.2 (3)(k)(i) is not considered where the development is located adjacent to a Business – City Centre Zone, Business – Metropolitan Centre Zone or Business – Town Centre Zone.</u></p> <p>.....</p>
29.16	14. H8. Business – City Centre Zone	Support	Housing New Zealand generally supports the proposed amendments to H8. Business – City Centre Zone provisions in the AUP.	Retain	<i>Retain provisions as proposed.</i>
29.17	15. H9. Business – Metropolitan Centre Zone	Support	Housing New Zealand generally supports the proposed amendments to H9. Business – Metropolitan Centre Zone provisions in the AUP.	Retain	<i>Retain provisions as proposed.</i>
29.18	16. H10. Business – Town Centre Zone	Support	Housing New Zealand generally supports the proposed amendments to H10. Business – Town Centre Zone provisions in the AUP.	Retain	<i>Retain provisions as proposed.</i>

ID	Plan Provision / Reference	Support / Oppose	Reasons for Submission	Decision Request (retain, amend or delete)	Relief / Amendments sought by decision requested (additions shown in <b>red underline</b> , deletions shown in <b>red strikethrough</b> ). Note (...) means there is more text present in the PC16 that is not included below as it may be too long.  (in all cases where amendments to the PC16 are proposed, Housing New Zealand would consider words or amendments to the effect of the amendments / relief sought to address the reasons for their submission). Housing New Zealand also seeks any consequential or further amendments to methods of the PC16 to better give effect to the decisions sought by Housing New Zealand.								
29.19	17. H11. Business – Local Centre Zone	Support	Housing New Zealand generally supports the proposed amendments to H11. Business – Local Centre Zone provisions in the AUP.	Retain	<i>Retain provisions as proposed.</i>								
29.20	18. H12. Business – Neighbourhood Centre Zone	Support	Housing New Zealand generally supports the proposed amendments to H12. Business – Neighbourhood Centre Zone provisions in the AUP.	Retain	<i>Retain provisions as proposed.</i>								
29.21	19. H13. Business – Mixed Use Zone	Support	Housing New Zealand generally supports the proposed amendments to H13. Business – Mixed Use Zone provisions in the AUP.	Retain	<i>Retain provisions as proposed.</i>								
29.22	20. J1.1. Definitions – Average floor area	Support	Housing New Zealand supports the proposed amendments to the definition of 'average floor area'.	Retain	<i>Retain provisions as proposed.</i>								
29.23	21. J1.1 Definitions – Building	Oppose	<p>Housing New Zealand generally supports the proposed amendments to the definition of 'building' in PC16, however there is uncertainty as to how to determine / interpret "structures used as a dwelling, place of work or storage or that are in a reserve or camping ground".</p> <p>Housing New Zealand suggests an additional word of 'structures' is included in the definition of 'building' in determining structures used as a dwelling, place of work, place of assembly or storage, or that are in a reserve or camp ground. This provides clarity to determining structures in a reserve or camping ground and structures used as a dwelling, place of work, place of assembly or storage.</p>	Amend	<p><b>B</b> ... <b>Building</b></p> <p>Any permanent or temporary structure.</p> <p>On land for the purposes of district plan provisions, "building" includes the following types of structures listed in Table J1.4.1, only where they meet the qualifying dimensions or standards:</p> <p><b>Table J1.4.1: Buildings</b> ...</p> <table border="1"> <thead> <tr> <th>Type of structure</th> <th>Qualifying dimension or standard (for height the rolling height method is to be used)</th> </tr> </thead> <tbody> <tr> <td>...</td> <td></td> </tr> <tr> <th>Type of structure</th> <th>Qualifying dimension or standard (for height either the average ground level or rolling height method)</th> </tr> <tr> <td>Structures used as a dwelling, place of work, place of assembly or storage, or <b>structures</b> that are in a reserve or camping ground</td> <td>Over 1.5m in height and In use for more than 32 days in any calendar year</td> </tr> </tbody> </table>	Type of structure	Qualifying dimension or standard (for height the rolling height method is to be used)	...		Type of structure	Qualifying dimension or standard (for height either the average ground level or rolling height method)	Structures used as a dwelling, place of work, place of assembly or storage, or <b>structures</b> that are in a reserve or camping ground	Over 1.5m in height and In use for more than 32 days in any calendar year
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Structures used as a dwelling, place of work, place of assembly or storage, or <b>structures</b> that are in a reserve or camping ground	Over 1.5m in height and In use for more than 32 days in any calendar year												



ID	Plan Provision / Reference	Support / Oppose	Reasons for Submission	Decision Request (retain, amend or delete)	Relief / Amendments sought by decision requested (additions shown in <b>red underline</b> , deletions shown in <b>red strikethrough</b> ). Note (...) means there is more text present in the PC16 that is not included below as it may be too long.  (in all cases where amendments to the PC16 are proposed, Housing New Zealand would consider words or amendments to the effect of the amendments / relief sought to address the reasons for their submission). Housing New Zealand also seeks any consequential or further amendments to methods of the PC16 to better give effect to the decisions sought by Housing New Zealand.
29.24	22. J1.1 Definitions – Floor area ratio	Support	Housing New Zealand supports the proposed amendments to the definition of 'floor area ratio'.	Retain	<i>Retain provisions as proposed.</i>
29.25	23. J1.1 Definitions – Front boundary	Support	Housing New Zealand supports the inclusion of the definition.	Retain	<i>Retain provisions as proposed.</i>
29.26	24. J1.1 Definitions – Landscaped area	Oppose	Housing New Zealand opposes the amendments proposed to the definition of 'landscaped area'. The amendments provide some clarity however some uncertainty remains, creating further confusion as to what may be considered to be part of a 'landscaped area'. Housing New Zealand proposes amendments to the whole definition of 'landscaped area' and inserts a new separate definition for 'permeable artificial lawn' in Chapter J Definitions of the AUP. The definition of 'permeable artificial lawn' needs to sit outside the definition of 'landscaped area', not beneath it.	Amend	<p>Delete the entire definition of 'Landscaped area' as it stands and proposed in PC16 and introduce an amended definition for 'landscaped area' and a new definition for 'permeable artificial lawn' in Chapter J Definitions of the AUP as follows:</p> <p><b><u>Landscaped area</u></b></p> <p><u>In relation to any site, means any part of that site not less than 5m<sup>2</sup> in area which is grassed and planted in trees, shrubs, or ground cover plants and may include:</u></p> <p><u>(1) one or more of the features listed below and where the total land area occupied does not collectively cover more than 25 per cent of the landscaped area:</u></p> <ul style="list-style-type: none"> <li>a. <u>ornamental pools;</u></li> <li>b. <u>areas paved with open jointed slabs, bricks or gobi or similar blocks where the maximum dimension of any one paver does not exceed 650mm;</u></li> <li>c. <u>terraces or uncovered timber decks where no part of such terrace or deck exceeds more than 1m in height above the ground immediately below; or</u></li> <li>d. <u>non-permeable pathways not exceeding 1.5m in width;</u></li> </ul> <p><u>(2) permeable artificial lawn in the residential zones, except:</u></p> <ul style="list-style-type: none"> <li>a. <u>that permeable artificial lawn must not cover more than 50 percent of the landscaped area of the front yard;</u></li> </ul> <p><u>(3) any part of a landscaped area may be situated over an underground structure with adequate soil depth and drainage, except where any area:</u></p> <ul style="list-style-type: none"> <li>a. <u>falls within the definition of building coverage;</u></li> <li>b. <u>is part of a non-permeable pathway that is greater than 1.5m in width;</u></li> <li>c. <u>is used for the parking, manoeuvring or loading of motor vehicles.</u></li> </ul> <p><b><u>Permeable artificial lawn</u></b></p> <p><u>Permeable artificial lawn must:</u></p> <ul style="list-style-type: none"> <li>a. <u>be permeable;</u></li> <li>b. <u>resembles grass in colour including a mix of natural looking green tones;</u></li> <li>c. <u>have piles that are a minimum 30mm pile height, straight cut (not looped pile), and of a density and form that resembles grass;</u></li> <li>d. <u>is resistant to ultra violet degradation, weathering and ageing during its normal</u></li> </ul>



29.27

ID	Plan Provision / Reference	Support / Oppose	Reasons for Submission	Decision Request (retain, amend or delete)	Relief / Amendments sought by decision requested (additions shown in <b>red underline</b> , deletions shown in <b>red strikethrough</b> ). Note (...) means there is more text present in the PC16 that is not included below as it may be too long.  (in all cases where amendments to the PC16 are proposed, Housing New Zealand would consider words or amendments to the effect of the amendments / relief sought to address the reasons for their submission). Housing New Zealand also seeks any consequential or further amendments to methods of the PC16 to better give effect to the decisions sought by Housing New Zealand.
					<p>e. <u>service life: and</u> f. <u>is recyclable.</u></p>
25.	J1.1 Definitions – Pedestrian circulation space	Support	Housing New Zealand supports the inclusion of the definition.	Retain	<i>Retain provisions as proposed.</i>



## Contact details

Full name of submitter: Justin Donnelly

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Agent's full name:

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## Submission details

### This is a submission to:

Plan modification number: Plan change 16

Plan modification name: Improving consistency of provisions for Zones

### My submission relates to

Rule or rules:  
H4.6.11; H4.6.13; H5.6.13; H5.6.12; H5.6.14; H6.6.13; H6.6.15; H6.8.2; H9.6.10; H10.6.10; H11.6.8;  
H12.6.8; H13.6.9

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:  
As outlined in the supporting document

30.1 | I or we seek the following decision by council: Amend the plan modification if it is not declined

Details of amendments: As outlined in the supporting document

Submission date: 31 January 2019

Supporting documents  
Metlifecare\_ Submission on PC16.pdf

## **Attend a hearing**

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?  
Yes

## **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

RESOURCE MANAGEMENT ACT  
SUBMISSION ON NOTIFIED PLAN CHANGE 16 AUCKLAND UNITARY PLAN

TO: Auckland Council

NAME OF SUBMITTER: Metlifecare Limited

**Submission**

This is a submission on the Proposed Plan Change 16 to the Auckland Unitary Plan: Operative in Part 2016.

Metlifecare could not gain an advantage in trade competition through this submission.

Metlifecare is directly affected by an effect of Proposed Plan Change 16 that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

The specific provisions of the proposal that the submission relates to are:

- (a) Proposed changes to Rule H4.6.11 Outlook Space Requirements Mixed Housing Suburban zone, and in particular the proposal to apply the outlook space control to integrated residential development and supported residential care.
- (b) Rule H4.6.13 Outdoor Living Space Mixed Housing Suburban zone, and the proposal that access to outdoor living areas for supported residential care should be limited to the principal living room, dining room or kitchen.
- (c) Rule H5.6.12 Outlook Space Residential Mixed Housing Urban zone, and in particular the proposal to apply the outlook space control to integrated residential development and supported residential care.
- (d) Rule H5.6.14 Outdoor Living Space Mixed Housing Urban zone, and the proposal that access to outdoor living areas for supported residential care should be limited to the principal living room, dining room or kitchen.
- (e) Rule H6.6.13 Outlook Space Terrace House and Apartment Building zone, and in particular the proposal to apply the outlook space control to integrated residential development and supported residential care.
- (f) Rule H6.6.15 Outdoor Living Space Terrace House and Apartment Building zone, and the proposal that access to outdoor living areas for supported residential care should be limited to the principal living room, dining room or kitchen.

- (g) Rule H6.8.2 Assessment Criteria subsection (3)(k)(i) and the suggested new wording of the assessment criteria. Metlifecare supports the reference to the “immediate” transport network. Metlifecare seeks the clause refer to the mitigation and ‘management’ of effects; rather than avoidance and mitigation of effects.
- (h) Rule H9.6.10 Outlook Space Metropolitan Centre zone, and in particular the proposal to apply the outlook space control to integrated residential development.
- (i) Rule H10.6.10 Outlook Space Business-Town Centre zone, and in particular the proposal to apply the outlook space control to integrated residential development.
- (j) Rule H11.6.8 Outlook Space Business-Local Centre zone, and in particular the proposal to apply the outlook space control to integrated residential development.
- (k) Rule H12.6.8 Outlook Space Business-Neighbourhood Centre zone, and in particular the proposal to apply the outlook space control to integrated residential development.
- (l) Rule H13.6.9 Outlook Space Mixed Use zone, and in particular the proposal to apply the outlook space control to integrated residential development.

**Metlifecare submission and reasons for this submission are that:**

1. Metlifecare is a major provider of retirement villages throughout New Zealand with 17 villages (13 existing and 4 under design and/or construction) located within the Auckland region. These villages typically provide a comprehensive range of retirement living facilities including independent living, serviced apartments, dementia full care and care facilities with nursing staff medical support.
2. Retirement village design is a very complex and detailed process necessary to achieve a range of accommodation options. The detailed design of that accommodation needs to meet the health and safety needs of residents, and to provide an integrated community in which retirees and the elderly can enjoy a high quality of environment with a broad range of lifestyle and recreational pursuits available.
3. Retirement villages fall within the definition of ‘integrated residential development’ under the Auckland Unitary Plan. During the Auckland Unitary Plan hearing process the retirement industry brought forward a series of submissions which sought to have independent definition for retirement villages. Council decision was to embed retirement villages within the broader ‘integrated residential development’ activity. The Council’s proposal to change these provisions is a demonstration of the merits of the original proposal of splitting retirement villages from other forms of ‘integrated residential development’. Metlifecare does not seek to speak for all forms of integrated development, but it does know that the generic and simplistic approach to outlook spaces and outdoor living courts does not work for retirement villages, and does not lead to better planning and environmental outcomes, and in many cases will detract from that purpose.
4. Outlook from units within a retirement village will vary widely depending on the nature of the unit. Independent living units would in many cases meet the standard proposed by the Council.

However management of serviced apartments, dementia care and full care require a different form of specialist planning and design. A simplistic single development rule does not work.

5. Similarly for outdoor living space, these are extensively designed within villages. For independent living a range of recreational opportunities and outdoor living spaces is necessary and a key part of village design. Much of this space is communal space. This plan disincentivises communal space trying to put a disproportionate promotion of private spaces.
6. This issue is significantly compounded for dementia and full care patients. The medical and health needs of these residents require specialist building design where the outlook space and outdoor living rules of the Unitary Plan are not relevant. Dementia care patients need outdoor space but it must be fully contained communal space with support care and supervision.
7. For the vast majority of circumstances, the retirement village will have the full range of services including care facilities and dementia units within the one title. However, there could be circumstances where care and dementia technically end up on a separate site. They could then be classified as a “supported residential care”. These facilities are subject to the same detailed planning and design approach as the retirement village. It is equally inappropriate for the outlook court and outdoor living space controls to apply.
8. In the residential zones, integrated residential development is a restricted discretionary activity.
9. In all cases the development itself needs a restricted discretionary consent for design purposes. It is this consent process that enables the Council to work through the needs of the retirement village and the different activities within the village. By putting in place an outlook and outdoor living standard, it creates a default position against which buildings are assessed. This is contrary to sound planning practice where demonstrably the standards do not fit a reasonable number of circumstances. Development should simply be controlled through the current assessment process and criteria in the Unitary Plan.
10. New Zealand and Auckland are facing an increasingly aging population. The Council should be encouraging more sophisticated ways to promote a variety of housing for the elderly, and should be promoting variety and flexibility within the retirement industry.
11. Metlifecare accepts the restricted discretionary activity classification for new buildings and working through the detailed process in terms of a development contribution to the neighbourhood. The signals the Council sends through the introduction of this plan change runs contrary to that approach.
12. In the assessment criteria H6.8.2(3)(k), traffic assessment is introduced around avoiding or mitigating impact on the network.
13. The Council generally recognises that retirement villages have a much lower impact on the transport network than would say other residential activities. This is because retirement villages typically generate a much lower traffic generation and a number of residents will avoid travelling during peak hour if at all possible.

14. This clause (H6.8.2), if it is required, should refer to mitigating or managing effects. Given the strict definition of “avoid” following recent case law, it would be virtually impossible to avoid traffic effects on the network, but it would be possible to mitigate or manage those effects. While Metlifecare’s preference would be for this clause to refer to “mitigate or manage” effects, it would accept “avoid, mitigate or manage effects”. The critical thing is to add the term “manage”.
15. Metlife care supports the statement that the assessment of effects on the network is confined to the “immediate” network.

**Metlifecare seeks the Council make the following decision:**

- 30.2 | 1. Delete all reference to “units within an integrated residential development” and “supported residential care” from Rule H4.6.11, H5.6.12 and H6.6.13 (relating to outlook space), or in the alternate delete reference to “supported residential care” and amend the text so that ‘retirement villages’ are exempt from these rules.
- 30.3 | 2. Either delete reference to “supported residential care” in Rules H4.6.13, H5.6.14 and H6.6.15 (relating to outdoor living courts); or delete the reference to outdoor living space deemed to be accessible from the principal living room, dining room or kitchen from these proposed rule changes.
- 30.4 | 3. Amend H6.8.2 Assessment Criteria (3)(k)(i) being the traffic assessment for integrated residential development so it reads: *“The extent to which the activity mitigates, or manages adverse effects on the safe efficient operation of the immediate transport network.”* (words to be deleted struck out, new words underlined)
- 30.5 | 4. Delete all reference to “units within an integrated residential development” from Rule H9.6.10, H10.6.10, H11.6.8, H12.6.8 and H13.6.9 (relating to outlook space), or in the alternate amend the text to exempt retirement villages from these rules.

**Metlifecare wishes to be heard in support of this submission**

**Metlifecare wishes to present its own submission.** However, to assist in the management of the hearing, Metlifecare is happy to present concurrently with other like submitters and avoid duplication of material before the Commissioners.



Justin Donnelly  
Group Manager Development  
Metlifecare

30 January 2019

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Contact person: Justin Donnelly, Group Manager Development

## Submission on Proposed Plan Change 16 to the Auckland Unitary Plan (Operative in Part)

Clause 6 of Schedule 1, Resource Management Act 1991

To: Auckland Council

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### 1. SUBMITTER DETAILS

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**Name of Submitter:** Sentinel Planning Limited

This is a submission on Proposed Plan Change 16 (**PC16**) to the Auckland Unitary Plan – Operative in Part (**AUP-OP**).

Sentinel Planning Limited could not gain an advantage in trade competition through this submission.

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### 2. SCOPE OF SUBMISSION

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The specific provisions of PC14 that this submission relates to are:

- a) The proposed changes to the Outdoor living space standards in the Residential – Mixed Housing Suburban Zone, the Residential – Mixed Housing Urban Zone, and the Residential – Terrace Housing and Apartment Zone (H4.6.13, H5.6.14 and H6.6.15).
- b) The proposed change to the definition of Landscaped area in Chapter J Definitions.
- c) The proposed change to the definition of Building in Chapter J Definitions.

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### 3. SUBMISSION

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#### Outdoor living space standards

PC16 proposes to add the words *principal living room, dining room or kitchen* to the standards for outdoor living space.

The reason given is that (in summary) this better aligns with the stated purpose of the standard.

The general principal of the proposed change – being to ensure there is a good connection between the internal and external living areas of dwellings – is good but the proposed change is **OPPOSED**.

The council should consider the implications for medium density-style housing and avoid unintentionally precluding acceptable design solutions. One example is for a three-storey house on a flat site, where one design solution is to locate the main living space, kitchen and dining area at the middle level, which opens out onto a balcony/balconies, to take advantage of a better

outlook and/or daylight access, with bedrooms located at the upper level and car parking and secondary living spaces at the ground level.

The wording of the rule would preclude such developments because despite the primary living area having direct access to the outdoors via a balcony and the remaining outdoor living area would be accessed via a secondary living space (i.e. not the principal living room).

### **Landscaped area**

In relation to the definition of Landscaped area, PC16 proposes to (among other things) include non-permeable paths less than 1.5 m in width with the total 25% allowance for features that can be counted as Landscaped area.

This change is **OPPOSED**.

There is no identification, discussion or analysis of this change to the definition in the council's Section 32 Evaluation Report (the **Section 32 Report**).

The exclusion of these paths from the 25% allowance has existed since the Proposed Auckland Unitary Plan was first notified in September 2013.

Including these paths within the 25% allowance has a (presumably) unintended consequence of discouraging pathways in medium density residential developments due to competing demands for space a site. The provision of a pathway might not be necessary but improve overall amenity for residents. If provision of a pathway threatens the viability of a development then it is unlikely to be provided.

It was also identified at the hearings stage for the PAUP that such paths needed to be included due to operational requirements for retirement villages, which cannot rely on jointed slab paths due to accessibility and trip hazard issues. Similar issues could also be experienced by other developments that require similar standards for pathways such as residential care facilities, community facilities, healthcare facilities and care centres.

### **Height**

PC16 proposes to replace the use of the word 'high' in table J1.4.1: Buildings with 'in height' so that it refers to a defined term.

In general, the change is good but in relation to the table for low retaining walls and breastwork this change is **OPPOSED**.

The reason for this is:

The proposed change does not go far enough and does not remove inconsistency with the standards for fences and walls in front yards.

Retaining walls and breastwork are not defined terms in the AUP-OP. Presumably they mean any wall that supports (or retains) soil either as a cut or as fill. The proposed change will make it clear that retaining walls that support cuts (that is, retaining walls below ground level) are not buildings, and retaining walls up to 1.5 m above ground level are not buildings.

The change does not change the current situation whereby retaining walls within 1.5 m of a boundary of a road or public place are buildings, regardless of whether they are above or below ground level.

As a result, one property could have a retaining wall supporting fill up to 950 mm high and 1.6 m away from a front boundary and be a permitted activity but at an adjoining property have a 100 mm cut or fill at or close to the boundary and supported by a row of single string of blocks or a timber wall and require a resource consent for a building within the front yard.

The change also leads to a contradictory outcome when compared to the standards for front side and rear fences and walls throughout the residential zone chapters (such as H3.6.12, H4.6.14, H5.6.15 and H6.6.16). These standards suggest walls, or a combination of a wall and fence, within the front yard are acceptable up to 1.4 m in height.

Retaining walls above ground level and close to the boundary with a road or public space may well raise amenity/streetscape issues, but in light of the standard for fence/wall standards there needs to be greater consistency and certainty. It is suggested that 0.95 m in height is used. This ensures that retaining walls still step down as they approach the boundary with a road or public place, and avoid complications that can arise under the Building Act which requires barriers if the fall is more than 1 m.

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#### 4. DECISIONS SOUGHT

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Sentinel Planning Limited seeks the following decisions from Auckland Council:

- 31.1 | A: That standards H4.6.13, H5.6.14 and H6.6.15 are amended as per the **Attachment** to this submission.
- 31.2 | B: That the definition of Landscaped area is amended as per the **Attachment** to this submission.
- 31.3 | C: That Table J1.4.1 Buildings as it relates to “Retaining walls or breastwork” is amended as per the **Attachment** to this submission.
- 31.4 | D: Other relief or other consequential amendments as are considered appropriate or necessary to address the concerns set out in this submission.

Sentinel Planning Limited **wishes to be heard** in support of this submission.

#### **Signature of Submitter:**

Simon O’Connor, Sentinel Planning Limited

Date: 31 January 2019

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#### 5. ADDRESS FOR SERVICE

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Sentinel Planning Limited  
Attn: Simon O’Connor  
PO Box 33995, Takapuna 0740

Email: [simon@sentinelplanning.co.nz](mailto:simon@sentinelplanning.co.nz)

# Submission on Proposed Plan Change 16 to the Auckland Unitary Plan (Operative in Part)

Sentinel Planning Limited

## Attachment

~~Double strikethrough~~ and double underlined fonts denote submitter's proposed amendments to PC16.

### Proposed changes to standards H4.6.13, H5.6.14 and H6.6.15 Outdoor living space

...

- (1) A dwelling, supported residential care or boarding house at ground floor level, must have an outdoor living space that is at least 20m<sup>2</sup> that comprises ground floor and/or balcony/roof terrace space that:
  - (a) where located at ground level has no dimension less than 4m and has a gradient not exceeding 1 in 20; and/or
  - (b) where provided in the form of balcony, patio or roof terrace is at least 5m<sup>2</sup> and has a minimum dimension of 1.8m; and
  - (c) is accessible from at the principal living room, dining room or kitchen of the dwelling, supported residential care unit or boarding house; and
  - (d) is free of buildings, parking spaces, servicing and manoeuvring areas.
- (2) A dwelling, supported residential care or boarding house located above ground floor level must have an outdoor living space in the form of a balcony, patio or roof terrace that:
  - (a) is at least 5m<sup>2</sup> for studio and one-bedroom dwellings and has a minimum dimension of 1.8m; or
  - (b) is at least 8m<sup>2</sup> for two or more bedroom dwellings and has a minimum dimension of 1.8m; and
  - (c) is accessible from at the principal living room, dining room or kitchen of the dwelling, supported residential care unit or boarding house.

...

**Proposed changes to definition of Landscaped area in Chapter J Definitions**

...

**L**

**Landscaped area**

In relation to any site, means any part of that site being not less than 5m<sup>2</sup> in area which is grassed and planted in trees, or shrubs, or ground cover plants and may include:

...

and where the total land area occupied by one or more of the features in (1), (2), ~~(3)~~ and ~~(53)~~ above does not collectively cover more than 25 per cent of the landscaped area.

**Proposed changes to that Table J1.4.1 Buildings as it relates to “Retaining walls or breastwork”**

**Table J1.4.1 Buildings**

...

Retaining walls or breastwork	Over 1.5m high <u>in height</u> ; or <u>Over 0.95 m in height and</u> located within 1.5m of the boundary of a road or public place
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...

# Submission by Transpower New Zealand Ltd on Auckland Unitary Plan Proposed Changes 14, 15, 16 and 17

January 2019

*Keeping the energy flowing*



**FORM 5**  
**SUBMISSION BY TRANSPOWER NEW ZEALAND LIMITED**  
**ON AUCKLAND UNITARY PLAN PROPOSED PLAN CHANGES 14, 15, 16 AND 17**  
**UNDER CLAUSE 6 OF THE FIRST SCHEDULE TO**  
**THE RESOURCE MANAGEMENT ACT 1991**

**To: PLANNING TECHNICIAN**

Auckland Council

By email: [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

**Name of Submitter:**

Transpower New Zealand Ltd

**Address for Service and Correspondence**

Attn: Rebecca Eng

PO Box 17215

Greenlane, Auckland 1546

Email: [environment.policy@transpower.co.nz](mailto:environment.policy@transpower.co.nz)

Ph: 04 901 4290

**This is a submission to the Auckland Unitary Plan Proposed Changes 14, 15, 16 and 17**

**Transpower could not gain advantage in trade competition through this submission**

**The specific provisions of the proposed plan that the submission relates to are:**

Refer attached submission which outlines the specific provisions, reasons and decisions sought

**Transpower seeks the following decision from the local authority:**

32.1 | Approve Plan Changes 14, 15, 16 and 17 as detailed in the attached submission, including such further, alternative or consequential relief as may be necessary to fully give effect to this submission.

**Transpower NZ Ltd wishes to be heard in support of its submission.**



Signature of submitter  
[or person authorised to sign on behalf of the submitter.]

**Date: 31 January 2019**



## **SUBMISSION BY TRANSPOWER NEW ZEALAND LIMITED ON THE AUCKLAND UNITARY PLAN PROPOSED PLAN CHANGES 14, 15, 16 AND 17**

### **Overview**

The following provides specific submission points from Transpower New Zealand Limited (“**Transpower**”) on the Auckland Unitary Plan Proposed Plan Changes 14, 15, 16 and 17.

### **Introduction to Transpower**

Transpower is a State-Owned Enterprise that plans, builds, maintains and operates New Zealand’s National Grid, the high voltage transmission network for the country. The National Grid links generators directly to distribution companies and major industrial users, feeding electricity to the local networks that distribute electricity to homes and businesses. The National Grid comprises towers, poles, lines, cables, substations, a telecommunications network and other ancillary equipment stretching and connecting the length and breadth of the country from Kaikohe in the North Island down to Tiwai in the South Island, with two national control centres (in Hamilton and Wellington).

The National Grid includes approximately 12,000 km of transmission lines and substations, supported by a telecommunications network of some 300 telecommunication sites, which help link together the components that make up the National Grid.

Transpower’s role and function is determined by the State-Owned Enterprises Act 1986, the company’s Statement of Corporate Intent, and the regulatory framework within which it operates. Transpower does not generate electricity, nor does it have any retail functions.

Transpower’s Statement of Corporate Intent for July 2017 to July 2020, states that:

*Transpower is central to the New Zealand electricity industry, connecting New Zealanders to their power system through safe, smart solutions for today and tomorrow. Our principal commercial activities are:*

- *As grid owner, to reliably and efficiently transport electricity from generators to distributors and large users.*
- *As system operator, to operate a competitive electricity market and deliver a secure power system*

In line with these objectives, Transpower needs to efficiently maintain and develop the network to meet increasing demand, to connect new generation, and to seek security of supply, thereby contributing to New Zealand’s economic and social aspirations. It must be emphasised that the National Grid is an ever-developing system, responding to changing supply and demand patterns, growth, reliability and security needs. Transpower therefore has a significant interest in contributing to the process of developing an effective, workable and efficient Unitary Plan where it may affect the National Grid, including possible future changes.

### **Auckland Region Transmission Assets**

Transpower has a number of overhead and underground transmission line, substation and telecommunications assets within the Auckland Region, all of which are mapped in the operative Auckland Unitary Plan overlays and enclosed as **Attachment 2**.

### **Statutory Framework**

#### **National Policy Statement on Electricity Transmission**

The National Policy Statement on Electricity Transmission (NPSET) was gazetted on 13 March 2008. The NPSET confirms the national significance of the National Grid and establishes national policy direction to ensure decision-makers under the RMA duly recognise the benefits of transmission, manage the effects of the National Grid and appropriately manage the adverse effects of activities and development close to the Grid. The NPSET only applies to the National Grid – the assets used or operated by Transpower – and not to electricity generation or distribution networks.

The NPSET sets a clear directive to councils on how to provide for National Grid resources (including future activities) when drafting all their plans. Thus, district councils must work through how to make appropriate provision for nationally and regionally significant infrastructure in their district plans.

The one objective of the NPSET is as follows:

*To recognise the national significance of the electricity transmission network by facilitating the operation, maintenance and upgrade of the existing transmission network and the establishment of new transmission resources to meet the needs of present and future generations, while:*

- a. Managing the adverse environmental effects of the network; and*
- b. Managing the adverse effects of other activities on the network.*

It is therefore a requirement that local policy reflects national direction and that the local policy is effective in helping support the integrated management of natural and physical resources within the district, as well as across the region as a whole. Transpower was a submitter on the Proposed Auckland Unitary Plan and participated in the Independent Hearings Panel process. The now Operative Auckland Unitary Plan gives effect to the NPSET. Transpower’s interest in Plan Changes 14-17 was (among other considerations) to ensure this remains the case.

#### **Resource Management (National Environmental Standard for Electricity Transmission Activities) Regulations 2009**

The Resource Management (National Environmental Standard for Electricity Transmission Activities) Regulations 2009 (“**NESETA**”) came into effect on 14 January 2010, providing a national framework of permissions and consent requirements for the operation, maintenance and upgrading of National Grid lines existing at 14 January 2010: it does not apply to substations or electricity distribution lines, and nor does it apply to the construction of new transmission lines (which are typically designated).

Activities covered by the NESETA are activities relating to the operation, maintenance, upgrading, relocation or removal of an existing transmission line, including:

- a construction activity
- use of land or occupation of the coastal marine area
- activities relating to an access track to an existing transmission line
- undergrounding an existing transmission line.

Under Section 44A of the RMA, local authorities are required to ensure there are no duplications or conflicts between the provisions of the NESETA and a proposed plan. The NESETA regulates how Transpower’s existing lines in the District are developed and maintained, rather than the District Plan Rules. Among other matters as referenced above, Transpower’s interest in Plan Changes 14, 15, 16 and 17 was to ensure that no new duplications or conflicts between the Unitary Plan and the NESETA were introduced.

***Specific Submission Points***

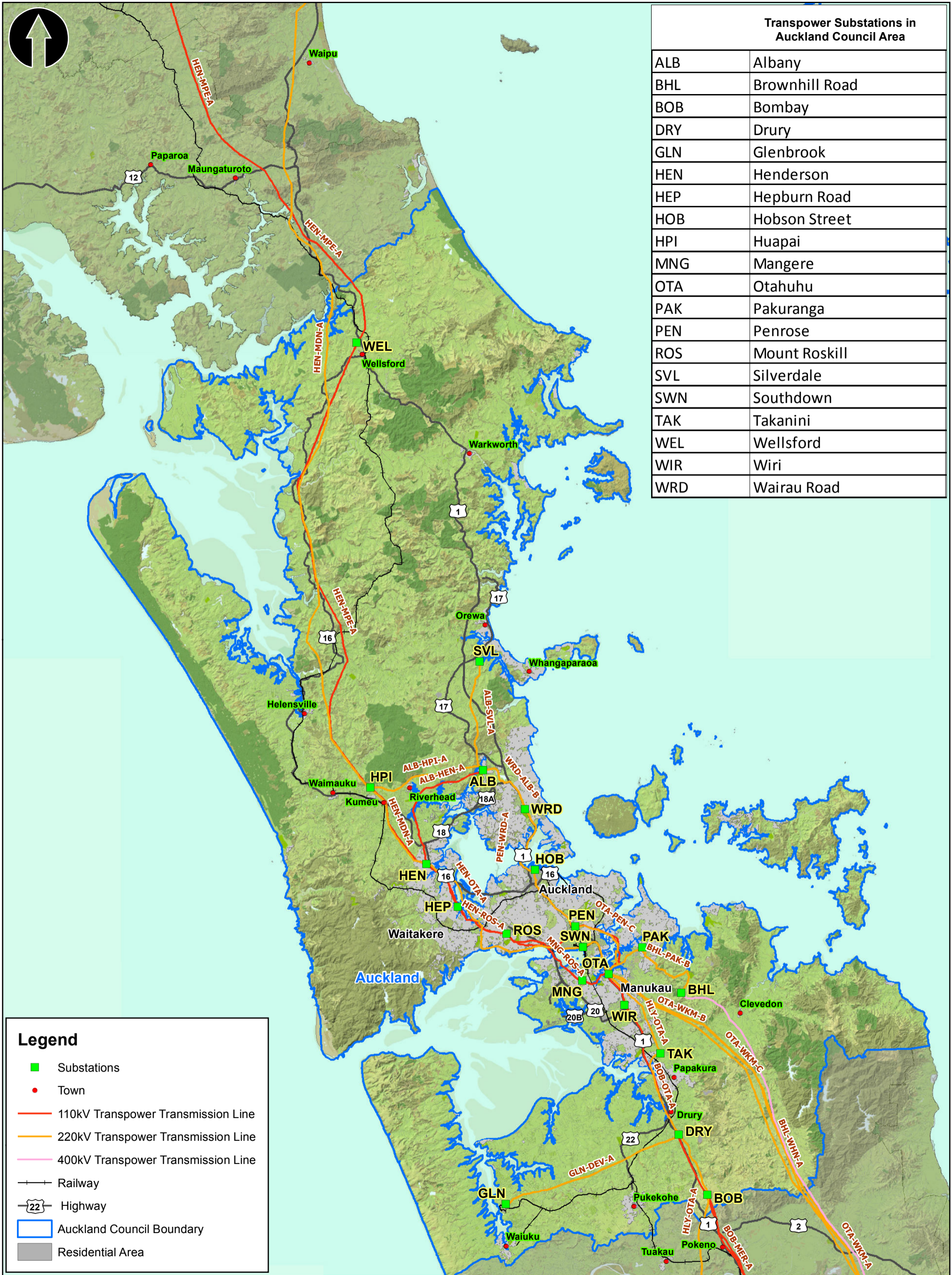
Transpower supports specific aspects of the Proposed Plan Changes for the reasons detailed in **Attachment 1**.

## Attachment 1 : Relief Sought

Specific Plan Provision	Support/ Oppose/ Amendment	Reasons for Submission	Relief Sought
<b>Proposed Plan Change 14</b>			
D26 National Grid Corridor Overlay D26.1 Overlay description D26.4. Activity table	Support	The revisions enable a more efficient and effective process to amend the AUP maps when a National Grid transmission line is moved or altered, while still giving effect to the National Policy Statement on Electricity Transmission 2008 and the relevant objectives and policies of the AUP.	That Chapter D26 be amended as notified
E26.2.2 Policies (7)	Support	The revised wording provides a clearer link to the corresponding RPS objective and policy.	That the policy be amended as notified
E26.3.3 Activity table Preamble text regarding meaning of “coastal areas” and “riparian areas”	Support	The amendment improves interpretation of the rule for plan users.	That the text be amended as notified
E26.3.5.2 Vegetation alteration or removal (7)	Support	The revisions improve interpretation for plan users while continuing to enable the vegetation alteration or removal activities required for the safe operation and maintenance of the National Grid.	That the rule be amended as notified
<b>Proposed Plan Change 15</b>			
Policy F2.10.3(3)(a)	Support	Removal of the word “significant” from the policy improves clarity for plan users.	That the policy be amended as notified
Policy F2.14.3(3)	Support	The amendments improve interpretation of the policy for plan users and clarify its scope.	That the policy be amended as notified
Rule F2.19.8 Use and Activities (A85)	Support	The amendments improve clarity for plan users.	That the rule be amended as notified
<b>Proposed Plan Change 16</b>			

Specific Plan Provision	Support/ Oppose/ Amendment	Reasons for Submission	Relief Sought
Definition of "building", specifically "In an Open Space zone"	Support in part	Transpower supports the addition of a height limit for buildings in open space zones that is a more realistic threshold than the operative plan.	That the policy be amended as notified
<b>Proposed Plan Change 17</b>			
Map 22 "remove the National Grid Substation Corridor Overlay from areas shown in purple in the map below Apply the National Grid Substation Corridor Overlay to the area marked in red in the map below, joining remaining corridor strips to close the loop."	Support	The amendment to the National Grid substation corridor reflects substation boundary change and gives effect to the National Policy Statement on Electricity Transmission 2008.	That the map be amended as notified





Transpower Substations in Auckland Council Area	
ALB	Albany
BHL	Brownhill Road
BOB	Bombay
DRY	Drury
GLN	Glenbrook
HEN	Henderson
HEP	Hepburn Road
HOB	Hobson Street
HPI	Huapai
MNG	Mangere
OTA	Otahuhu
PAK	Pakuranga
PEN	Penrose
ROS	Mount Roskill
SVL	Silverdale
SWN	Southdown
TAK	Takanini
WEL	Wellsford
WIR	Wiri
WRD	Wairau Road

**Legend**

- Substations
- Town
- 110kV Transpower Transmission Line
- 220kV Transpower Transmission Line
- 400kV Transpower Transmission Line
- +— Railway
- 22 Highway
- Auckland Council Boundary
- Residential Area



Full name of submitter: Four VH Limited

Organisation name:

Agent's full name: John Lovett

Email address: LovettPlanning@Gmail.com

Contact phone number: 021 344 376

Postal address:

## Submission details

### This is a submission to:

Plan modification number: Plan change 16

Plan modification name: Improving consistency of provisions for Zones

### My submission relates to

Rule or rules:

The proposed change whereby specialist wind input is proposed to be required in respect of additions to buildings where the additions will cause the building to be over 25m in height. The proposed Change is particularly to Rule H8.6.28 – being the Wind Standard in the Business City Centre Zone, but also is proposed to apply to additions taking the height of a building beyond 25m in height in other zones.

Property address: In particular 4 Viaduct Harbour Avenue, but to the Business zones of Auckland City generally where the Wind Standards are proposed to be similarly changed in relation to additions.

Map or maps: The Planning Maps

Other provisions:

The associated provisions including objectives and policies and assessment criteria applying if the proposed change to the wind standard or a modification of it is adopted.

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified.

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

The extent of additions needs to be significant for the expense and delay involved in obtaining specialist wind input regarding additions to be justified. This is especially so in a Business-City centre zone context, where other existing tall buildings and a heavily modified wind environment is present.

33.1 | I or we seek the following decision by council: Accept the plan modification with amendments

33.2 | Details of amendments: Delete the proposed requirement for specialist wind input relating to additions taking the height of a building to over 25m; or, alternatively set a threshold of significance for the size of an addition such as perhaps making the specialist wind input requirement only in respect of an addition of 30% or more in coverage or volume to the existing floorplate immediately below the proposed addition, or similar such relief.

Submission date: 29 January 2019

### **Attend a hearing**

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?

Yes

### **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

Full name of submitter: Whitney Ventures Limited

Organisation name:

Agent's full name: John Lovett

Email address: LovettPlanning@Gmail.com

Contact phone number: 021 344 376

Postal address:

## Submission details

### This is a submission to:

Plan modification number: Plan change 16

Plan modification name: Improving consistency of provisions for Zones

### My submission relates to

Rule or rules:

The proposed change whereby specialist wind input is proposed to be required in respect of additions to buildings where the additions will cause the building to be over 25m in height. The proposed Change is particularly to Rule H8.6.28 – being the Wind Standard in the Business City Centre Zone, but also is proposed to apply to additions taking the height of a building beyond 25m in height in other zones.

Property address: In particular 4 Viaduct Harbour Avenue, 396 Queen Street and 10 Tapora Street in Business City Centre zone, but to the Business zones of Auckland City generally where the Wind Standards are proposed to be similarly changed in relation to additions.

Map or maps: The Planning Maps

Other provisions:

The associated provisions including objectives and policies and assessment criteria applying if the proposed change to the wind standard or a modification of it is adopted.

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified.

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

The extent of additions needs to be significant for the expense and delay involved in obtaining specialist wind input regarding additions to be justified. This is especially so in a Business-City centre zone context, where other existing tall buildings and a heavily modified wind environment is present.

34.1 | I or we seek the following decision by council: Accept the plan modification with amendments

34.2 | Details of amendments: Delete the proposed requirement for specialist wind input relating to additions taking the height of a building to over 25m; or, alternatively set a threshold of significance for the size of an addition such as perhaps making the specialist wind input requirement only in respect of an addition of 30% or more in coverage or volume to the existing floorplate immediately below the proposed addition, or similar such relief.



Submission date: 29 January 2019

### **Attend a hearing**

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?

Yes

### **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

Full name of submitter: Dominion Constructors Limited

Organisation name:

Agent's full name: John Lovett

Email address: LovettPlanning@Gmail.com

Contact phone number: 021 344 376

Postal address:

## **Submission details**

### **This is a submission to:**

Plan modification number: Plan change 16

Plan modification name: Improving consistency of provisions for Zones

### **My submission relates to**

Rule or rules:

1. The proposed change whereby specialist wind input is proposed to be required in respect of additions to buildings where the additions will cause the building to be over 25m in height. The proposed Change is particularly to Rule H8.6.28 – being the Wind Standard in the Business City Centre Zone, but also is proposed to apply to additions taking the height of a building beyond 25m in height in other zones; and,

2. The proposed change whereby qualifying for the Light and Outlook bonus in the Business-City Centre is no proposed to hinge on meeting standards.

Property address: In particular 4 Viaduct Harbour Avenue, 396 Queen Street and 10 Tapora Street in Business City Centre zone, but to the Business – City Centre zone of Auckland City generally, where the Wind Standards and the Light and Outlook provision are proposed to be similarly changed.

Map or maps: The Planning Maps

Other provisions:

The associated provisions including objectives and policies and assessment criteria applying if the proposed changes are adopted.

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified.

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

1. The extent of additions needs to be significant for the expense and delay involved in obtaining specialist wind input regarding additions to be justified. This is especially so in a Business-City centre zone context, where other existing tall buildings and a heavily modified wind environment is present.

2. The Light and Outlook bonus should not be limited in its application to where standards have been met. On many sites and for some proposals standards may not be able to be met due to the particular circumstances of the site or proposal. This situation should not hinder the achievement of a height and outlook bonus.

35.1 | I or we seek the following decision by council: Accept the plan modification with amendments

Details of amendments:

- 35.2 | 1. Delete the proposed requirement for specialist wind input relating to additions taking the height of a building to over 25m; or, alternatively set a threshold of significance for the size of an addition such as perhaps making the specialist wind input requirement only in respect of an addition of 30% or more in coverage or volume to the existing floorplate immediately below the proposed addition, or similar such relief.
- 35.3 | 2. Delete the proposed requirement to comply with Standards in order to qualify for the Light and Outlook bonus; or alternatively allow for a justified infringement of standards to be factored in to a decision whether the Light and Outlook bonus can still be awarded.

Submission date: 29 January 2019

### **Attend a hearing**

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?  
Yes

### **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

# Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991  
FORM 5



Send your submission to [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to:

Attn: Planning Technician  
Auckland Council  
Level 24, 135 Albert Street  
Private Bag 92300  
Auckland 1142

For office use only
Submission No:
Receipt Date:

## Submitter details

### Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms (Full Name) Duncan Ross

### Organisation Name (if submission is made on behalf of Organisation)

Civix Limited

### Address for service of Submitter

PO Box 5204 Wellesley Street, AUCKLAND 1141

Telephone:

027 405 9765

Fax/Email:

[duncan@civix.co.nz](mailto:duncan@civix.co.nz)

Contact Person: (Name and designation, if applicable) Duncan Ross

## Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PC 14

Plan Change/Variation Name

PC 16

### The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

Refer to attached submission.

Or

Property Address

Or

Map

Or

**Other** (specify)

## Submission

**My submission is:** (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I ~~support~~ the specific provisions identified above

I **oppose** the specific provisions identified above

I wish to have the provisions identified above amended

Yes

No

The reasons for my views are:

*Refer to submission attached.*

(continue on a separate sheet if necessary)

~~I seek the following decision by Council:~~

Accept the proposed plan change / variation

36.1 | Accept the proposed plan change / variation with amendments as outlined below X

~~Decline the proposed plan change / variation~~

~~If the proposed plan change / variation is not declined, then amend it as outlined below.~~

*Refer to submission.*

I wish to be heard in support of my submission X

~~I do not wish to be heard in support of my submission~~

If others make a similar submission, I will consider presenting a joint case with them at a hearing X



Signature of Submitter  
(or person authorised to sign on behalf of submitter)

14.02.19  
Date

**Notes to person making submission:**

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I ~~could~~  / I ~~could not~~  gain an advantage in trade competition through this submission.

**If you could gain an advantage in trade competition through this submission please complete the following:**

I am  / I am not  directly affected by an effect of the subject matter of the submission that:

(a) ~~adversely affects the environment; and~~

(b) ~~does not relate to trade competition or the effects of trade competition.~~

31<sup>st</sup> January 2019

Planning Technician  
Auckland Council  
Level 24, 135 Albert Street  
Private Bag 92300  
Auckland 1142

Dear Sir / Madam,

**RE: Plan Changes 14 and 16: Submission by Civix Limited**

*Submitter Details*

**Name of Submitter:** Civix Limited

This is a submission on Proposed Plan Change 14 (PC14) and Proposed Plan Change 16 (PPC16) to the *Auckland Unitary Plan – Operative in Part (AUP-OP)*.

Civix Limited could not gain an advantage in trade competition through this submission.

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*PROPOSED PLAN CHANGE 14 – Improving consistency of provisions in Chapter D Overlays, Chapter E Auckland-wide, Chapter J Definitions, Appendix 2 and Appendix 17 of the Auckland Unitary Plan (Operative in part)*

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D14. Volcanic Viewshafts and Height Sensitive Areas Overlay		
AUP Section	Comment	Relief Sought
<u>D14.5.</u> <u>Notification</u> (not included in PC-14)	<p>We note changes to <i>Table D14.4.1 Activity table</i>, however the fundamental issue with these standards is with <i>D14.5. Notification</i> which is not listed as being part of PC-14. The following provisions require review:</p> <p><i>(1) Any application for resource consent for any of the following non-complying activities must be publicly notified:</i></p> <p style="padding-left: 40px;">a) <i>D14.4.1(A6) Buildings not otherwise provided for or that do not comply with the standards (non-complying only); and</i></p> <p style="padding-left: 40px;">b) <i>D14.4.1(A11) Buildings not otherwise provided for or that do not comply with the standards.</i></p> <p>The fundamental issue is with (A6), as “non-complying buildings” (which we have been advised includes lift overruns, mechanical plant, safety rails, and other critical development requirements) trigger public notification.</p> <p>We have been involved in an apartment development recently where lift overruns were proposed to exceed the volcanic</p>	<p>Relax requirement for public notification, so that some small-scale plant / buildings / structures can exceed VVS without triggering notification.</p>

	<p>viewshaft by a negligible amount, and this resulted in either (a) the loss of an entire development level, or (b) public notification – neither of which were viable options.</p> <p>The above is also relevant to proposed changes within <i>Table E26.11.3.1 Activity table – Network utilities and electricity generation – Volcanic Viewshafts and Height Sensitive Areas Overlay</i> of PC-14.</p>	
<b>E27 Transport</b>		
<u><i>E27.6.3 Design of parking and loading spaces</i></u>	Where a site provides a compliant number of car parks that meet minimum dimension requirements (i.e. a single house in the Mixed Housing Suburban requires one car park for example), if a second “car park” is shown, this should not have to comply with the minimum dimension requirements of E27.6.3, as in several projects we have been involved with the second car park is intended to be utilized for motorcycles, jet-skis, small boats or similar. The assessment of excess car-parks should be clarified and exempt from standards relating to car parking where compliant car parking is provided associated with the principal activity on site.	Confirm requirements for surplus car-parks on site, especially where these do not meet minimum dimension / design requirements.
<u><i>Table E27.6.4.3.2 Vehicle crossing and vehicle access widths</i></u>	Requiring a 6.5m clearance corridor for accesses serving 10 or more parking spaces and introducing a 1m pedestrian access is excessive, and previous consent examples have shown that a shared space can work perfectly fine.	Retain original 5.50m corridor, noting 6.50m is excessive.
<b>E25. Noise and vibration</b>		
<u><i>E25.6.29. Construction noise and vibration levels for work within the road</i></u>	<i>E25.6.29. Construction noise and vibration levels for work within the road (4A)</i> – provides for exclusion of noise and vibration standards where a construction noise and vibration management plan (CNVMP) are provided.	A similar exclusion should apply to private land, noting a significant number of sites within Auckland Isthmus sit onto of basalt or other rock. CNVMP should be provided at resource consent stage to avoid delays associated with RC processing.

*Other Matters to be considered under PC 14:*

<b>LAYERS TO BE ADDED</b>	<b>COMMENT</b>
<u><i>Land subject to instability (layer to be added to GIS Mapping)</i></u>	We understand this is currently an internal Council GIS layer and not available to the general public and is used by Council officers to reject resource consent applications under s88.
<u><i>Land subject to contamination (Layer to be added to GIS Mapping)</i></u>	We understand this is currently an internal Council GIS layer and not available to the general public and is used by Council officers to reject resource consent applications under s88.
<u><i>Significant Ecological Area Overlay</i></u>	<p>Ensure any SEA vegetation on surrounding sites is not required to be assessed by an applicant on an adjacent site proposed for development. Vegetation extending across boundaries is typically a civil matter and not one which should result in additional developer costs to rectify.</p> <p>Also – where ecological benefits are proven (by way of expert report), Council should be facilitating redevelopment of poor-quality SEA’s (we</p>

	understand a number of these were identified based on aerial photography, rather than any actual ground proofing at the time), where comprehensive replanting, pest management and restoration is proposed, as opposed to current view whereby SEA is sacrosanct and cannot be modified beyond permitted requirements. This is a major obstacle to redevelopment of some sites and to date our experience with Councils ecologists is obstructive at best, despite clear long-term ecological benefits post-redevelopment.
<u>Public Open Space Reserves / Roads</u>	Clarify whether zoning or reserve vesting purpose takes precedence. Councils Parks Department have previously cited reserve as being vested as "road", despite being zoned Open Space, and thus insist on a front yard setback.
<u>Practice and Training Notes</u>	<p>A shared frustration among several planning consultants who do not process consents on behalf of Council, is the fact they are not privy to the latest Council interpretations, and / or the Practice and Training Teams advice.</p> <p>Some consultants are therefore disadvantaged, as one day a consent is interpreted one way, and the next day assessed differently.</p> <p>Council should be releasing a public set of notes relating to interpretations, where they change within Council.</p>
<u>Appeal hearing / resolution dates</u>	It would also be useful to have a list of likely appeal hearing / resolution dates more frequently updated / easily available on the Council's website, particularly relating to various outstanding appeals of the AUP.

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*PROPOSED PLAN CHANGE 16 (PC 16) Improving consistency of provisions in Chapter H Zones, Chapter J Definitions of the Auckland Unitary Plan (Operative in part)*

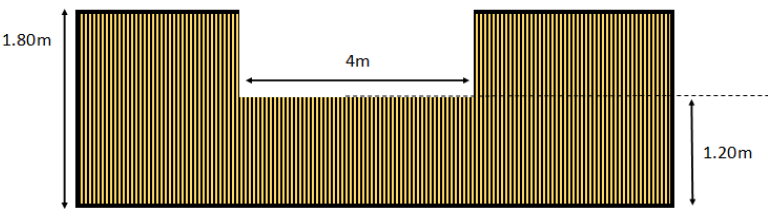
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36.2

H2. Residential – Rural and Coastal Settlement Zone		
<u>H2.6.6. Height in relation to boundary</u>	<p>In relation to (2) (b) (i), amend text to include:</p> <p style="text-align: center;"><i><u>"(i) that are greater than 2,000m<sup>2</sup>, or form part of several adjacent reserve parcels that are collectively greater than 2,000m<sup>2</sup> (or similar).</u></i></p> <p>We have been involved in several consents where by the reserve is significantly larger than 2,000m<sup>2</sup>, however, as it is made up of several small individual titles (which form the entire reserve), the exclusion is not applicable. This then becomes a technical reason for consent, which adds unnecessary cost and complication to the consenting process, when the intent of the rule is clear.</p> <p><u>Example of small reserve parcel forming part of wider overall reserve network where HIRB would now apply</u></p>	<p>Amend text to include adjacent reserves held on separate titles as being able to be considered as a single reserve entity. This will also allow 20m width to be applied to adjoining reserves, not individual reserve parcels.</p>

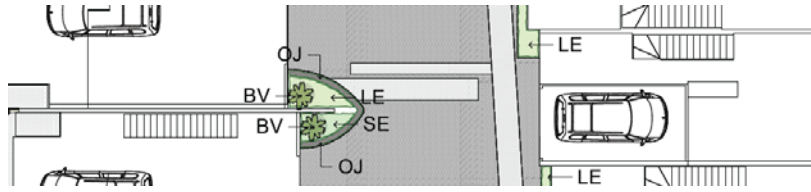


36.3	<u>H2.6.10 Front, Side and rear fences and walls</u>	Provide clarification over whether a “safety rail / barrier” on the top of a fence to meet building code compliance (where retaining walls exceed 1.0m in height) is to be included or excluded from the combined “Fences or walls or a combination of these structures”. Is a safety rail / barrier a “fence”? We have had several inconsistent interpretations from Council officers.	Confirm ability to install a safety rail (or alternatives to fences” atop retaining walls that would result in combined heights exceeding the permissible fence / wall height requirements.
36.4		Points (1) (b) and (c) to be amended to avoid typo.  Many riparian yards are based on streams located on adjoining sites, it is impractical to therefore require an individual property owner to construct a 1.40m high fence (for example) within the riparian yard, especially if this is located to the rear of the site.	In relation to (1)(b) and the purpose, amend text to remove “riparian”.
<b>H3 Single House Zone</b>			
36.5	<u>H3.6.7 Height in Relation to Boundary</u>	As per H2.6.6. Height in relation to boundary above.	As above.
36.6	<u>H3.6.12 Front, side and rear fences and walls</u>	As per H2.6.10 Front, Side and rear fences and walls above.	As above.
<b>H4 Mixed Housing Suburban Zone</b>			
36.7	<u>H4.6.5 Height in Relation to</u>	As per H2.6.6. Height in relation to boundary above.	As above.

	<u>Boundary</u>		
36.8	<u>H4.6.6. Alternative height in relation to boundary</u>	Same comments apply as per those relating to H2.6.6. <i>Height in relation to boundary</i> above.	As above.
36.9	<u>H4.6.11 Outlook space</u>	<p>In relation to (10)(i) amend text as follows:</p> <ul style="list-style-type: none"> <li>i. <i>not exceed 1.4m in height, or</i></li> <li>ii. <i>be at least 50 per cent visually open as viewed perpendicular form the glazing of the habitable room if fencing exceeds 1.4m in height.</i></li> </ul> <p>Placing a limit of 1.2m on fences and imposing visual permeability requirements for fencing of any height is neither practical or fair for both outlook spaces extending over road or over an Open Space zone. It is likely that fences will be constructed to a maximum permissible height, save for a 4m wide section to achieve compliance. This will lead to unanticipated outcomes.</p> <p><u>Possible resultant fence profile to achieve compliance with rule as currently written.</u></p>  <p>The diagram illustrates a fence profile with three distinct sections. The leftmost section is a solid fence with a height of 1.80m. This is followed by a section that is 4m wide and has a height of 1.20m. The rightmost section is another solid fence with a height of 1.80m. A horizontal dashed line indicates the 1.20m height level across the entire width of the fence profile.</p>	
36.10	<u>H4.6.14. Front, side and rear fences and walls</u>	As per H2.6.10 <i>Front, Side and rear fences and walls</i> above.	As above.
<b>H5 Residential Mixed Housing Urban Zone</b>			
36.11	<u>H5.6.5 Height in relation to boundary</u>	As per H2.6.6. <i>Height in relation to boundary</i> above.	As above.
36.12	<u>H5.6.6. Alternative height in relation to boundary</u>	As per H4.6.6. <i>Alternative height in relation to boundary</i> above.	As above.
36.13	<u>H5.6.12. Outlook space</u>	As per H4.6.11 <i>Outlook Space</i> above.	As above.
36.14	<u>H5.6.15 Front, side and rear fences and walls</u>	As per H2.6.10 <i>Front, Side and rear fences and walls</i> above.	As above.
<b>H6 Residential – Terraced Housing and Apartment Buildings Zone</b>			
36.15	<u>H6.6.6 Height in</u>	As per H2.6.6. <i>Height in relation to boundary</i> above.	As above.

	<u>relation to boundary</u>		
36.16	<u>H6.6.7. Alternative height in relation to boundary within the Residential – Terrace Housing and Apartment Buildings Zone</u>	As per H4.6.6. <i>Alternative height in relation to boundary</i> above.	As above.
36.17	<u>H6.6.13. Outlook Space</u>	As per H4.6.11 <i>Outlook Space</i> above.	As above.
	<u>H6.6.16 Front, side and rear fences and walls</u>	As per H2.6.10 <i>Front, Side and rear fences and walls</i> above.	As above.
<b>J1.1. Definitions</b>			
36.18	<u>Table J1.4.1: Buildings</u>	“Retaining walls or breastwork” – needs to confirm that this is only applicable where retaining walls are raising the height of the land. Often small excavations which lower the height of the land (even by 100mm) are subject to consent as these are being considered as a retaining wall, especially within the front yard. Building definition references to <i>height</i> instead of <i>high</i> , however any retaining within they 1.5m of the front boundary require assessment, regardless of whether they’re going up or down.	Either (a) exclude retaining walls that lower the ground level from the definition of “building”, (b) confirm that retaining walls that result in a lowering to the ground level in the front yard is exempt from resource consent assessment. Note this may still require a building consent.
36.19		“Roof Mounted Chimneys” – should be added back in as an exclusion. If Council has concerns with the size and scale of roof mounted chimneys, specify some dimensions.	Retain roof mounted chimneys as an exclusion from the “building” definition.
36.20	<u>Landscaped area</u>	“Minimum qualifying standard” – Landscape area definition should be amended to remove 5m <sup>2</sup> minimum area requirement. Landscaping can be viable and provide areas of amenity far smaller than 5m <sup>2</sup> , and often developers are being penalised and not seeing the benefit of providing	Allow landscaped areas smaller than 5m <sup>2</sup> be

36.21

	<p>additional landscaping spaces for amenity as these do not meet the 5m<sup>2</sup> minimum requirement.</p> <p><i>Examples of Landscaped Areas that currently do not contribute to overall landscaped area, despite providing amenity.</i></p> 	<p>able to be considered within the applicable definition.</p>
	<p>“Decks over 1m in height” – Decks able to be included within landscaped area, irrespective of height. Currently the proposed 1.0m height requirement can be difficult to calculate, especially where sloping sites are involved with parts of decks over 1.0m in height only. Alternatively, increase the 1.0m height requirement to 1.50m, as this would align with the definition of ‘building’ and therefore can be included in “building coverage” definition.</p>	<p>Allow decks up to 1.50m in height be included as “landscaped area” – so definition aligns with building coverage.</p>

Civix Limited wishes to be heard in support of this submission.

We consider the above provides sufficient clarification to enable our submission to be considered and incorporated into the aforementioned Plan Changes where applicable moving forward. Should you have any questions in relation to any of the above, please feel free to contact the undersigned.

*Signature of Submitter*



**Duncan Ross**  
 DIRECTOR | CIVIX LIMITED – Planning and Engineering  
 027 405 9765

*Address for Service*

Civix Limited  
 Attn: Duncan Ross  
 PO Box 5204 Wellesley Street, AUCKLAND 1141, Takapuna 0740  
 Email: [duncan@civix.co.nz](mailto:duncan@civix.co.nz)

**PC16 - APPENDIX 5**  
**FURTHER SUBMISSIONS**



Plan Change 16						Plan Change 16							
Further Submissions						Summary of Decisions Requested							
FS	FS name	Agent	Contact Details	FS WTBH	Support or Oppose	Sub Number	Sub#/Point	Submitter Name	Contact details	Decision Sought	Topic	Subtopic	Summary of decision requested
FS01	Horticulture NZ	Lucy Deverall	lucy.deverall@hortnz.co.nz	Yes	Support in part	2	2.5	Fluker Surveying Limited	trish@fluker.co.nz	Decline the proposed plan change if not amended	Definitions	Building	Seeks to amend definition of building in relation to 'tanks' as specified in submission.
FS03	Southern Paprika	Elizabeth Molloy Fern Beck	Elizabethm@barker.co.nz Fernb@barker.co.nz	Yes	Support in part	2	2.5	Fluker Surveying Limited	trish@fluker.co.nz	Decline the proposed plan change if not amended	Definitions	Building	Seeks to amend definition of building in relation to 'tanks' as specified in submission.
FS04	T&G Global	Elizabeth Molloy Fern Beck	Elizabethm@barker.co.nz Fernb@barker.co.nz	Yes	Support in part	2	2.5	Fluker Surveying Limited	trish@fluker.co.nz	Decline the proposed plan change if not amended	Definitions	Building	Seeks to amend definition of building in relation to 'tanks' as specified in submission.
FS10	Oil Companies (Z Energy Limited, BP Oil NZ Limited and Mobil Oil NZ Limited)	Mark Laurenson	markl@4sight.co.nz	Yes	Support in part	2	2.5	Fluker Surveying Limited	trish@fluker.co.nz	Decline the proposed plan change if not amended	Definitions	Building	Seeks to amend definition of building in relation to 'tanks' as specified in submission.
FS10	Oil Companies (Z Energy Limited, BP Oil NZ Limited and Mobil Oil NZ Limited)	Mark Laurenson	markl@4sight.co.nz	Yes	Oppose in part	2	2.5	Fluker Surveying Limited	trish@fluker.co.nz	Decline the proposed plan change if not amended	Definitions	Building	Seeks to amend definition of building in relation to 'tanks' as specified in submission.
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgould.co.nz adevine@ellisgould.co.nz matt.lindenberg@beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	3	3.2	Goldstar Corporation Limited	LovettPlanning@Gmail.com	Accept the plan modification with amendments	Business	Bonus floor area ratio – light and outlook	Delete the proposed requirement to meet standards in order to qualify for the Light and Outlook bonus
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgould.co.nz adevine@ellisgould.co.nz matt.lindenberg@beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	5	5.1	Cosdo NZ Limited	LovettPlanning@gmail.com	Amend the plan modification if it is not declined	Whole Plan Change		Amend the plan modification if it is not declined
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgould.co.nz adevine@ellisgould.co.nz matt.lindenberg@beca.com Gurv.singh@hnc.co.nz	Yes	Support	6	6.2	Woolworths New Zealand Limited	philip@campbellbrown.co.nz	Accept the plan modification	Business	Height and Height in relation to boundary in business zones	Seeks that the amended purpose of the Height standard in the Business zones be confirmed
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgould.co.nz adevine@ellisgould.co.nz matt.lindenberg@beca.com Gurv.singh@hnc.co.nz	Yes	Support	6	6.3	Woolworths New Zealand Limited	philip@campbellbrown.co.nz	Accept the plan modification	Business	Height and Height in relation to boundary in business zones	Seeks that the anomaly in relation to the amendments to the purpose of the Height and Height in Relation to Boundary standards of the Business Mixed Use Zone (H13.6.1 and H13.6.2) be rectified as outlined in submission

Plan Change 16						Plan Change 16							
Further Submissions						Summary of Decisions Requested							
FS	FS name	Agent	Contact Details	FS WTBH	Support or Oppose	Sub Number	Sub#/Point	Submitter Name	Contact details	Decision Sought	Topic	Subtopic	Summary of decision requested
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	7	7.3	Lawrie Knight	david@davidwren.co.nz	Amend the plan modification if it is not declined	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H4.6.11 as outlined in the submission (1st bullet point)
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	7	7.4	Lawrie Knight	david@davidwren.co.nz	Amend the plan modification if it is not declined	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H4.6.11(7) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	7	7.5	Lawrie Knight	david@davidwren.co.nz	Amend the plan modification if it is not declined	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H4.6.11(9)(c) as outlined in the submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	7	7.6	Lawrie Knight	david@davidwren.co.nz	Amend the plan modification if it is not declined	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H5.6.12 as outlined in the submission (1st bullet point)
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	7	7.7	Lawrie Knight	david@davidwren.co.nz	Amend the plan modification if it is not declined	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H5.6.12(7) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	7	7.8	Lawrie Knight	david@davidwren.co.nz	Amend the plan modification if it is not declined	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H5.6.12(9)(c) as outlined in submission



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FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	7	7.9	Lawrie Knight	david@davidwren.co.nz	Amend the plan modification if it is not declined	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H5.6.13 as outlined in the submission (1st bullet point)
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	7	7.10	Lawrie Knight	david@davidwren.co.nz	Amend the plan modification if it is not declined	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H5.6.13(7) as outlined in the submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	7	7.11	Lawrie Knight	david@davidwren.co.nz	Amend the plan modification if it is not declined	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H5.6.13(9)(c) as outlined in the submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	7	7.12	Lawrie Knight	david@davidwren.co.nz	Amend the plan modification if it is not declined	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H10.6.10(8) as outlined in the submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	7	7.13	Lawrie Knight	david@davidwren.co.nz	Amend the plan modification if it is not declined	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H10.6.10(10) as outlined in the submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	7	7.14	Lawrie Knight	david@davidwren.co.nz	Amend the plan modification if it is not declined	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H11.6.8(8) as outlined in the submission

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FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.c.co.nz	Yes	Oppose	7	7.15	Lawrie Knight	david@davidwren.co.nz	Amend the plan modification if it is not declined	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H11.6.8(10)( c) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.c.co.nz	Yes	Oppose	7	7.16	Lawrie Knight	david@davidwren.co.nz	Amend the plan modification if it is not declined	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H12.6.8(8) as outlined in the submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.c.co.nz	Yes	Oppose	7	7.17	Lawrie Knight	david@davidwren.co.nz	Amend the plan modification if it is not declined	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H12.6.8(10)( c) as outlined in the submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.c.co.nz	Yes	Oppose	7	7.18	Lawrie Knight	david@davidwren.co.nz	Amend the plan modification if it is not declined	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H13.6.9(8) as outlined in the submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.c.co.nz	Yes	Oppose	7	7.19	Lawrie Knight	david@davidwren.co.nz	Amend the plan modification if it is not declined	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H13.6.9(10)( c) as outlined in the submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.c.co.nz	Yes	Oppose	7	7.20	Lawrie Knight	david@davidwren.co.nz	Amend the plan modification if it is not declined	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H14.6.7(8) as outlined in the submission

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FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnz c.co.nz	Yes	Oppose	7	7.21	Lawrie Knight	david@davidwren.co.nz	Amend the plan modification if it is not declined	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H14.6.7(10)( c) as outlined in the submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnz c.co.nz	Yes	Support	10	10.2	Scentre(New Zealand) Limited	vaughan@vsplanning.co.nz	Accept the plan modification	Definitions	Gross floor area (GFA)	Seeks to approve the proposed amendment to the definition of 'gross floor area'
FS03	Southern Paprika	Elizabeth Molloy and Fern Beck	Elizabem@barker.co.nz Fernb@barker.co.nz	Yes	Support	13	13.1	Horticulture New Zealand	lucy.deverall@hortnz.co.nz	Modify specific provisions identified	Definitions	Building	Seeks to amend definition as it relates to retention tanks as outlined in submission
FS04	T&G Global	Elizabeth Molloy Fern Beck	Elizabem@barker.co.nz Fernb@barker.co.nz	Yes	Support	13	13.1	Horticulture New Zealand	lucy.deverall@hortnz.co.nz	Modify specific provisions identified	Definitions	Building	Seeks to amend definition as it relates to retention tanks as outlined in submission
FS09	Federated Farmers of NZ	Richard Gardner	rgardner@fedfarm.org.nz	Yes	Support	13	13.1	Horticulture New Zealand	lucy.deverall@hortnz.co.nz	Modify specific provisions identified	Definitions	Building	Seeks to amend definition as it relates to retention tanks as outlined in submission
FS02	Te Arai South Partners, Te Arai South Holdings Limited, Te Arai North Limited, Tara Iti Holdings NZ	Jo Young Berin Smith	jo.young@boffamiskell.co.nz berin@darbypartners.co.nz	Yes	Support	13	13.2	Horticulture New Zealand	lucy.deverall@hortnz.co.nz	Modify specific provisions identified	Definitions	Workers' accommodation	Seek to amend definition of 'workers' accommodation' as outlined in submission
FS03	Southern Paprika	Elizabeth Molloy Fern Beck	Elizabem@barker.co.nz Fernb@barker.co.nz	Yes	Oppose	13	13.2	Horticulture New Zealand	lucy.deverall@hortnz.co.nz	Modify specific provisions identified	Definitions	Workers' accommodation	Seek to amend definition of 'workers' accommodation' as outlined in submission
FS04	T&G Global	Elizabeth Molloy Fern Beck	Elizabem@barker.co.nz Fernb@barker.co.nz	Yes	Oppose	13	13.2	Horticulture New Zealand	lucy.deverall@hortnz.co.nz	Modify specific provisions identified	Definitions	Workers' accommodation	Seek to amend definition of 'workers' accommodation' as outlined in submission
FS09	Federated Farmers of NZ	Richard Gardner	rgardner@fedfarm.org.nz	Yes	Support	13	13.2	Horticulture New Zealand	lucy.deverall@hortnz.co.nz	Modify specific provisions identified	Definitions	Workers' accommodation	Seek to amend definition of 'workers' accommodation' as outlined in submission
FS03	Southern Paprika	Elizabeth Molloy Fern Beck	Elizabem@barker.co.nz Fernb@barker.co.nz	Yes	Support in part	13	13.3	Horticulture New Zealand	lucy.deverall@hortnz.co.nz	Modify specific provisions identified	Definitions	Workers' accommodation	Seeks to insert new definition for 'seasonal workers' accommodation'
FS03	Southern Paprika	Elizabeth Molloy Fern Beck	Elizabem@barker.co.nz Fernb@barker.co.nz	Yes	Oppose in Part	13	13.3	Horticulture New Zealand	lucy.deverall@hortnz.co.nz	Modify specific provisions identified	Definitions	Workers' accommodation	Seeks to insert new definition for 'seasonal workers' accommodation'
FS04	T&G Global	Elizabeth Molloy Fern Beck	Elizabem@barker.co.nz Fernb@barker.co.nz	Yes	Support in part	13	13.3	Horticulture New Zealand	lucy.deverall@hortnz.co.nz	Modify specific provisions identified	Definitions	Workers' accommodation	Seeks to insert new definition for 'seasonal workers' accommodation'

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FS04	T&G Global	Elizabeth Molloy Fern Beck	Elizabethm@barker.co.nz Fernb@barker.co.nz	Yes	Oppose in Part	13	13.3	Horticulture New Zealand	lucy.deverall@hortnz.co.nz	Modify specific provisions identified	Definitions	Workers' accommodation	Seeks to insert new definition for 'seasonal workers' accommodation'
FS09	Federated Farmers of NZ	Richard Gardner	rgardner@fedfarm.org.nz	Yes	Support	13	13.3	Horticulture New Zealand	lucy.deverall@hortnz.co.nz	Modify specific provisions identified	Definitions	Workers' accommodation	Seeks to insert new definition for 'seasonal workers' accommodation'
FS03	Southern Paprika	Elizabeth Molloy Fern Beck	Elizabethm@barker.co.nz Fernb@barker.co.nz	Yes	Support	13	13.4	Horticulture New Zealand	lucy.deverall@hortnz.co.nz	Modify specific provisions identified	Definitions	Workers' accommodation	Seeks to amend Table H19.8.1 to insert new activity as outline in submission
FS04	T&G Global	Elizabeth Molloy Fern Beck	Elizabethm@barker.co.nz Fernb@barker.co.nz	Yes	Support	13	13.4	Horticulture New Zealand	lucy.deverall@hortnz.co.nz	Modify specific provisions identified	Definitions	Workers' accommodation	Seeks to amend Table H19.8.1 to insert new activity as outline in submission
FS09	Federated Farmers of NZ	Richard Gardner	rgardner@fedfarm.org.nz	Yes	Support	13	13.4	Horticulture New Zealand	lucy.deverall@hortnz.co.nz	Modify specific provisions identified	Definitions	Workers' accommodation	Seeks to amend Table H19.8.1 to insert new activity as outline in submission
FS03	Southern Paprika	Elizabeth Molloy Fern Beck	Elizabethm@barker.co.nz Fernb@barker.co.nz	Yes	Support in part	13	13.5	Horticulture New Zealand	lucy.deverall@hortnz.co.nz	Modify specific provisions identified	Definitions	Workers' accommodation	Insert new standards – for 'seasonal workers' accommodation' as outlined in submission
FS03	Southern Paprika	Elizabeth Molloy and Fern Beck	Elizabethm@barker.co.nz Fernb@barker.co.nz	Yes	Oppose in Part	13	13.5	Horticulture New Zealand	lucy.deverall@hortnz.co.nz	Modify specific provisions identified	Definitions	Workers' accommodation	Insert new standards – for 'seasonal workers' accommodation' as outlined in submission
FS04	T&G Global	Elizabeth Molloy Fern Beck	Elizabethm@barker.co.nz Fernb@barker.co.nz	Yes	Support in part	13	13.5	Horticulture New Zealand	lucy.deverall@hortnz.co.nz	Modify specific provisions identified	Definitions	Workers' accommodation	Insert new standards – for 'seasonal workers' accommodation' as outlined in submission
FS04	T&G Global	Elizabeth Molloy Fern Beck	Elizabethm@barker.co.nz Fernb@barker.co.nz	Yes	Oppose in Part	13	13.5	Horticulture New Zealand	lucy.deverall@hortnz.co.nz	Modify specific provisions identified	Definitions	Workers' accommodation	Insert new standards – for 'seasonal workers' accommodation' as outlined in submission
FS09	Federated Farmers of NZ	Richard Gardner	rgardner@fedfarm.org.nz	Yes	Support	13	13.5	Horticulture New Zealand	lucy.deverall@hortnz.co.nz	Modify specific provisions identified	Definitions	Workers' accommodation	Insert new standards – for 'seasonal workers' accommodation' as outlined in submission
FS05	CP Auckland LP Limited	Mark Arbuthnot	marbuthnot@bentley.co.nz	Yes	Support	14	14.2	Whai Rawa Railway Lands LP	cmcgarr@bentley.co.nz	Amend the plan modification if it is not declined	Definitions	Floor area ratio (FAR)	Seeks that the definition of 'floor area ratio' be amended as shown in submission to avoid inadvertent ambiguity, and to achieve consistency of interpretation
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgould.co.nz adevine@ellisgould.co.nz matt.lindenberg@beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	15	15.2	Aaron Grey	aaronjgrey@gmail.com	Accept the plan modification with amendments	Residential	Height in Relation to Boundary - Pedestrian Access ways	Insert a definition of 'Pedestrian access way' into Chapter J Definitions as set out in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgould.co.nz adevine@ellisgould.co.nz matt.lindenberg@beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	15	15.10	Aaron Grey	aaronjgrey@gmail.com	Accept the plan modification with amendments	Business	Outlook Space - other Business zones and Residential zones	Seeks that Standards H10.6.10, H11.6.8, H12.6.8 and H13.6.9 be amended to be the same as Standards H4.6.11, H5.6.12 and H6.6.13 (including any amendments under this plan change)
FS01	Horticulture NZ	Lucy Deverall	lucy.deverall@hortnz.co.nz	Yes	Oppose	15	15.11	Aaron Grey	aaronjgrey@gmail.com	Accept the plan modification with amendments	Definitions	Building	Seeks that the changes proposed to the definition of 'building' are made

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FS03	Southern Paprika	Elizabeth Molloy and Fern Beck	Elizabethm@barker.co.nz Fernb@barker.co.nz	Yes	Oppose	15	15.11	Aaron Grey	aaronjgrey@gmail.com	Accept the plan modification with amendments	Definitions	Building	Seeks that the changes proposed to the definition of 'building' are made
FS01	Horticulture NZ	Lucy Deverall	lucy.deverall@hortnz.co.nz	Yes	Support	20	20.1	T&G Global	burnetteo@barker.co.nz	Modify specific provisions identified	Definitions	Workers' accommodation	Seek that the amendment proposed by PPC16 to the definition of Workers Accommodation be deleted
FS02	Te Arai South Partners, Te Arai South Holdings Limited, Te Arai North Limited, Tara Iti Holdings NZ	Jo Young Berin Smith	jo.young@boffamiskell.co.nz berin@darbypartners.co.nz	Yes	Support	20	20.1	T&G Global	burnetteo@barker.co.nz	Modify specific provisions identified	Definitions	Workers' accommodation	Seek that the amendment proposed by PPC16 to the definition of Workers Accommodation be deleted
FS03	Southern Paprika	Elizabeth Molloy and Fern Beck	Elizabethm@barker.co.nz Fernb@barker.co.nz	Yes	Support	20	20.1	T&G Global	burnetteo@barker.co.nz	Modify specific provisions identified	Definitions	Workers' accommodation	Seek that the amendment proposed by PPC16 to the definition of Workers Accommodation be deleted
FS09	Federated Farmers of NZ	Richard Gardner	rgardner@fedfarm.org.nz	Yes	Oppose	20	20.1	T&G Global	burnetteo@barker.co.nz	Modify specific provisions identified	Definitions	Workers' accommodation	Seek that the amendment proposed by PPC16 to the definition of Workers Accommodation be deleted
FS01	Horticulture NZ	Lucy Deverall	lucy.deverall@hortnz.co.nz	Yes	Support	20	20.2	T&G Global	burnetteo@barker.co.nz	Modify specific provisions identified	Definitions	Building	Seeks that the definition of 'building' as it relates to retention tanks is amended as outlined in submission
FS03	Southern Paprika	Elizabeth Molloy and Fern Beck	Elizabethm@barker.co.nz Fernb@barker.co.nz	Yes	Support	20	20.2	T&G Global	burnetteo@barker.co.nz	Modify specific provisions identified	Definitions	Building	Seeks that the definition of 'building' as it relates to retention tanks is amended as outlined in submission
FS09	Federated Farmers of NZ	Richard Gardner	rgardner@fedfarm.org.nz	Yes	Support	20	20.2	T&G Global	burnetteo@barker.co.nz	Modify specific provisions identified	Definitions	Building	Seeks that the definition of 'building' as it relates to retention tanks is amended as outlined in submission
FS01	Horticulture NZ	Lucy Deverall	lucy.deverall@hortnz.co.nz	Yes	Support	20	20.3	T&G Global	burnetteo@barker.co.nz	Modify specific provisions identified	Whole Plan Change	Consequential amendments	Seeks any such further or consequential changes necessary or appropriate to address the concerns expressed in this submission
FS03	Southern Paprika	Elizabeth Molloy and Fern Beck	Elizabethm@barker.co.nz Fernb@barker.co.nz	Yes	Support	20	20.3	T&G Global	burnetteo@barker.co.nz	Modify specific provisions identified	Whole Plan Change	Consequential amendments	Seeks any such further or consequential changes necessary or appropriate to address the concerns expressed in this submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgould.co.nz adevine@ellisgould.co.nz matt.lindenberg@beca.com Gurv.singh@hnz.co.nz	Yes	Oppose	21	21.3	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H4.6.11(1st bullet point) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgould.co.nz adevine@ellisgould.co.nz matt.lindenberg@beca.com Gurv.singh@hnz.co.nz	Yes	Oppose	21	21.4	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H4.6.11(7) as outlined in submission

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FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	21	21.5	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H4.6.11(8)( c) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	21	21.6	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H4.6.11(10) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	21	21.7	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H5.6.12(1st bullet point) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	21	21.8	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H5.6.12(7) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	21	21.9	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H5.6.12(9)( c) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	21	21.10	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H5.6.12(10) as outlined in submission

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FS	FS name	Agent	Contact Details	FS WTBH	Support or Oppose	Sub Number	Sub#/Point	Submitter Name	Contact details	Decision Sought	Topic	Subtopic	Summary of decision requested
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.c.co.nz	Yes	Oppose	21	21.11	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H6.6.13(1st bullet point) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.c.co.nz	Yes	Oppose	21	21.12	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H6.6.13(7) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.c.co.nz	Yes	Oppose	21	21.13	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H6.6.13(9)(c) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.c.co.nz	Yes	Oppose	21	21.14	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H6.6.13(10) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.c.co.nz	Yes	Oppose	21	21.15	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - Business City Centre and Business - Metropolitan Centre zones	Seeks changes to H9.6.10 (1st bullet point) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.c.co.nz	Yes	Oppose	21	21.16	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - Business City Centre and Business - Metropolitan Centre zones	Seeks changes to H9.6.10(1) as outlined in submission

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Further Submissions						Summary of Decisions Requested							
FS	FS name	Agent	Contact Details	FS WTBH	Support or Oppose	Sub Number	Sub#/Point	Submitter Name	Contact details	Decision Sought	Topic	Subtopic	Summary of decision requested
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	21	21.17	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - Business City Centre and Business - Metropolitan Centre zones	Seeks changes to H9.6.10(2) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	21	21.18	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - Business City Centre and Business - Metropolitan Centre zones	Seeks changes to H9.6.10(3) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	21	21.19	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - Business City Centre and Business - Metropolitan Centre zones	Seeks changes to H9.6.10(3)(a) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	21	21.20	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - Business City Centre and Business - Metropolitan Centre zones	Seeks changes to H9.6.10(3)(b) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	21	21.21	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - Business City Centre and Business - Metropolitan Centre zones	Seeks changes to H9.6.10(3)(c) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	21	21.22	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H10.6.10(1) as outlined in submission



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FS	FS name	Agent	Contact Details	FS WTBH	Support or Oppose	Sub Number	Sub#/Point	Submitter Name	Contact details	Decision Sought	Topic	Subtopic	Summary of decision requested
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnz c.co.nz	Yes	Oppose	21	21.23	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H10.6.10(3)(a) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnz c.co.nz	Yes	Oppose	21	21.24	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H10.6.10(3)(b) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnz c.co.nz	Yes	Oppose	21	21.25	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H10.6.10(3)( c) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnz c.co.nz	Yes	Oppose	21	21.26	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H10.6.10(8) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnz c.co.nz	Yes	Oppose	21	21.27	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H10.6.10(10)( c) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnz c.co.nz	Yes	Oppose	21	21.28	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H11.6.8(1) as outlined in submission

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FS	FS name	Agent	Contact Details	FS WTBH	Support or Oppose	Sub Number	Sub#/Point	Submitter Name	Contact details	Decision Sought	Topic	Subtopic	Summary of decision requested
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.c.co.nz	Yes	Oppose	21	21.29	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H11.6.8(3)(a) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.c.co.nz	Yes	Oppose	21	21.30	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H11.6.8(3)(b) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.c.co.nz	Yes	Oppose	21	21.31	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H11.6.8(3)(c) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.c.co.nz	Yes	Oppose	21	21.32	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H11.6.8(8) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.c.co.nz	Yes	Oppose	21	21.33	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H11.6.8(10)(c) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.c.co.nz	Yes	Oppose	21	21.34	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H12.6.8(1) as outlined in submission

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FS	FS name	Agent	Contact Details	FS WTBH	Support or Oppose	Sub Number	Sub#/Point	Submitter Name	Contact details	Decision Sought	Topic	Subtopic	Summary of decision requested
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	21	21.35	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H12.6.8(3)(a) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	21	21.36	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H12.6.8(3)(b) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	21	21.37	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H12.6.8(3)(c) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	21	21.38	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H12.6.8(8) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	21	21.39	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H12.6.8(10)(c) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	21	21.40	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H13.6.9(1) as outlined in submission

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Further Submissions						Summary of Decisions Requested							
FS	FS name	Agent	Contact Details	FS WTBH	Support or Oppose	Sub Number	Sub#/Point	Submitter Name	Contact details	Decision Sought	Topic	Subtopic	Summary of decision requested
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	21	21.41	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H13.6.9(3)(a) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	21	21.42	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H13.6.9(3)(b) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	21	21.43	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H13.6.9(3)(c) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	21	21.44	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H13.6.9(8) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	21	21.45	Ryman Healthcare Limited	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H13.6.9(10)(c) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	22	22.3	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H4.6.11(1st bullet point) as outlined in submission

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FS	FS name	Agent	Contact Details	FS WTBH	Support or Oppose	Sub Number	Sub#/Point	Submitter Name	Contact details	Decision Sought	Topic	Subtopic	Summary of decision requested
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	22	22.4	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H4.6.11(7) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	22	22.5	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H4.6.11(8)(c) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	22	22.6	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H4.6.11(10) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	22	22.7	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H5.6.12(1st bullet point) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	22	22.8	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H5.6.12(7) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	22	22.9	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H5.6.12(9)(c) as outlined in submission

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FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	22	22.10	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H5.6.12(10) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	22	22.11	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H6.6.13(1st bullet point) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	22	22.12	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H6.6.13(7) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	22	22.13	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H6.6.13(9) (c) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	22	22.14	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H6.6.13(10) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	22	22.15	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - Business City Centre and Business - Metropolitan Centre zones	Seeks changes to H9.6.10 (1st bullet point) as outlined in submission

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FS	FS name	Agent	Contact Details	FS WTBH	Support or Oppose	Sub Number	Sub#/Point	Submitter Name	Contact details	Decision Sought	Topic	Subtopic	Summary of decision requested
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	22	22.16	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - Business City Centre and Business - Metropolitan Centre zones	Seeks changes to H9.6.10(1) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	22	22.17	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - Business City Centre and Business - Metropolitan Centre zones	Seeks changes to H9.6.10(2) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	22	22.18	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - Business City Centre and Business - Metropolitan Centre zones	Seeks changes to H9.6.10(3) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	22	22.19	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - Business City Centre and Business - Metropolitan Centre zones	Seeks changes to H9.6.10(3)(a) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	22	22.20	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - Business City Centre and Business - Metropolitan Centre zones	Seeks changes to H9.6.10(3)(b) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	22	22.21	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - Business City Centre and Business - Metropolitan Centre zones	Seeks changes to H9.6.10(3)(c) as outlined in submission

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FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	22	22.22	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H10.6.10(1) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	22	22.23	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H10.6.10(3)(a) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	22	22.24	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H10.6.10(3)(b) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	22	22.25	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H10.6.10(3)(c) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	22	22.26	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H10.6.10(8) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	22	22.27	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H10.6.10(10)(c) as outlined in submission



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FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	22	22.28	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H11.6.8(1) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	22	22.29	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H11.6.8(3)(a) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	22	22.30	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H11.6.8(3)(b) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	22	22.31	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H11.6.8(3)(c) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	22	22.32	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H11.6.8(8) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	22	22.33	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H11.6.8(10)(c) as outlined in submission

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FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	22	22.34	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H12.6.8(1) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	22	22.35	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H12.6.8(3)(a) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	22	22.36	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H12.6.8(3)(b) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	22	22.37	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H12.6.8(3)(c) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	22	22.38	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H12.6.8(8) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgo uld.co.nz adevine@ellisgo uld.co.nz matt.lindenberg @beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	22	22.39	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H12.6.8(10)(c) as outlined in submission

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FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgould.co.nz adevine@ellisgould.co.nz matt.lindenberg@beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	22	22.40	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H13.6.9(1) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgould.co.nz adevine@ellisgould.co.nz matt.lindenberg@beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	22	22.41	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H13.6.9(3)(a) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgould.co.nz adevine@ellisgould.co.nz matt.lindenberg@beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	22	22.42	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H13.6.9(3)(b) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgould.co.nz adevine@ellisgould.co.nz matt.lindenberg@beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	22	22.43	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H13.6.9(3)(c) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgould.co.nz adevine@ellisgould.co.nz matt.lindenberg@beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	22	22.44	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H13.6.9(8) as outlined in submission
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgould.co.nz adevine@ellisgould.co.nz matt.lindenberg@beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	22	22.45	Retirement Villages Association of New Zealand Incorporated	Luke.Hinchey@chapmantripp.com Nicola.deWit@chapmantripp.com	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H13.6.9(10)(c) as outlined in submission
FS06	Vector Limited	Georgia Cameron	georgia.cameron@russellmceagh.com	Yes	Oppose	23	23.5	Better Living Landscapes and Ltd Parallax Surveyors Ltd	kpegum@xtra.co.nz tracy@pclsurvey.co.nz	Amend the plan modification if it is not declined	Definitions	Building	Seeks further exclusions from the definition of 'building' such as power poles, telephone poles and road name signs

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FS	FS name	Agent	Contact Details	FS WTBH	Support or Oppose	Sub Number	Sub#/Point	Submitter Name	Contact details	Decision Sought	Topic	Subtopic	Summary of decision requested
FS09	Federated Farmers of NZ	Richard Gardner	rgardner@fedfarm.org.nz	Yes	Support	23	23.7	Better Living Landscapes and Ltd Parallax Surveyors Ltd	kpegum@xtra.co.nz tracy@pclsurvey.co.nz	Amend the plan modification if it is not declined	Definitions	Building	Seeks that baled agricultural produce should be deliberately excluded from the definition of 'building'
FS02	Te Arai South Partners, Te Arai South Holdings Limited, Te Arai North Limited, Tara Iti Holdings NZ	Jo Young Berin Smith	jo.young@boffamiskell.co.nz berin@darbypartners.co.nz	Yes	Support	23	23.8	Better Living Landscapes and Ltd Parallax Surveyors Ltd	kpegum@xtra.co.nz tracy@pclsurvey.co.nz	Amend the plan modification if it is not declined	Definitions	Workers' accommodation	Seeks to amend the definition of 'workers' accommodation'
FS03	Southern Paprika	Elizabeth Molloy and Fern Beck	Elizabethm@barker.co.nz Fernb@barker.co.nz	Yes	Support	23	23.8	Better Living Landscapes and Ltd Parallax Surveyors Ltd	kpegum@xtra.co.nz tracy@pclsurvey.co.nz	Amend the plan modification if it is not declined	Definitions	Workers' accommodation	Seeks to amend the definition of 'workers' accommodation'
FS01	Horticulture NZ	Lucy Deverall	lucy.deverall@hortnz.co.nz	Yes	Support	23	23.8	Better Living Landscapes and Ltd Parallax Surveyors Ltd	kpegum@xtra.co.nz tracy@pclsurvey.co.nz	Amend the plan modification if it is not declined	Definitions	Workers' accommodation	Seeks to amend the definition of 'workers' accommodation'
FS04	T&G Global	Elizabeth Molloy Fern Beck	Elizabethm@barker.co.nz Fernb@barker.co.nz	Yes	Support	23	23.8	Better Living Landscapes and Ltd Parallax Surveyors Ltd	kpegum@xtra.co.nz tracy@pclsurvey.co.nz	Amend the plan modification if it is not declined	Definitions	Workers' accommodation	Seeks to amend the definition of 'workers' accommodation'
FS09	Federated Farmers of NZ	Richard Gardner	rgardner@fedfarm.org.nz	Yes	Support	23	23.8	Better Living Landscapes and Ltd Parallax Surveyors Ltd	kpegum@xtra.co.nz tracy@pclsurvey.co.nz	Amend the plan modification if it is not declined	Definitions	Workers' accommodation	Seeks to amend the definition of 'workers' accommodation'
FS01	Horticulture NZ	Lucy Deverall	lucy.deverall@hortnz.co.nz	Yes	Support	24	24.1	Southern Paprika	burnetteo@barker.co.nz	Modify specific provisions identified	Definitions	Workers' accommodation	Seeks that the amendment proposed by PPC16 to the definition of 'workers' accommodation' be deleted and the definition of workers' accommodation remain as, or with similar variation to achieve the relief sought
FS02	Te Arai South Partners, Te Arai South Holdings Limited, Te Arai North Limited, Tara Iti Holdings NZ	Jo Young Berin Smith	jo.young@boffamiskell.co.nz berin@darbypartners.co.nz	Yes	Support	24	24.1	Southern Paprika	burnetteo@barker.co.nz	Modify specific provisions identified	Definitions	Workers' accommodation	Seeks that the amendment proposed by PPC16 to the definition of 'workers' accommodation' be deleted and the definition of workers' accommodation remain as, or with similar variation to achieve the relief sought
FS04	T&G Global	Elizabeth Molloy Fern Beck	Elizabethm@barker.co.nz Fernb@barker.co.nz	Yes	Support	24	24.1	Southern Paprika	burnetteo@barker.co.nz	Modify specific provisions identified	Definitions	Workers' accommodation	Seeks that the amendment proposed by PPC16 to the definition of 'workers' accommodation' be deleted and the definition of workers' accommodation remain as, or with similar variation to achieve the relief sought
FS09	Federated Farmers of NZ	Richard Gardner	rgardner@fedfarm.org.nz	Yes	Oppose	24	24.1	Southern Paprika	burnetteo@barker.co.nz	Modify specific provisions identified	Definitions	Workers' accommodation	Seeks that the amendment proposed by PPC16 to the definition of 'workers' accommodation' be deleted and the definition of workers' accommodation remain as, or with similar variation to achieve the relief sought
FS01	Horticulture NZ	Lucy Deverall	lucy.deverall@hortnz.co.nz	Yes	Support	24	24.2	Southern Paprika	burnetteo@barker.co.nz	Modify specific provisions identified	Definitions	Workers' accommodation	Seeks that the standards for 'workers' accommodation' are amended to enable multiple workers' accommodation to be developed on sites where a need for additional accommodation can be adequately demonstrated
FS02	Te Arai South Partners, Te Arai South Holdings Limited, Te Arai North Limited, Tara Iti Holdings NZ	Jo Young Berin Smith	jo.young@boffamiskell.co.nz berin@darbypartners.co.nz	Yes	Support	24	24.2	Southern Paprika	burnetteo@barker.co.nz	Modify specific provisions identified	Definitions	Workers' accommodation	Seeks that the standards for 'workers' accommodation' are amended to enable multiple workers' accommodation to be developed on sites where a need for additional accommodation can be adequately demonstrated

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FS04	T&G Global	Elizabeth Molloy Fern Beck	Elizabethm@barker.co.nz Fernb@barker.co.nz	Yes	Support	24	24.2	Southern Paprika	burnetteo@barker.co.nz	Modify specific provisions identified	Definitions	Workers' accommodation	Seeks that the standards for 'workers' accommodation' are amended to enable multiple workers' accommodation to be developed on sites where a need for additional accommodation can be adequately demonstrated
FS09	Federated Farmers of NZ	Richard Gardner	rgardner@fedfarm.org.nz	Yes	Support	24	24.2	Southern Paprika	burnetteo@barker.co.nz	Modify specific provisions identified	Definitions	Workers' accommodation	Seeks that the standards for 'workers' accommodation' are amended to enable multiple workers' accommodation to be developed on sites where a need for additional accommodation can be adequately demonstrated
FS01	Horticulture NZ	Lucy Deverall	lucy.deverall@hortnz.co.nz	Yes	Support	24	24.3	Southern Paprika	burnetteo@barker.co.nz	Modify specific provisions identified	Definitions	Building	Seeks that the definition of 'building' as it relates to retention tanks is amended as set out in submission
FS04	T&G Global	Elizabeth Molloy Fern Beck	Elizabethm@barker.co.nz Fernb@barker.co.nz	Yes	Support	24	24.3	Southern Paprika	burnetteo@barker.co.nz	Modify specific provisions identified	Definitions	Building	Seeks that the definition of 'building' as it relates to retention tanks is amended as set out in submission
FS09	Federated Farmers of NZ	Richard Gardner	rgardner@fedfarm.org.nz	Yes	Support	24	24.3	Southern Paprika	burnetteo@barker.co.nz	Modify specific provisions identified	Definitions	Building	Seeks that the definition of 'building' as it relates to retention tanks is amended as set out in submission
FS01	Horticulture NZ	Lucy Deverall	lucy.deverall@hortnz.co.nz	Yes	Support	24	24.4	Southern Paprika	burnetteo@barker.co.nz	Modify specific provisions identified	Whole Plan Change	Consequential amendments	Seeks any such further or consequential changes necessary or appropriate to address the concerns expressed in this submission
FS04	T&G Global	Elizabeth Molloy Fern Beck	Elizabethm@barker.co.nz Fernb@barker.co.nz	Yes	Support	24	24.4	Southern Paprika	burnetteo@barker.co.nz	Modify specific provisions identified	Whole Plan Change	Consequential amendments	Seeks any such further or consequential changes necessary or appropriate to address the concerns expressed in this submission
FS03	Southern Paprika	Elizabeth Molloy and Fern Beck	Elizabethm@barker.co.nz Fernb@barker.co.nz	Yes	Support	25	25.1	Pakiri Farm Limited	burnetteo@barker.co.nz	Modify specific provisions identified	Definitions	Workers' accommodation	Seeks that the amendment proposed by PPC16 to the definition of 'workers' accommodation be deleted
FS04	T&G Global	Elizabeth Molloy Fern Beck	Elizabethm@barker.co.nz Fernb@barker.co.nz	Yes	Support	25	25.1	Pakiri Farm Limited	burnetteo@barker.co.nz	Modify specific provisions identified	Definitions	Workers' accommodation	Seeks that the amendment proposed by PPC16 to the definition of 'workers' accommodation be deleted
FS09	Federated Farmers of NZ	Richard Gardner	rgardner@fedfarm.org.nz	Yes	Oppose	25	25.1	Pakiri Farm Limited	burnetteo@barker.co.nz	Modify specific provisions identified	Definitions	Workers' accommodation	Seeks that the amendment proposed by PPC16 to the definition of 'workers' accommodation be deleted
FS03	Southern Paprika	Elizabeth Molloy and Fern Beck	Elizabethm@barker.co.nz Fernb@barker.co.nz	Yes	Support	25	25.2	Pakiri Farm Limited	burnetteo@barker.co.nz	Modify specific provisions identified	Whole Plan Change	Consequential amendments	Seeks any such further or consequential changes necessary or appropriate to address the concerns expressed in the submissions
FS04	T&G Global	Elizabeth Molloy Fern Beck	Elizabethm@barker.co.nz Fernb@barker.co.nz	Yes	Support	25	25.2	Pakiri Farm Limited	burnetteo@barker.co.nz	Modify specific provisions identified	Whole Plan Change	Consequential amendments	Seeks any such further or consequential changes necessary or appropriate to address the concerns expressed in the submissions
FS02	Te Arai South Partners, Te Arai South Holdings Limited, Te Arai North Limited, Tara Iti Holdings NZ	Jo Young Berin Smith	jo.young@boffamiskell.co.nz berin@darbypartners.co.nz	Yes	Support	25	25.3	Pakiri Farm Limited	burnetteo@barker.co.nz	Modify specific provisions identified	Definitions	Workers' accommodation	Seeks that the standards be amended to enable multiple, and / or larger worker accommodations where the need for this is able to be adequately demonstrated
FS03	Southern Paprika	Elizabeth Molloy and Fern Beck	Elizabethm@barker.co.nz Fernb@barker.co.nz	Yes	Support	25	25.3	Pakiri Farm Limited	burnetteo@barker.co.nz	Modify specific provisions identified	Definitions	Workers' accommodation	Seeks that the standards be amended to enable multiple, and / or larger worker accommodations where the need for this is able to be adequately demonstrated
FS04	T&G Global	Elizabeth Molloy Fern Beck	Elizabethm@barker.co.nz Fernb@barker.co.nz	Yes	Support	25	25.3	Pakiri Farm Limited	burnetteo@barker.co.nz	Modify specific provisions identified	Definitions	Workers' accommodation	Seeks that the standards be amended to enable multiple, and / or larger worker accommodations where the need for this is able to be adequately demonstrated

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FS	FS name	Agent	Contact Details	FS WTBH	Support or Oppose	Sub Number	Sub#/Point	Submitter Name	Contact details	Decision Sought	Topic	Subtopic	Summary of decision requested
FS09	Federated Farmers of NZ	Richard Gardner	rgardner@fedfarm.org.nz	Yes	Support	25	25.3	Pakiri Farm Limited	burnetteo@barker.co.nz	Modify specific provisions identified	Definitions	Workers' accommodation	Seeks that the standards be amended to enable multiple, and / or larger worker accommodations where the need for this is able to be adequately demonstrated
FS03	Southern Paprika	Elizabeth Molloy and Fern Beck	Elizabethm@barker.co.nz Fernb@barker.co.nz	Yes	Support in part	27	27.2	Te Arai South Partners, Te Arai South Holdings Limited, Te Arai North Limited, Tara Iti Holdings NZ	jo.young@boffamiskell.co.nz	Accept the plan modification with amendments	Definitions	Workers' accommodation	Seeks amendments to definition of 'workers' accommodation' as set out in submission
FS03	Southern Paprika	Elizabeth Molloy and Fern Beck	Elizabethm@barker.co.nz Fernb@barker.co.nz	Yes	Oppose in part	27	27.2	Te Arai South Partners, Te Arai South Holdings Limited, Te Arai North Limited, Tara Iti Holdings NZ	jo.young@boffamiskell.co.nz	Accept the plan modification with amendments	Definitions	Workers' accommodation	Seeks amendments to definition of 'workers' accommodation' as set out in submission
FS04	T&G Global	Elizabeth Molloy Fern Beck	Elizabethm@barker.co.nz Fernb@barker.co.nz	Yes	Support in part	27	27.2	Te Arai South Partners, Te Arai South Holdings Limited, Te Arai North Limited, Tara Iti Holdings NZ	jo.young@boffamiskell.co.nz	Accept the plan modification with amendments	Definitions	Workers' accommodation	Seeks amendments to definition of 'workers' accommodation' as set out in submission
FS04	T&G Global	Elizabeth Molloy Fern Beck	Elizabethm@barker.co.nz Fernb@barker.co.nz	Yes	Oppose in part	27	27.2	Te Arai South Partners, Te Arai South Holdings Limited, Te Arai North Limited, Tara Iti Holdings NZ	jo.young@boffamiskell.co.nz	Accept the plan modification with amendments	Definitions	Workers' accommodation	Seeks amendments to definition of 'workers' accommodation' as set out in submission
FS09	Federated Farmers of NZ	Richard Gardner	rgardner@fedfarm.org.nz	Yes	Support	27	27.2	Te Arai South Partners, Te Arai South Holdings Limited, Te Arai North Limited, Tara Iti Holdings NZ	jo.young@boffamiskell.co.nz	Accept the plan modification with amendments	Definitions	Workers' accommodation	Seeks amendments to definition of 'workers' accommodation' as set out in submission
FS07	Summerset Villages Parnell Limited	Craig McGarr	cmcgarr@bentley.co.nz	Yes	Support	30	30.2	Metlifecare Limited	justind@metlifecare.co.nz	Amend the plan modification if it is not declined	Residential	Outlook Space - other Business zones and Residential zones	Seeks to delete all references to 'units within an intergrated residential development' and 'supported residential care' from rule H4.6.11, H5.6.12 and H6.6.13(relating to outlook space), or in the alternative delete reference to 'supported residential care' and amend the text so that 'retirement villages' are exempt from these rules
FS07	Summerset Villages Parnell Limited	Craig McGarr	cmcgarr@bentley.co.nz	Yes	Support	30	30.3	Metlifecare Limited	justind@metlifecare.co.nz	Amend the plan modification if it is not declined	Residential	Outdoor Living Space	Seeks to either delete reference to 'supported residential care' in Rules H4.6.13, H5.6.14 and H6.6.15(relating to outdoor living courts); or delete the reference to outdoor living space deemed to be accessible from the principal living room, dining room or kitchen from these proposed rule changes
FS07	Summerset Villages Parnell Limited	Craig McGarr	cmcgarr@bentley.co.nz	Yes	Support	30	30.5	Metlifecare Limited	justind@metlifecare.co.nz	Amend the plan modification if it is not declined	Business	Outlook Space - other Business zones and Residential zones	Seeks to delete all reference to 'units within an intergrated residential development' from Rule H9.6.10, H10.6.10, H11.6.8, H12.6.8 and H13.6.9 (relating to outlook space), or in the alternative amend the text to exempt retirement villages from these rules.
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgould.co.nz adevine@ellisgould.co.nz matt.lindenberg@beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	30	30.5	Metlifecare Limited	justind@metlifecare.co.nz	Amend the plan modification if it is not declined	Business	Outlook Space - other Business zones and Residential zones	Seeks to delete all reference to 'units within an intergrated residential development' from Rule H9.6.10, H10.6.10, H11.6.8, H12.6.8 and H13.6.9 (relating to outlook space), or in the alternative amend the text to exempt retirement villages from these rules.
FS08	Housing New Zealand Corporation	Dr Claire Kirman Alex Devine	ckirman@ellisgould.co.nz adevine@ellisgould.co.nz matt.lindenberg@beca.com Gurv.singh@hnc.co.nz	Yes	Oppose	35	35.3	Dominion Constructors Limited	LovettPlanning@Gmail.com	Accept the plan modification with amendments	Business	Bonus floor area ratio – light and outlook	Seeks to delete the proposed requirement to comply with Standards in order to qualify for the Light and Outlook bonus; or alternatively allow for a justified infringement of standards to be factored in to a decision whether the Light and Outlook bonus can still be awarded.





Name of original submitter	Part of submission	Support/Oppose	Reason	Decision sought
Fluker Surveying Limited	2.5	Support in part	Agree with submitters comments relating to retention tanks as mitigation and that tanks could be excluded from definition Agree with comments relating tanks in the rural area and s32 analysis.	Accept submission
Aaron Grey	15.11	Oppose	Submitter supports clarification made by Council without considering impacts on rural activities.	Reject submission
T&G Global	20.1	Support	Agree that proposed amendment does not adequately provide for actual needs of worker accommodation and will have unintended consequences. Generally support the need for separate provisions for worker accommodation.	Accept submission
	20.2	Support	Support exclusions listed	Accept submission
	20.3	Support	Consequential changes	Accept submission
Better Living Landscapes and Ltd Parallax Surveyors Ltd	23.8	Support	Agree that the proposed amendment will unduly restrict the activity and is not aligned with "improving consistency" or to "address identified technical issues". Removing the ability to move around different sites is a significant purpose of worker accommodation.	Accept submission
Southern Paprika	24.1	Support	Agree that proposed amendment does not adequately provide for actual needs of worker accommodation and will have unintended consequences.	
	24.2	Support	Agree in that there should be additional provisions.	Accept submission
	24.3	Support	Support exclusions listed	Accept submission
	24.4	Support	Consequential changes	Accept submission



## Contact details

Full name of person making a further submission: Berin Smith

Organisation name: Te Arai South Partners, Te Arai South Holdings Limited, Te Arai North Limited, Tara Iti Holdings NZ

Full name of your agent: Jo Young

Email address: [jo.young@boffamiskell.co.nz](mailto:jo.young@boffamiskell.co.nz)

Contact phone number: 021971975

Postal address:  
PO Box 91250

Auckland 1142

## Submission details

**This is a further submission to:**

Plan modification number: Plan change 16

Plan modification name: Improving consistency of provisions for Zones

### Original submission details

Original submitters name and address:  
Refer attached

Submission number: Refer attached

Do you support or oppose the original submission? I or we support the submission

Specific parts of the original submission that your submission relates to:  
Point number Refer attached

The reasons for my or our support or opposition are:  
Refer attached

I or we want Auckland council to make a decision to: Allow the whole original submission

Submission date: 14 March 2019

Supporting documents  
PC16\_Further\_Submission FINAL.pdf

## Attend a hearing

I or we wish to be heard in support of this submission: Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?  
Yes

## Declaration

What is your interest in the proposal? I am a person who has an interest in the proposal that is greater than the interest that the general public has

Specify upon which grounds you come within this category:  
Refer attached

I declare that:

- I understand that I must serve a copy of my or our further submission on the original submitter within five working days after it is served on the local authority
- I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

**FURTHER SUBMISSION ON PROPOSED PLAN CHANGE 16 (IMPROVING CONSISTANCY OF PROVISIONS IN CHAPTER H ZONES, CHAPTER J DEFINITIONS) TO THE AUCKLAND UNITARY PLAN (OPERATIVE IN PART)**

**To:** Auckland Council  
Level 24  
135 Albert Street  
Auckland 1142

**Submitter:** Te Arai South Partners, Te Arai South Holdings Limited, Te Arai North Limited, Tara Iti Holdings NZ ("the further submitter")  
PO Box 1164  
Queenstown  
  
Attention: Berin Smith  
Phone: 021 686 736  
Email: [berin@darbypartners.co.nz](mailto:berin@darbypartners.co.nz)

**Address for Service:** Boffa Miskell Limited  
PO Box 91250  
Auckland 1142  
  
Attention: Jo Young  
Phone: 021 971 975  
Email: [jo.young@boffamiskell.co.nz](mailto:jo.young@boffamiskell.co.nz)

1. This submission is prepared in accordance with clause 8 of First Schedule, Resource Management Act 1991 (RMA) - Form 6.
2. The submitter wishes to be heard in support of this further submission. If others make a similar submission, the submitter will consider presenting a joint case with them at a hearing.
3. The submitter has an interest in the proposal that is greater than the interest the general public has. That is because the submitter provides worker's accommodation and has already presented a submission on the Workers Accommodation definition (section J1.1 of the AUP) to Auckland Council.
4. A copy of this further submission will be emailed to the relevant submitters within five working days of close of submissions.



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**Jo Young**  
For and behalf of the submitter

Dated this 14th day of March 2019.

## Submission

The submitter makes further submissions in support on PC16 to the AUP. The specific support and reasons are set out in Table 1 below:

Submitter + contact details	Relevant Submission points	Support / Oppose submission	Comment
<p>#13.2 Horticulture NZ Lucy.deverall@hortnz.com</p>	<p>The following amended definition of worker accommodation is sought: A dwelling for people whose duties require them to live onsite. In the rural zones, a dwelling for people who work on site for the activities set out in Nesting Table J1.3.6, or on sites associated with that same activity.</p>	Support	<p>Agree that activities within rural areas can often extend across more than "one" site. The submitter owns multiple sites and workers may be required to work on sites adjacent (or close by) to the site where the workers accommodation is located.</p>
<p>#20.1 T &amp; G Global (Turners &amp; Growers) burnetteo@barker.co.nz</p>	<p>That the amendment proposed by PPC16 to the definition of Workers Accommodation be deleted.</p>	Support	<p>Agree that reverting to the existing definition of 'Workers Accommodation' will ensure that workers accommodation does not just cater for those involved in rural activities listed in the nesting table J1.3.6.</p>
<p>#23.8 Better Living Landscape Ltd Parallax Surveyors Ltd <a href="mailto:kpegnum@xtra.co.nz">kpegnum@xtra.co.nz</a> <a href="mailto:tracy@bclsurvey.co.nz">tracy@bclsurvey.co.nz</a></p>	<p>Decline amendment.</p>	Support	<p>Agree with submitters concern that activities within rural areas can often extend across more than "one" site. The submitter owns multiple sites and workers may be required to work on sites adjacent (or close by) to the site where the workers accommodation is located.  Also support the submitters concern that workers accommodation should not be limited to activities associated with the nesting table J1.3.6. This change would not provide for workers involved with covenanted wetlands or bush and revegetation planting and other activities that do occur in rural areas.</p>
<p>#24.1 – 24.2 Southern Paprika</p>	<p>a) That the amendment proposed by PPC16 to the definition of Workers Accommodation be deleted and the definition of Workers' Accommodation</p>	Support	<p>Agree with the relief sought, whether that involves reverting to the original 'Visitor Accommodation' definition or achieving relief which allows for workers accommodation across sites, and not restricted to the activities listed in the</p>

Submitter + contact details	Relevant Submission points	Support / Oppose submission	Comment
burnetteo@barker.co.nz	<p>remain as, or with similar variation to achieve the relief sought:</p> <p><i>'A dwelling for people whose duties require them to live on-site, and in the rural zones for people who work on the site or in the surrounding rural area.'</i></p> <p>b) That the standards for Workers' Accommodation are amended to enable multiple Workers' Accommodation to be developed on sites where a need for additional accommodation can be adequately demonstrated.</p>		<p>nesting table J1.3.6.</p> <p>Further support changes to the Standards to allow for larger workers accommodation units.</p>
<p>#25.3 Pakiri Farms Limited burnetteo@barker.co.nz</p>	<p>a) That the amendment proposed by PPC16 to the definition of Workers Accommodation be deleted;</p> <p>b) Any such further or consequential changes necessary or appropriate to address the concerns expressed in the submissions.</p> <p>c) That the standards be amended to enable multiple, and/ or larger worker accommodations where the need for this is able to be adequately demonstrated.</p>	Support	<p>Agree with the relief sought, whether that involves reverting to the original Visitor Accommodation definition or achieving relief which allows for workers accommodation across sites, and not restricted to the activities listed in the nesting table J1.3.6.</p> <p>Further support changes to the Standards to allow for larger workers accommodation units.</p>

**FURTHER SUBMISSION IN SUPPORT OF, OR OPPOSITION TO, SUBMISSION ON THE AUCKLAND UNITARY PLAN PROPOSED PLAN CHANGE 16**

***Auckland Unitary Plan Proposed Plan Change 16***

***Clause 8 of Schedule 1 to the Resource Management Act 1991***

**Further Submitter Details:**

**To:** Auckland Council  
**Name of Submitter:** Southern Paprika  
**Address for service:** Southern Paprika  
 c/- Barker & Associates Ltd  
 PO Box 591  
 Warkworth 0941  
 Attn: Elizabeth Molloy/Fern Beck

**Scope of Further Submission:** This is a further submission in support of (or opposition to) a submission on Proposed Plan Change 16: Improving consistency of provisions for Zones.

Southern Paprika is a company with an interest in the proposal that is greater than the interest the general public has. In this case, Southern Paprika are employers in the rural environment. Southern Paprika wishes to be heard in support of this further submission. If others make a similar submission, then Southern Paprika will consider presenting a joint case with them at a hearing



14/03/2019

Elizabeth Molloy, Barker & Associates Ltd  
 (Person authorised to sign on behalf of submitter)

\_\_\_\_\_ Date

Submitter Name	Submitter Number	Submission Point	Support/Oppose	Reason for Support/Opposition	I seek that the whole or part of the submission be allowed or disallowed
General Further Submission				Any relief seeking that the amendment proposed by Plan Change 16 to the definition	

Fluker Surveying Limited	2	2.5	Support in part	<p>of Workers' Accommodation be deleted and the definition of Workers' Accommodation remain as, or with similar variation to achieve 'A dwelling for people whose duties require them to live on-site and in the rural zones for people who work on the site or in the surrounding rural area.'</p> <p>Any relief seeking a change to the standards for workers' accommodation to enable multiple Workers' Accommodation be developed on sites where a need for additional accommodation can be adequately demonstrated.</p> <p>Any relief seeking a change to the definition of 'building' as it relates to retention tanks, such that retention tanks in the Rural Production, Mixed Rural and Rural Coastal zones are not considered buildings, and therefore subject to yard setback standards.</p>	
				<p>The submission seeks to delete the proposed amendment to the definition of 'building' such that tanks including retention tanks over 1m in height from the ground level, inclusive of the height of any supporting structure are not considered buildings.</p> <p>The relief sought acknowledges that tanks are vital infrastructure which are generally placed near side and rear yards and that it would be overly onerous for resource consent to be</p>	<p>Allow to the extent that it acknowledges tanks within side and rear yards in Rural Areas are appropriate and should not require resource consent.</p>

Horticulture New Zealand	13	13.1	Support	<p>required for all tanks located within the side yard.</p> <p>This submission seeks to amend the definition of buildings so that tanks including retention tanks are not considered to be buildings within the Rural Production, Mixed Rural or Rural Coastal Zones.</p> <p>The relief sought acknowledges that tanks are vital infrastructure which in some instances do not give rise to adverse visual dominance and amenity effects.</p> <p>The proposed amendment would result in retention tanks being subject to yard setbacks of 10m, 12m and 20m within the rural zones. This would apply even if a tank that met the 25,000L capacity threshold was partially buried such that it was less than 1m in height. Tanks are a necessary requirement of rural activities and such structures are anticipated within rural environments where they form part of the character of the area. The presence of tanks within the yard setback will not give rise to adverse amenity or visual dominance effects. Further, to maximise land for productive use, tanks are often located close to boundaries. It is therefore appropriate that tanks are not considered buildings and not subject to yard controls within the Rural Production, Mixed Rural and Rural Coastal Zones.</p>	Allow
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Horticulture New Zealand	13	13.2	Oppose	<p>The relief sought does not acknowledge that the roles of workers within the rural environment do not always fit within the activities set out in Nesting Table J1.3.6. Further, the relief sought restricts workers' accommodation to being located on either the same site as the activity or another site associated with the same activity.</p> <p>The determination of the association between two parcels of land would cause unnecessary uncertainty and would restrict the provision of workers accommodation within the rural environment.</p>	Disallow
Horticulture New Zealand	13	13.3	Support in part/Oppose in Part	<p>This submission seeks to insert a new definition for 'Seasonal Workers' Accommodation' to provide for the use of land and buildings for the sole purpose of accommodating the short-term labour requirements of a farming activity, rural industry or post-harvest facility.</p> <p>This submission is supported in so much as there is a real need to provide accommodation for seasonal workers'. In particular, employers of seasonal workers are obliged to provide pastoral care, and with the limited affordable accommodation in Auckland, this can be difficult. Having provision for 'seasonal workers' accommodation' within the AUP (OP) will enable employers to provide pastoral care for their seasonal workers.</p>	<p>Allow to the extent that 'seasonal workers' accommodation' should be provided for under the AUP (OP).</p> <p>Disallow to the extent that 'seasonal workers' accommodation should not be limited to sites where it is the sole activity on the property.</p> <p>Disallow to the extent that the term 'short term' may be difficult to interpret and implement.</p>

	13			<p>That part of the submission which proposes that the seasonal worker accommodation be limited to the sole use of land or buildings is opposed. This would give rise to unintended inefficiencies of land use within the rural zones.</p> <p>The restriction to short-term labour is also opposed as it is not clear how this may be applied, and it also does not reflect the needs of rural land uses. Again, this may result in unintended inefficiencies for rural land use.</p>	
Horticulture New Zealand	13	13.4	Support	<p>This submissions is supported in so far as it acknowledges that there is a need to provide for seasonal workers accommodation within the rural environment. Including a specific activity status for this use enables accommodation to be provided in a way that can better meet the needs of seasonal workers within the Auckland Region.</p>	Allow
Horticulture New Zealand	13	13.5	Support in part/Oppose in part	<p>This submission seeks to insert new standards for 'seasonal workers' accommodation' into Chapter H19 Rural Zones of the AUP (OP).</p> <p>This submission is supported to the extent that it enables the development of additional accommodation on sites to provide for seasonal workers.</p> <p>This submission is opposed to the extent that the standards require seasonal workers' accommodation to comply with the Code of</p>	<p>Allow to the extent that 'seasonal workers' accommodation is enabled'.</p> <p>Disallow to the extent that compliance with the Code of Practice for Able Bodied Seasonal Workers must be complied with.</p> <p>Disallow to the extent that a travel management plan is required.</p>

	<p>Practice for Able Bodied Seasonal Workers, published by Department of Building and Housing 2008. This is not a resource management matter.</p> <p>This submission is also opposed to the extent that the standards require a travel management plan to be submitted as part as a resource consent application. It is considered that any effects arising from the Seasonal Workers' Accommodation and therefore, the need for a travel management plan, can be appropriately addressed through the resource consent process</p> <p>This submission is opposed to the extent that further clarification is needed in terms of the form of separation of the kitchen, sleeping and other facilities.</p> <p>This submission is opposed to the extent that it requires seasonal workers' accommodation to be located no less than 100m from any dwelling or minor dwelling established on an adjoining site. It is considered that the activity should comply with the general standards within the rural zones. Any deviation from those general standards is a matter to be determined through an assessment of the effects of the proposal which will enable the consideration of effects on the amenity of adjoining properties.</p>	
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Aaron Grey	15	15.11	Oppose	<p>The submission supports the amendments proposed to the definition of 'building' under Plan Change 16.</p> <p>The proposed amendment would result in retention tanks being subject to yard setbacks of 10m, 12m and 20m within the rural zones. This would apply even if a tank that met the 25,000L capacity threshold was partially buried such that it was less than 1m in height.</p> <p>The relief sought by this submission does not acknowledge that tanks are a necessary requirement of rural activities and such structures are anticipated within rural environments where they form part of the character of the area. The presence of tanks within the yard setback will not give rise to adverse amenity or visual dominance effects. Further, to maximise land for productive use, tanks are often located close to boundaries. It is therefore appropriate that tanks are not considered buildings and not subject to yard controls within the Rural Production, Mixed Rural and Rural Coastal Zones.</p>	Disallow
T&G Global	20	20.1	Support	<p>This submission opposes the amendment proposed by Plan Change 16 to the definition of Workers' Accommodation.</p> <p>The relief sought acknowledges that the proposed amendments are not the most appropriate to achieve the objectives and</p>	Allow

	20	20.2	Support	<p>policies of the Auckland (Unitary Plan Operative in Part). In particular, the proposed amendments will result in productive land being consumed for accommodation purposes.</p> <p>The proposed amendment to the definition of workers' accommodation would require workers' to be accommodated on the same site as their work which would result in productive land being utilised for accommodation purposes. The proposed amendment does not acknowledge the nature of landholdings in rural areas, where often a single entity owns a number of contiguous titles, or leases adjacent landholdings. Enabling only one workers' accommodation per site does not acknowledge the different sizes of sites or the scale of operation occurring on sites. Further, the standards for workers' accommodation in Rural Zones already controls the extent to which workers' accommodation may be provided for within the rural environment (i.e. floor area is limited to a maximum of 120m<sup>2</sup>).</p> <p>This submission seeks to have retention tanks within the Rural Production Zone, Mixed Rural and Rural Coastal zone exempt from the definition of 'building' as it relates to tanks including retention tanks.</p> <p>The relief sought acknowledges that tanks are vital infrastructure which in some instances do</p>	Allow
T&G Global					

				<p>not give rise to adverse visual dominance and amenity effects.</p> <p>The proposed amendment would result in retention tanks being subject to yard setbacks of 10m, 12m and 20m within the rural zones. This would apply even if a tank that met the 25,000L capacity threshold was partially buried such that it was less than 1m in height. Tanks are a necessary requirement of rural activities and such structures are anticipated within rural environments where they form part of the character of the area. The presence of tanks within the yard setback will not give rise to adverse amenity or visual dominance effects. Further, to maximise land for productive use, tanks are often located close to boundaries. It is therefore appropriate that tanks are not considered buildings and not subject to yard controls within the Rural Production, Mixed Rural and Rural Coastal Zones.</p>	
T&G Global	20	20.3	Support	<p>Submission point 20.3 seeks any such other relief as may be required to achieve the relief sought by submission points 20.1 and 20.2 above.</p>	Allow
Better Living Landscapes Ltd and Parallax Surveyors Ltd	23	23.8	Support	<p>This submission opposes the amendment proposed by Plan Change 16 to the definition of Workers' Accommodation.</p> <p>The above relief is sought as the proposed amendment to the definition for workers'</p>	Allow

Pakiri Farm Limited	25	25.1	Support	<p>accommodation seeks to severely restrict what workers' accommodation can be used for and is a significant departure from the operative definition.</p> <p>Support the submission that the proposed amendment to the definition of Workers' Accommodation falls outside of the scope of the purpose of this proposed plan change, that being to improve the consistency of provisions and to address identified technical issues.</p> <p>This submission seeks to have the amendment proposed by Plan Change 16 to the definition of Workers' Accommodation deleted and the definition of Workers' Accommodation remain as, or with similar variation to achieve <i>'a dwelling for people whose duties require them to live on-site, and in the rural zones for people who work on the site or in the surrounding area'</i>.</p> <p>The relief sought acknowledges that the proposed amendments are not the most appropriate to achieve the objectives and policies of the Auckland (Unitary Plan Operative in Part). In particular, the proposed amendments will result in productive land being consumed for accommodation purposes.</p> <p>The proposed amendment to the definition of workers' accommodation would require</p>	Allow
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Pakiri Farm Limited	25	25.2	Support	<p>workers' to be accommodated on the same site as their work which would result in productive land being utilised for accommodation purposes. The proposed amendment does not acknowledge the nature of landholdings in rural areas, where often a single entity owns a number of contiguous titles, or leases adjacent landholdings. Enabling only one workers' accommodation per site does not acknowledge the different sizes of sites or the scale of operation occurring on sites. Further, the standards for workers' accommodation in Rural Zones already controls the extent to which workers' accommodation may be provided for within the rural environment (i.e. floor area is limited to a maximum of 120m<sup>2</sup>).</p>	
Pakiri Farm Limited	25	25.3	Support	<p>Submission point 25.2 seeks any such other relief as may be required to achieve the relief sought by submission points 25.1 and 25.3 as above.</p> <p>The submission seeks to have the standards for Workers' Accommodation amended to enable multiple workers' accommodation to be developed on sites where a need for additional accommodation can be adequately demonstrated.</p> <p>The relief sought acknowledges the different sizes of sites and different scales of operation occurring on sites.</p>	Allow
Pakiri Farm Limited	25	25.3	Support	<p>The submission seeks to have the standards for Workers' Accommodation amended to enable multiple workers' accommodation to be developed on sites where a need for additional accommodation can be adequately demonstrated.</p> <p>The relief sought acknowledges the different sizes of sites and different scales of operation occurring on sites.</p>	Allow



<p>Te Arai South Partners, Te Arai South Holdings Limited, Te Arai North Limited, Tara Iti Holdings NZ</p>	<p>27</p>	<p>27.2</p>	<p>Support in part/Oppose in part</p>	<p>Oppose to the extent that the submission supports the proposed amendment to the definition of Workers' Accommodation which would restrict that accommodation to be provided only on the site that the work is being undertaken.</p> <p>This submission seeks to have the definition for Workers' Accommodation amended to allow the accommodation of those workers required in association with existing or consented activities on a site.</p>	<p>Disallow to the extent that it limits the provision of workers' accommodation to the same site as the identified work.</p> <p>Allow to the extent that it will enable the provision of workers' accommodation for consented activities beyond those in the nesting table.</p>
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**FURTHER SUBMISSION IN SUPPORT OF, OR OPPOSITION TO, SUBMISSION ON THE AUCKLAND UNITARY PLAN PROPOSED PLAN CHANGE 16**

***Auckland Unitary Plan Proposed Plan Change 16***

***Clause 8 of Schedule 1 to the Resource Management Act 1991***

**Further Submitter Details:**

**To:** Auckland Council  
**Name of Submitter:** T&G Global  
**Address for service:** T&G Global  
 c/- Barker & Associates Ltd  
 PO Box 591  
 Warkworth 0941  
 Attn: Elizabeth Molloy/Fern Beck

**Scope of Further Submission:** This is a further submission in support of (or opposition to) a submission on Proposed Plan Change 16: Improving consistency of provisions for Zones.

T&G Global is a company with an interest in the proposal that is greater than the interest the general public has. In this case, T&G Global are employers in the rural environment. T&G Global wishes to be heard in support of this further submission. If others make a similar submission, then T&G Global will consider presenting a joint case with them at a hearing.




14/03/2019

Elizabeth Molloy/Fern Beck, Barker & Associates Ltd  
 (Person authorised to sign on behalf of submitter)

\_\_\_\_\_ Date

Submitter Name	Submitter Number	Submission Point	Support/Oppose	Reason for Support/Opposition	I seek that the whole or part of the submission be allowed or disallowed
General Further Submission				Any relief seeking that the amendment proposed by Plan Change 16 to the definition of Workers' Accommodation be deleted and	

Fluker Surveying Limited	2			<p>the definition of Workers' Accommodation remain as, or with similar variation to achieve 'A dwelling for people whose duties require them to live on-site and in the rural zones for people who work on the site or in the surrounding rural area.'</p> <p>Any relief seeking a change to the standards for workers' accommodation to enable multiple Workers' Accommodation be developed on sites where a need for additional accommodation can be adequately demonstrated.</p> <p>Any relief seeking a change to the definition of 'building' as it relates to retention tanks, such that retention tanks in the Rural Production, Mixed Rural and Rural Coastal zones are not considered buildings, and therefore subject to yard setback standards.</p>	
	2.5		Support in part	<p>The submission seeks to delete the proposed amendment to the definition of 'building' such that tanks including retention tanks over 1m in height from the ground level, inclusive of the height of any supporting structure are not considered buildings.</p> <p>The relief sought acknowledges that tanks are vital infrastructure which are generally placed near side and rear yards and that it would be overly onerous for resource consent to be</p>	<p>Allow to the extent that it acknowledges tanks within side and rear yards in Rural Areas are appropriate and should not require resource consent.</p>

Horticulture New Zealand	13	13.1	Support	<p>required for all tanks located within the side yard.</p> <p>This submission seeks to amend the definition of buildings so that tanks including retention tanks are not considered to be buildings within the Rural Production, Mixed Rural or Rural Coastal Zones.</p> <p>The relief sought acknowledges that tanks are vital infrastructure which in some instances do not give rise to adverse visual dominance and amenity effects.</p> <p>The proposed amendment would result in retention tanks being subject to yard setbacks of 10m, 12m and 20m within the rural zones. This would apply even if a tank that met the 25,000L capacity threshold was partially buried such that it was less than 1m in height. Tanks are a necessary requirement of rural activities and such structures are anticipated within rural environments where they form part of the character of the area. The presence of tanks within the yard setback will not give rise to adverse amenity or visual dominance effects. Further, to maximise land for productive use, tanks are often located close to boundaries. It is therefore appropriate that tanks are not considered buildings and not subject to yard controls within the Rural Production, Mixed Rural and Rural Coastal Zones.</p>	Allow
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Horticulture New Zealand	13	13.2	Oppose	<p>The relief sought does not acknowledge that the roles of workers within the rural environment do not always fit within the activities set out in Nesting Table J1.3.6. Further, the relief sought restricts workers' accommodation to being located on either the same site as the activity or another site associated with the same activity.</p> <p>The determination of the association between two parcels of land would cause unnecessary uncertainty and would restrict the provision of workers accommodation within the rural environment.</p>	Disallow
Horticulture New Zealand	13	13.3	Support in part/Oppose in Part	<p>This submission seeks to insert a new definition for 'Seasonal Workers' Accommodation' to provide for the use of land and buildings for the sole purpose of accommodating the short-term labour requirements of a farming activity, rural industry or post-harvest facility.</p> <p>This submission is supported in so much as there is a real need to provide accommodation for seasonal workers'. In particular, employers of seasonal workers are obliged to provide pastoral care, and with the limited affordable accommodation in Auckland, this can be difficult. Having provision for 'seasonal workers' accommodation' within the AUP (OP) will enable employers to provide pastoral care for their seasonal workers.</p>	<p>Allow to the extent that 'seasonal workers' accommodation' should be provided for under the AUP (OP).</p> <p>Disallow to the extent that 'seasonal workers' accommodation should not be limited to sites where it is the sole activity on the property.</p> <p>Disallow to the extent that the term 'short term' may be difficult to interpret and implement.</p>

	13			<p>That part of the submission which proposes that the seasonal worker accommodation be limited to the sole use of land or buildings is opposed. This would give rise to unintended inefficiencies of land use within the rural zones.</p> <p>The restriction to short-term labour is also opposed as it is not clear how this may be applied, and it also does not reflect the needs of rural land uses. Again, this may result in unintended inefficiencies for rural land use.</p>	
Horticulture New Zealand	13	13.4	Support	<p>This submissions is supported in so far as it acknowledges that there is a need to provide for seasonal workers accommodation within the rural environment. Including a specific activity status for this use enables accommodation to be provided in a way that can better meet the needs of seasonal workers within the Auckland Region.</p>	Allow
Horticulture New Zealand	13	13.5	Support in part/Oppose in part	<p>This submission seeks to insert new standards for 'seasonal workers' accommodation' into Chapter H19 Rural Zones of the AUP (OP).</p> <p>This submission is supported to the extent that it enables the development of additional accommodation on sites to provide for seasonal workers.</p> <p>This submission is opposed to the extent that the standards require seasonal workers' accommodation to comply with the Code of</p>	<p>Allow to the extent that 'seasonal workers' accommodation is enabled'.</p> <p>Disallow to the extent that compliance with the Code of Practice for Able Bodied Seasonal Workers must be complied with.</p> <p>Disallow to the extent that a travel management plan is required.</p>

	<p>Practice for Able Bodied Seasonal Workers, published by Department of Building and Housing 2008. This is not a resource management matter.</p> <p>This submission is also opposed to the extent that the standards require a travel management plan to be submitted as part as a resource consent application. It is considered that any effects arising from the Seasonal Workers' Accommodation and therefore, the need for a travel management plan, can be appropriately addressed through the resource consent process</p> <p>This submission is opposed to the extent that further clarification is needed in terms of the form of separation of the kitchen, sleeping and other facilities.</p> <p>This submission is opposed to the extent that it requires seasonal workers' accommodation to be located no less than 100m from any dwelling or minor dwelling established on an adjoining site. It is considered that the activity should comply with the general standards within the rural zones. Any deviation from those general standards is a matter to be determined through an assessment of the effects of the proposal which will enable the consideration of effects on the amenity of adjoining properties.</p>	
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<p>Better Living Landscapes Ltd and Parallax Surveyors Ltd</p>	<p>23</p>	<p>23.8</p>	<p>Support</p>	<p>This submission opposes the amendment proposed by Plan Change 16 to the definition of Workers' Accommodation.</p> <p>The above relief is sought as the proposed amendment to the definition for workers' accommodation seeks to severely restrict what workers' accommodation can be used for and is a significant departure from the operative definition.</p> <p>Support the submission that the proposed amendment to the definition of Workers' Accommodation falls outside of the scope of the purpose of this proposed plan change, that being to improve the consistency of provisions and to address identified technical issues.</p>	<p>Allow</p>
<p>Southern Paprika</p>	<p>24</p>	<p>24.1</p>	<p>Support</p>	<p>This submission seeks to have the amendment proposed by Plan Change 16 to the definition of Workers' Accommodation deleted and the definition of Workers' Accommodation remain as, or with similar variation to achieve '<i>a dwelling for people whose duties require them to live on-site, and in the rural zones for people who work on the site or in the surrounding area</i>'.</p> <p>The relief sought acknowledges that the proposed amendments are not the most appropriate to achieve the objectives and policies of the Auckland (Unitary Plan</p>	<p>Allow</p>



Southern Paprika	24	24.2	Support	<p>Operative in Part). In particular, the proposed amendments will result in productive land being consumed for accommodation purposes.</p> <p>The proposed amendment to the definition of workers' accommodation would require workers' to be accommodated on the same site as their work which would result in productive land being utilised for accommodation purposes. The proposed amendment does not acknowledge the nature of landholdings in rural areas, where often a single entity owns a number of contiguous titles, or leases adjacent landholdings. Enabling only one workers' accommodation per site does not acknowledge the different sizes of sites or the scale of operation occurring on sites. Further, the standards for workers' accommodation in Rural Zones already controls the extent to which workers' accommodation may be provided for within the rural environment (i.e. floor area is limited to a maximum of 120m<sup>2</sup>).</p> <p>The submission seeks to have the standards for Workers' Accommodation amended to enable multiple workers' accommodation to be developed on sites where a need for additional accommodation can be adequately demonstrated.</p> <p>The relief sought acknowledges the different sizes of sites and different scales of operation occurring on sites.</p>	
				Allow	

Southern Paprika	24	24.3	Support	<p>This submission seeks to have retention tanks within the Rural Production Zone, Mixed Rural and Rural Coastal zone exempt from the definition of 'building' as it relates to tanks including retention tanks.</p> <p>The relief sought acknowledges that tanks are vital infrastructure which in some instances do not give rise to adverse visual dominance and amenity effects.</p> <p>The proposed amendment would result in retention tanks being subject to yard setbacks of 10m, 12m and 20m within the rural zones. This would apply even if a tank that met the 25,000L capacity threshold was partially buried such that it was less than 1m in height. Tanks are a necessary requirement of rural activities and such structures are anticipated within rural environments where they form part of the character of the area. The presence of tanks within the yard setback will not give rise to adverse amenity or visual dominance effects. Further, to maximise land for productive use, tanks are often located close to boundaries. It is therefore appropriate that tanks are not considered buildings and not subject to yard controls within the Rural Production, Mixed Rural and Rural Coastal Zones.</p>	Allow
Southern Paprika	24	24.4	Support	<p>Submission point 24.4 seeks any such other relief required to achieve the relief sought by submission points 24.1, 24.2 and 24.3 as above.</p>	Allow

Pakiri Farm Limited	25	25.1	Support	<p>This submission seeks to have the amendment proposed by Plan Change 16 to the definition of Workers' Accommodation deleted and the definition of Workers' Accommodation remain as, or with similar variation to achieve '<i>a dwelling for people whose duties require them to live on-site, and in the rural zones for people who work on the site or in the surrounding area</i>'.</p> <p>The relief sought acknowledges that the proposed amendments are not the most appropriate to achieve the objectives and policies of the Auckland (Unitary Plan Operative in Part). In particular, the proposed amendments will result in productive land being consumed for accommodation purposes.</p> <p>The proposed amendment to the definition of workers' accommodation would require workers to be accommodated on the same site as their work which would result in productive land being utilised for accommodation purposes. The proposed amendment does not acknowledge the nature of landholdings in rural areas, where often a single entity owns a number of contiguous titles, or leases adjacent landholdings. Enabling only one workers' accommodation per site does not acknowledge the different sizes of sites or the scale of operation occurring on sites. Further, the standards for workers' accommodation in Rural Zones already controls the extent to</p>	Allow
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					which workers' accommodation may be provided for within the rural environment (i.e. floor area is limited to a maximum of 120m <sup>2</sup> ).	
Pakiri Farm Limited	25	25.2	Support	Support	Submission point 25.2 seeks any such other relief as may be required to achieve the relief sought by submission points 25.1 and 25.3 as above.	Allow
Pakiri Farm Limited	25	25.3	Support	Support	The submission seeks to have the standards for Workers' Accommodation amended to enable multiple workers' accommodation to be developed on sites where a need for additional accommodation can be adequately demonstrated.  The relief sought acknowledges the different sizes of sites and different scales of operation occurring on sites.	Allow
Te Arai South Partners, Te Arai South Holdings Limited, Te Arai North Limited, Tara Iti Holdings NZ	27	27.2	Support in part/Oppose in part	Support in part/Oppose in part	Oppose to the extent that the submission supports the proposed amendment to the definition of Workers' Accommodation which would restrict that accommodation to be provided only on the site that the work is being undertaken.  This submission seeks to have the definition for Workers' Accommodation amended to allow the accommodation of those workers required in association with existing or consented activities on a site.	Disallow to the extent that it limits the provision of workers' accommodation to the same site as the identified work.  Allow to the extent that it will enable the provision of workers' accommodation for consented activities beyond those in the nesting table.

**FURTHER SUBMISSION IN SUPPORT OF SUBMISSIONS ON PROPOSED PLAN  
CHANGE 16 TO THE AUCKLAND UNITARY PLAN UNDER CLAUSE 8 OF SCHEDULE 1  
OF THE RESOURCE MANAGEMENT ACT 1991**

**To:** Auckland Council (**Council**)  
**Name:** CP Auckland LP Limited (**CP**)

**Scope of further submission**

1. This is a further submission in support of submissions on the Council's Proposed Plan Change 16 to the Auckland Unitary Plan (**PC16**).
2. CP is a person who has an interest in PC16 that is greater than the interest the general public has. CP owns approximately two thirds of the Central Park business park located at 666 Great South Road, Ellerslie and has the potential to be affected by PC16.

**Submissions supported**

3. CP supports parts of the submissions by:
  - a. Whai Rawa Railway Lands LP (submitter 14).
4. The particular parts of the submissions that CP supports are detailed in the table **attached** as **Schedule 1** to this further submission.

**Reasons for further submission**

5. The submissions set out **Schedule 1** should be allowed (either in full or part) so as to:
  - a. promote sustainable management of resources to achieve the purpose in Part 2 and other provisions of the RMA;
  - b. enable the social and economic well-being of the community in the Auckland region;
  - c. sustain the potential of the physical resource represented by CP's landholding for the future; and
  - d. ensure that the provisions are the most appropriate way to achieve the objectives of the Unitary Plan in terms of section 32 of the RMA.
6. Without limiting the generality of the above, specific reasons why CP supports the submissions are detailed in **Schedule 1**.

**Decisions sought**

7. CP seeks that:
  - a. the submissions supported in **Schedule 1** be allowed (either in full or in part); and
  - b. such further, consequential or alternative relief as may be necessary to fully give effect to CP's further submission.

8. CP wishes to be heard in support of this further submission.
9. If others make a similar submission, CP will consider presenting a joint case with them at a hearing.

**CP AUCKLAND LP LIMITED**

**Date:** 14 March 2019

**Signature:**



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Mark Arbuthnot  
on behalf of CP Auckland Limited

**Address for service:** mark.arbuthnot@bentley.co.nz

**Postal address:** Mark Arbuthnot  
Bentley & Co. Limited  
PO Box 4492, Shortland Street  
**AUCKLAND 1140**

**Telephone:** 09 309 5367

## SCHEDULE 1: SUBMISSIONS SUPPORTED

#	Submitter	Sub #	Further submission	Reasons	Decision sought
<b>Definitions – Floor area ratio</b>					
1	Whai Rawa Railway Lands LP <i>cmgarr@bentley.co.nz</i>	14.2	Support.	<p>CP supports the proposed amendments to the definition of 'floor area ratio'. CP agrees with the submitter that the changes introduced to the definition of 'floor area ratio' by the Auckland Unitary Plan Independent Hearings Panel was outside the 'scope' of any submissions. This has resulted in inadvertent changes to the manner in which 'floor area ratio' is calculated on CP's landholdings (such that the 'floor area ratio' that is achievable within the Central Park Precinct has reduced significantly). CP also agrees with the submitter that:</p> <ul style="list-style-type: none"> <li>• the changes that are proposed to the definition of 'floor area ratio' within PC16 does not fully resolve the situation of achieving consistency of provisions;</li> <li>• the inclusion of 'vehicle access ways' within the definition introduces further ambiguity; and</li> <li>• the change does not address other aspects of the definition of 'net site area' which implicate the area of the site for the purpose of calculating 'floor area ratio', which would continue to apply and inadvertently reduce the area of the site.</li> </ul>	Allow the submission.

**FURTHER SUBMISSION BY VECTOR LIMITED ON PROPOSED PLAN  
CHANGES 14, 15 AND 16 TO THE AUCKLAND UNITARY PLAN (OPERATIVE  
IN PART)**

**TO:** Auckland Council ("**Council**")

**FURTHER SUBMISSION ON:** Proposed Plan Change 14 ("**PC14**"),  
Proposed Plan Change 15 ("**PC15**") and  
Proposed Plan Change 16 ("**PC16**") to the  
Auckland Unitary Plan: Operative in Part.

**FROM:** Vector Limited ("**Vector**")  
C/- the address for service set out below

**Introduction**

1. This is a further submission in support of, and in opposition to, submissions received by Auckland Council on Proposed Plan Changes 14 – 16.
2. Vector filed a submission on PC14<sup>1</sup> and PC15.<sup>2</sup> Vector has an interest in PC14, PC15 and PC16 greater than the interest that the general public has, as Vector owns and operates infrastructure relied upon to deliver electricity and communications across New Zealand, and particularly Auckland. This infrastructure could potentially be affected by submissions received on PC14 – 16. Therefore, Vector is directly and materially affected by the proposed changes to PC14, PC15 and PC16, particularly those relating to Chapter 26 (Infrastructure).

**Submissions supported and opposed**

3. The submissions supported and opposed are set out in the table attached as a **Schedule** to this further submission.

**Reasons for further submission**

4. For the submissions that Vector supports, those submissions should be allowed as they:
  - (a) promote sustainable management of resources, achieve the purpose of the Resource Management Act 1991 ("**RMA**") and give effect to Part 2 and other provisions of the RMA;

<sup>1</sup> Submission number 19, with submission points recorded for PC14 in the summary of submissions 19.1 – 19.28.

<sup>2</sup> Submission number 11, with submission points recorded for PC15 in the summary of submissions 11.1 – 11.4.



- (b) enable the social and economic well-being of the community in the Auckland region;
  - (c) meet the reasonably foreseeable needs of future generations;
  - (d) will achieve integrated management of the effects of the use, development or protection of land and associated resources of the Auckland region;
  - (e) will enable the efficient use and development of Vector's assets and operations, and of those resources which are dependent on, or benefit from, Vector's assets and network operations;
  - (f) represent the most appropriate means of exercising the Council's functions, having regard to the efficiency and effectiveness of the provisions relative to other means; and
  - (g) are appropriate and consistent with the relief sought in Vector's original submission.
5. For the submissions that Vector opposes, those submissions should be disallowed as they:
- (a) will not promote sustainable management of resources, will not achieve the purpose of the RMA and are contrary to Part 2 and other provisions of the RMA;
  - (b) will not enable the social and economic well-being of the community in the Auckland region;
  - (c) will not meet the reasonably foreseeable needs of future generations;
  - (d) will not achieve integrated management of the effects of the use, development or protection of land and associated resources of the Auckland region;
  - (e) will not enable the efficient use and development of Vector's assets and operations, and of those resources which are dependent on, or benefit from, Vector's assets and network operations;
  - (f) do not represent the most appropriate means of exercising the Council's functions, having regard to the efficiency and effectiveness of the provisions relative to other means; and
  - (g) are inappropriate and inconsistent with the relief sought in Vector's original submission.
6. Without limiting the generality of the above, the specific reasons why Vector supports or opposes each submission are set out in the **Schedule**.

**Decision sought**

7. Vector seeks the following relief:

- (a) That the submissions supported in the attached **Schedule** be allowed.
  - (b) That the submissions supported in part in the attached **Schedule** be allowed in part.
  - (c) That the submissions opposed in the attached **Schedule** be disallowed.
  - (d) Such further, alternative or other consequential amendments as may be necessary to fully address Vector's further submission as set out above and below.
8. Vector wishes to be heard in support of this submission.
9. If others make a similar submission, Vector would be prepared to consider presenting a joint case with them at any hearing.

**Signature:**

**VECTOR LIMITED**, by its solicitors and authorised agents Russell McVeagh:



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Daniel Minhinnick

**Date:**

14 March 2019

**Address for Service:**

Russell McVeagh  
Vero Centre, 48 Shortland Street  
PO Box 8  
Auckland 1140

Attention: Georgia Cameron

Phone: (09) 367 8185

Email: [georgia.cameron@russellmcveagh.com](mailto:georgia.cameron@russellmcveagh.com)

## SCHEDULE: SUBMISSIONS SUPPORTED OR OPPOSED

SUBMITTER	SUBMISSION #	SPECIFIC SUBMISSION	SUPPORT OR OPPOSE	REASONS	DECISION SOUGHT
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### Plan Change 14

1.	Heritage New Zealand Pouhere Taonga	2.8	Supports amendment to standards for depth of earthworks within a Historic Heritage overlay in E26.6.5.2(16) and E26.6.5.2(17)(c).	Support	Vector supports the proposed amendment of E26.6.5.2(17)(c) by Heritage New Zealand. In particular, Vector supports the intention to remove the unnecessary depth of earthwork limitation which would otherwise require a restricted discretionary resource consent.	Vector seeks that this submission be allowed.
2.	Heritage New Zealand Pouhere Taonga	2.9	Support amendment to standard E26.6.5.2(17)(a) for earthworks within 20m of a building or structure within a Historic Heritage overlay.	Support in part	Vector supports the proposed amendment by Heritage New Zealand to the extent it is consistent with Vector's submission for the reasons set out in Vector's submission. However, Vector considers its suggested amendment (at submission point 19.20) to include "minor infrastructure upgrading" within E26.6.5.2(17)(a) should be preferred.	Vector seeks that this submission be allowed in part.
3.	Chorus NZ Ltd, Spark NZ Trading Ltd and Vodafone NZ Ltd	4.4	Seek to delete activity standards E26.3.5.1 (1) and (2) relating to the requirement that any vegetation alteration or removal must be within 1m of an existing track or fence, and under (2) that it must not include trees over 6m in height or 600mm in girth unless otherwise permitted by a rule in the AUP.	Support	Vector supports the proposed deletion of the E26.3.5.1 (1) and (2) activity standards to reflect that these standards and the corresponding resource consent requirement is overly restrictive and an inefficient use of both the Council and Utility operators' time and resources. If these activity standards were to remain, in practice that would require a resource consent for almost any tree removal and any trimming or any scale in a rural zone.	Vector seeks that this submission be allowed.
4.	Chorus NZ Ltd, Spark NZ Trading Ltd and Vodafone NZ Ltd	4.5	Seek to delete activity standard E26.3.5.2 (1) that states that it must not include trees over 6m in height or 600mm in girth unless otherwise permitted by a rule in the AUP.	Support	Vector supports the proposed deletion of E26.3.5.2 (1) on the basis that provision E26.3.5.2 (1) is inconsistent with provisions in Chapter E15. Vector seeks consistency between chapters of the Unitary Plan. If this activity standard was to remain, in practice that would require a	Vector seeks that this submission be allowed.

SUBMITTER	SUBMISSION #	SPECIFIC SUBMISSION	SUPPORT OR OPPOSE	REASONS	DECISION SOUGHT
resource consent for almost any tree removal and any trimming or any scale in a rural zone.					
5. Chorus NZ Ltd, Spark NZ Trading Ltd and Vodafone NZ Ltd	4.7	Seek to amend E26.11.3.1 (A158A) such that it only applies to antennas exceeding 9m in height above ground level.	Support	Vector supports the proposed amendment to E26.11.3.1 (A158A) such that it only applies to antennas exceeding 9m in height above ground level, for the reasons outlined in Vector's submission.	Vector seeks that this submission be allowed.
6. Chorus NZ Ltd, Spark NZ Trading Ltd and Vodafone NZ Ltd	4.8	Seek to amend 26.11.3.1(A164) such that network utilities and electricity generation facilities not exceeding 9m in height are a permitted activity.	Support	Vector supports the proposed amendment to E26.11.3.1 (A164) such that network utilities and electricity generation facilities not exceeding 9m in height are a permitted activity, and wishes to reiterate Vector's concern that as currently drafted, network utilities and electricity generation facilities are subject to inconsistent treatment due to what Vector (and other utility operators) consider(s) to be a drafting anomaly. Vector has provided comment on this in its original submission.	Vector seeks that this submission be allowed.
7. Chorus NZ Ltd, Spark NZ Trading Ltd and Vodafone NZ Ltd	4.9	Seek to delete proposed Rule 26.11.3.1(A164A) ( <u>providing for network utilities and electricity generation facilities that are not provided for and the height does not exceed 9 metres as discretionary activities</u> ) provided that the relief sought in regard to (A158A) and (A164A) is adopted.	Support	Vector supports the proposed deletion of Rule 26.11.3.1 (A164A), provided that the relief sought in respect of (A158A) and (A164) set out above is adopted. It is also supported on the basis that it is consistent with the other changes proposed above, and as set out in Vector's original submission.	Vector seeks that this submission be allowed.
8. Chorus NZ Ltd, Spark NZ Trading Ltd and	4.10	Oppose the notification standard E26.11.4 (1) that any application for resource consent for any	Support	Vector supports the proposed deletion of E26.11.4 Standard (1) to remove mandatory public notification for any non-complying activity in Table E26.11.3.1. This further submission is to reiterate Vector's concern (as	Vector seeks that this submission be allowed.

SUBMITTER	SUBMISSION #	SPECIFIC SUBMISSION	SUPPORT OR OPPOSE	REASONS	DECISION SOUGHT
Vodafone NZ Ltd		noncomplying activity in Table E26.11.3.1 must be publicly notified.		outlined in submission point 19.10) is that mandatory public notification is inappropriate in this context, and the normal notification tests provided by the RMA are sufficient to enable the Council to exercise reasonable judgement as to what applications may require public notification or not.	
9. Chorus NZ Ltd, Spark NZ Trading Ltd and Vodafone NZ Ltd	4.11	Seek to delete permitted activity standard 26.12.5.1(2) (a); and add a new standard to 26.12.5.1(2) limiting the extent to which any support pole may be moved to 1m.	Support	Vector supports the proposed deletion of permitted activity standard 26.12.5.1(2)(a), and the proposed addition of a new standard to 26.12.5.1(2) limiting the extent to which any support pole may be moved to 1 m. While "minor infrastructure upgrading" is permitted by (A167) in theory, the E26.12.5.1(2) standards mean that this is not a reality. Given it is accepted that relocating a pole (for example) should be limited to a similar location as existing equipment, or a new pole may need to replace an existing pole in the same area (but not with the existing pole's exact footprint location), a limit of 1m is considered appropriate and realistic.	Vector seeks that this submission be allowed.
10. Oil Companies (Z Energy Ltd, BP Oil NZ Ltd and Mobil Oil NZ Ltd)	5.2	Seeks to amend D26.1 (as set out in <i>italics</i> below) to reinforce that any changes to the National Grid Corridor which affect a new area will only apply following a plan change to amend the overlay.  <i>The location of the National Grid Corridor Overlay must be updated if any National Grid line, support structure or substation is relocated or removed or if the site boundary of a substation reduces in size. In the event that a line, support structure, or</i>	Support	Vector supports the proposed amendment to D26.1 to reinforce that any changes to the National Grid Corridor which affect a new area will only apply following a plan change to amend the overlay. The proposed amendment better reflects the section 32 report discussion of the issue. Where there is a new location for the grid overlay, the plan change process is an appropriate way to evaluate and give effect to that addition within the planning framework.	Vector seeks that this submission be allowed.

SUBMITTER	SUBMISSION #	SPECIFIC SUBMISSION	SUPPORT OR OPPOSE	REASONS	DECISION SOUGHT
		<i>substation is proposed to be relocated and will affect a new area, the overlay will not apply to the new area unless the overlay is amended by way of a plan change.</i>			
11. Better Living Landscapes Ltd and Parallax Surveyors Ltd	8.2	Seeks that the term riparian margin should be reinstated throughout where it has been substituted. The other acceptable option is "riparian yard" as this is a consistent use in other areas of the plan and is clearly defined as either 10 or 20 metres.	Support in part	Vector supports the intention of the submission to decline changes to 'riparian areas' from 'riparian margins' for the reasons outlined in Vector's submission. However, Vector considers that the relief it sought (at submission point 19.13) provides greater clarity, and is therefore more appropriate and should be preferred.	Vector seeks that this submission be allowed in part.
12. Tūpuna Maunga o Tāmaki Makaurau Authority	10.4	Amendments to E26.11.3.1 are supported (including to clarify that the activity table also applies to the height sensitive areas located around the base of the maunga); and to provide for minor infrastructure works unable to comply with the standards to be assessed as a discretionary or restricted discretionary activity;	Oppose	Vector opposes the submission to accept the proposed amendments to Chapter D14 and Chapter E26 for the reasons outlined in Vector's original submission and continues to seek that its relief sought is preferred (submission point 19.8 and 19.9).	Vector seeks that this submission be disallowed.
13. New Zealand Defence Force	13.5	Seeks to amend the definition of "Vegetation Alteration or Removal" to clarify whether it includes "works within the protected root zone".	Support	Vector supports the proposed alteration to the definition of 'vegetation alteration or removal' for the reasons outlined in Vector's original submission.	Vector seeks that this submission be allowed.
14. Federated Farmers of New Zealand	15.5	Seeks to amend the definition of "vegetation alteration or removal" as set out in submission	Support	Vector supports the proposed alteration to the definition of 'vegetation alteration or removal' for the reasons outlined in Vector's original submission.	Vector seeks that this submission be allowed.

SUBMITTER	SUBMISSION #	SPECIFIC SUBMISSION	SUPPORT OR OPPOSE	REASONS	DECISION SOUGHT
15. Housing New Zealand	17.11	Seeks amendments to D26.4 to require notification of affected persons and to add additional text for clarity.	Support	Vector supports the proposed addition under D26.4 Activity Table that provides that a plan change is required where the National Grid Corridor Overlay line (or part of the line or substation) is moved or undergrounded to a new area or location, for the reasons outlined in Vector's original submission.	Vector seeks that this submission be allowed.
16. Housing New Zealand	17.16	Seeks to delete all amendments proposed in E26.11 Network utilities and electricity generation – Volcanic Viewshafts and Height Sensitive Areas Overlay relating to viewshafts.	Oppose	Vector opposes the proposed deletion of all amendments relating to the E26.11 Network utilities and electricity generation – Volcanic Viewshafts and Height Sensitive Areas Overlay relating to viewshafts for the reasons outlined in Vector's original submission.	Vector seeks that this submission be disallowed.
17. Housing New Zealand	17.26	Seeks to retain the provisions as proposed in PC 14 in relation to the inclusion of the definition for 'vegetation alteration or removal'	Support	Vector supports the proposed inclusion of the definition of "vegetation alteration or removal" for the reasons outlined in Vector's original submission.	Vector seeks that this submission be allowed.
18. KiwiRail Holdings Limited	20.1	Seeks to retain E26.3.5.2 Vegetation alteration or removal proposed clause (7)	Support	Vector supports the proposed inclusion of the definition of "vegetation alteration or removal" for the reasons outlined in Vector's original submission.	Vector seeks that this submission be allowed.
19. Transpower New Zealand Ltd	21.2	Seeks that Chapter D26 be amended as notified	Support	Vector supports Transpower's support of the proposed changes to the D26 National Grid Overlay description and activity table, as they are considered appropriate, subject to the further amendments sought by Housing New Zealand at row 15 above.	Vector seeks that this submission be allowed.
20. Transpower New Zealand Ltd	21.4	Seeks that E26.3.3 Activity table Preamble text regarding meaning of "coastal areas" and "riparian areas" should be amended as notified	Oppose	Vector opposes the proposed changes to the activity table D26.3.3 preamble text regarding the meaning of "coastal area" and "riparian areas" for the reasons outlined in Vector's original submission.	Vector seeks that this submission be disallowed.



SUBMITTER	SUBMISSION #	SPECIFIC SUBMISSION	SUPPORT OR OPPOSE	REASONS	DECISION SOUGHT
21. Transpower New Zealand Ltd	21.5	Seeks that E26.3.5.2 Vegetation alteration or removal (7) should be amended as notified	Support in part	Vector supports in part the revisions sought in respect of the definition of "vegetation alteration or removal" for the reasons outlined in Vectors original submission.	Vector seeks that this submission be allowed in part.
<b>Plan Change 15</b>					
22. New Zealand Defence Force	8.23	Seeks to delete the insertion of "of network utilities" in the rule and standards for minor infrastructure upgrading.	Oppose	Vector opposes the proposed deletion of "network utilities" from minor infrastructure upgrading rules F2.19.10 (A131), F2.21.10.7 and F2.24.10.8. The terminology used in chapter E26 quite deliberately uses the term "network utilities" to limit the scope of the rules, and was not intended to expand to all "infrastructure" such as wharfs.	Vector seeks that this submission be disallowed.
23. KiwiRail Holdings Limited	9.2	Seeks to retain F2.21.10.7 Minor infrastructure upgrades of network utilities as proposed.	Support	Vector supports KiwiRail's submission in support of retaining F2.21.10.7 – Minor infrastructure upgrades in the Coastal Marine Area as a permitted activity, as it recognises and provides for the reasonable flexibility of minor works to existing infrastructure.	Vector seeks that this submission be allowed.
24. KiwiRail Holdings Limited	9.3	Seeks to retain F2.23.2 Assessment criteria (17) (g) new clause (iv).	Support	Vector supports KiwiRail's submission in support of retaining F2.23.2 Assessment Criteria (17)(g) new clause (iv) which provides for activities that cannot practicably be located on land outside of the common marine and coastal area, as it recognises (and adds weight to) the consideration that there will be activities that cannot easily be relocated away from the coastal environment.	Vector seeks that this submission be allowed.
<b>Plan Change 16</b>					
25. Better Living Landscapes Ltd and		Seeks further exclusions from the definition of 'building' such as power	Oppose	Vector opposes the proposed changes to the definition of building, as the change is not necessary or appropriate.	Vector seeks that this



SUBMITTER	SUBMISSION #	SPECIFIC SUBMISSION	SUPPORT OR OPPOSE	REASONS	DECISION SOUGHT
Parallax Surveyors Ltd		poles, telephone poles and road name signs			submission be disallowed.

## Contact details

Full name of person making a further submission: Summerset Villages Parnell Limited

Organisation name:

Full name of your agent: Craig McGarr

Email address: [cmcgarr@bentley.co.nz](mailto:cmcgarr@bentley.co.nz)

Contact phone number: 093095367

Postal address:  
PO Box 4492  
Shortland Street  
Auckland  
Auckland 1140

## Submission details

**This is a further submission to:**

Plan modification number: Plan change 16

Plan modification name: Improving consistency of provisions for Zones

### Original submission details

Original submitters name and address:  
Metlifecare Limited  
Address for service: [justind@metlifecare.co.nz](mailto:justind@metlifecare.co.nz)

Submission number: 30

Do you support or oppose the original submission? I or we support the submission

Specific parts of the original submission that your submission relates to:  
Point number 30.2  
Point number 30.3  
Point number 30.5

The reasons for my or our support or opposition are:  
Refer to attached submission document

I or we want Auckland council to make a decision to: Allow the whole original submission

Submission date: 14 March 2019

Supporting documents  
Summerset Further Submission on AUP PC16 140319.pdf

## Attend a hearing

I or we wish to be heard in support of this submission: Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?  
Yes

## **Declaration**

What is your interest in the proposal? I am a person who has an interest in the proposal that is greater than the interest that the general public has

Specify upon which grounds you come within this category:

Summerset has an interest in the relief sought by submission 30.2, 30.3, and 30.5 by Metlifecare that is greater than that of the public interest. Summerset is directly affected by the proposed amendments to the Unitary Plan to which Metlifecare's submission relates.

I declare that:

- I understand that I must serve a copy of my or our further submission on the original submitter within five working days after it is served on the local authority
- I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

**FURTHER SUBMISSION IN SUPPORT OF, OR IN OPPOSITION TO,  
SUBMISSION ON A NOTIFIED PLAN CHANGE UNDER CLAUSE 8 OF THE  
FIRST SCHEDULE TO THE RESOURCE MANAGEMENT ACT 1991**

**To:** Auckland Council

**Address:** Private Bag 92300, Auckland 1142

**Name of person making further submission:** Summerset Villages (Parnell) Limited

**1.0 Introduction**

1.1 This is a further submission in support of a submission on Plan Change 16 (“**PC16**”) to the Auckland Unitary Plan (Operative in part) (“**Unitary Plan**”), by Summerset Villages (Parnell) Limited (“**Summerset**”).

1.2 Summerset is the owner and operator of a number of comprehensive care retirement villages throughout New Zealand, including several villages in the Auckland region.

1.3 These villages typically provide a range of retirement living facilities with a range of accommodation typologies, including independent living units, assisted living suites, memory care suites, and care beds. Such villages can contain the spectrum of such accommodation options as a comprehensive development, which are serviced by a range of communal facilities available for use by all residents (and their visitors). Such facilities can include:

- Resident lounges, activity rooms, gathering spaces, dining areas facilities, restaurant, café and bar, swimming pool, and hobbies shed;
- On-site services, including hair salon and convenience shop; and
- A range of active and passive recreation areas.

1.4 The outdoor living and outlook ‘requirements’ associated with such forms of accommodation are distinctly different to those associated with ‘standard’ dwellings.

**2.0 Further Submission**

2.1 This further submission relates to the primary submissions made by Metlifecare Limited (“**Metlifecare**”), which identify that the proposed changes to the residential zone and business zone provisions introduce a requirement for integrated residential developments (which by definition includes retirement village activities) and supported residential care activities to be subject to the outdoor living and outlook standards which apply to dwellings.

2.2 This further submission relates to the following Metlifecare submission points:

- 30.2
- 30.3
- 30.5

which seek to:

- delete all reference to “units within an integrated residential development” and “supported residential care” from Rule H4.6.11, H5.6.12 and H6.6.13 (relating to outlook space, or in the alternative delete reference to “supported residential care” and amend the text so that “retirement villages” are exempt from these rules;
- either delete reference to “supported residential care” in Rules H4.6.13, H5.6.14 and H6.6.15 (relating to outdoor living courts); or delete the reference to outdoor living space deemed to be accessible from the principal living room, dining room or kitchen from these proposed rule changes; and
- delete all reference to “units within an integrated residential development” from Rule H9.6.10, H10.6.10 , H11.6.8, H12.6.8 and H13.6.9 (relating to outlook space), or in the alternative amend the text to exempt retirement villages from these rules.

2.3 Summerset supports submission points 30.2, 30.3, and 30.5 made by Metlifecare.

### **3.0 Reasons for Further Submission**

3.1 The amendments proposed in PC16 are intended to improve consistency, by amending the outdoor living and outlook space standards to clarify how they apply, and for their purpose to reflect the standard. In doing so, the amendments proposed have introduced specific and inappropriate standards to be applied to accommodation typologies for retirement village activities.

3.2 The imposition of such standards in respect of retirement villages is both inappropriate and unnecessary given the fundamentally different nature of the respective activities and the requirements of the residents of such activities. In particular the standards do not reflect the manner in which such forms of accommodation are provided, specifically the provision of significant communal facilities rather than requiring individual recreation spaces and amenity/outlook considerations.

3.3 In the absence of the relief sought by Metlifecare, the revisions proposed in PC16 would substantially alter the Unitary Plan provisions as they relate to the standards applicable to retirement villages and will introduce inefficiencies to the resource consent process by generating uncertainty as to how ‘standards’ are to be applied to such activities (which are subject to a comprehensive suite of matters of discretion, assessment criteria, and objectives and policies).

3.4 The amendments proposed by PC16 have not been comprehensively considered, in light of the functional and operational requirements of retirement villages in particular, and do not correspond to correcting a technical error or anomaly with the Unitary Plan provisions.

#### **4.0 Interest in the Submission**

4.1 Summerset has an interest in the relief sought by submission 30.2, 30.3, and 30.5 by Metlifecare that is greater than that of the public interest. Summerset is directly affected by the proposed amendments to the Unitary Plan to which Metlifecare's submission relates.

#### **5.0 Decision Sought**

5.1 Summerset seeks that submission points 30.2, 30.3, and 30.5 of the primary submission by Metlifecare on PC16, or alternative relief that achieves the same outcome, be allowed.

5.2 Summerset wishes to be heard in support of this further submission.

5.3 If others make a similar submission, consideration would be given to presenting a joint case with them at any hearing.

Dated at Auckland, this 14 day of March 2019

**Signature**

**Summerset (Parnell) Limited**

by its planning and resource management consultants  
and authorised agents Bentley & Co. Ltd.



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Craig McGarr

**Address for Service:**

Bentley & Co. Ltd

PO Box 4492

Shortland Street

Auckland 1141

Attention: Craig McGarr

**Telephone:** (09) 309 5367

**Mobile:** 0211 339 309

**Email:** cmcgarr@bentley.co.nz

# Further Submission on Proposed Plan Change 16 to the Auckland Unitary Plan (Operative in Part)

## Clause 8 of Schedule 1 to the Resource Management Act 1991

**To:** Attention: Planning Technician  
Plans and Places  
Auckland Council  
Private Bag 92300  
**AUCKLAND 1142**

By email: [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

**Name of submitter: HOUSING NEW ZEALAND CORPORATION (“the Corporation”)**

1. The Corporation makes this further submission on proposed Plan Change 16 to the Auckland Unitary Plan (Operative in Part) (“**the Plan Change**”) in support of/in opposition to an original submission to the Plan Change.
2. The Corporation is a person who has an interest in the proposal that is greater than the interest the general public has, being an original submitter on the Plan Change with respect to its interests as a Crown agency responsible for the provision of state housing, and its housing portfolio in the Auckland Region. In that regard, the Corporation represents a relevant aspect of the public interest and has an interest in the Plan Change greater than the general public for a number of reasons, including (without limitation):
  - (a) The Corporation is a major landowner in the Auckland Region. The housing portfolio managed by the Corporation comprises approximately 27,750 dwellings. The Corporation’s role includes the efficient and effective management of state housing and the tenancies of those living in them.
  - (b) The Corporation’s housing assets form a major part of the Auckland Region’s social infrastructure and particularly its affordable housing infrastructure, and it is essential that the Corporation is able to meet its responsibility of providing efficient and effective state housing for the most vulnerable members of our society. Reconfiguring this housing stock in Auckland is a priority for the Corporation to better deliver to its responsibility of providing efficient and effective state and public housing. To this end, the provisions of the Plan Change have the possibility to affect the sustainable management of these housing assets.

3. The Corporation makes this further submission in respect of submissions by third parties to the Unitary Plan provisions to the extent that they directly affect the relief sought in its own submission on the Unitary Plan, which seeks specific amendments to the Unitary Plan to better enable the Corporation to provide for high quality cost effective, state housing to the people in the greatest need for the duration of their need.
4. The reasons for this further submission are:
  - (a) The reasons set out in the Corporation's primary submission on the Plan Change.
  - (b) In the case of the Primary Submissions that are opposed:
    - (i) The Primary Submissions do not promote the sustainable management of natural and physical resources and are otherwise inconsistent with the purpose and principles of the Resource Management Act 1991 ("**RMA**");
    - (ii) The relief sought in the Primary Submissions is not the most appropriate in terms of section 32 of the RMA;
    - (iii) Rejecting the relief sought in the Primary Submissions opposed would more fully serve the statutory purpose than would implementing that relief; and
    - (iv) The Primary Submissions are inconsistent with the policy intent of the Corporation's submission.
  - (c) In the case of Primary Submissions that are supported:
    - (i) The Primary Submissions promote the sustainable management of natural and physical resources and are consistent with the purpose and principles of the RMA and with section 32 of the RMA;
    - (ii) The reasons set out in the Primary Submissions to the extent that they are consistent with the Corporation's submission; and
    - (iii) Allowing the relief sought in the Primary Submissions supported would more fully serve the statutory purpose than would disallowing that relief.
  - (d) Such additional reasons (if any) in respect of each of the Primary Submissions supported or opposed as are set out in the **attached** Schedule.
5. The specific relief in respect of each Primary Submission that is supported or opposed is set out in the **attached** Schedule.



6. The Corporation wishes to be heard in support of its further submission.
7. If others make a similar submission, the Corporation will consider presenting a joint case with them at a hearing.

**DATED** 14 March 2019



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**Dr Claire Kirman / Alex Devine**  
Counsel for **HOUSING NEW ZEALAND**  
**CORPORATION**

**ADDRESS FOR SERVICE:** The offices of Ellis Gould, Solicitors, Level 17, Vero Centre, 48 Shortland Street, PO Box 1509, Auckland 1140, DX CP22003, Auckland, Telephone: (09) 307-2172, Facsimile: (09) 358-5215. Contact: Dr Claire Kirman / Alex Devine. Email: ckirman@ellisgould.co.nz/adevine@ellisgould.co.nz.

Copies to:	Beca Limited	Housing New Zealand Corporation
	PO Box 6345	PO Box 74598
	Auckland	Greenlane, Auckland
	Attention: Matt Lindenberg	Attention: Gurv Singh
	Email: matt.lindenberg@beca.com	Email: gurv.singh@hnzc.co.nz

**ANNEXURE A**

**Proposed Plan Change 16**

**Summary of Decisions Requested**

Sub No.	Sub #/Point	Submitter Name	Decision Sought	Topic	Subtopic	Summary of Submission	Support or Oppose (Housing New Zealand)	Allow / Disallow in whole or in part	Reasons (Housing New Zealand)
3	3.2	Goldstar Corporation Limited	Accept the plan modification with amendments	Business	Bonus floor area ratio – light and outlook	Delete the proposed requirement to meet standards in order to qualify for the Light and Outlook bonus	Oppose	Disallow	The Corporation opposes the proposed amendment as it is contrary to the Corporation's primary submission.
5	5.1	Cosdo NZ Limited	Amend the plan modification if it is not declined	Whole Plan Change		Amend the plan modification if it is not declined	Oppose	Disallow	The Corporation opposes the proposed amendment as it is contrary to the Corporation's primary submission.
6	6.2	Woolworths New Zealand Limited	Accept the plan modification	Business	Height and Height in relation to boundary in business zones	Seeks that the amended purpose of the Height standard in the Business zones be confirmed	Support	Allow	The Corporation generally supports the amended purpose statements in relation to the Building Height control in the Business zones.
6	6.3	Woolworths New Zealand Limited	Accept the plan modification	Business	Height and Height in relation to boundary in business zones	Seeks that the anomaly in relation to the amendments to the purpose of the Height and Height in Relation to Boundary standards of the Business Mixed Use Zone (H13.6.1 and H13.6.2) be rectified as outlined in submission	Support	Allow	The Corporation generally supports the amended purpose statements in relation to the Building Height control in the Business zones.
7	7.11	Lawrie Knight	Amend the plan modification if it is not declined	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H5.6.13(9)( c) as outlined in the submission	Oppose	Disallow	The Corporation opposes the proposed amendment as it is contrary to the Corporation's primary submission.
7	7.4	Lawrie Knight	Amend the plan modification if it is not declined	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H4.6.11(7) as outlined in submission	Oppose	Disallow	The Corporation opposes the proposed amendment as it is contrary to the Corporation's primary submission.
7	7.5	Lawrie Knight	Amend the plan modification if it is not declined	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H4.6.11(9)( c) as outlined in the submission	Oppose	Disallow	The Corporation opposes the proposed amendment as it is contrary to the Corporation's primary submission.
7	7.6	Lawrie Knight	Amend the plan modification if it is not declined	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H5.6.12 as outlined in the submission (1st bullet point)	Oppose	Disallow	The Corporation opposes the proposed amendment as it is contrary to the Corporation's primary submission.
7	7.7	Lawrie Knight	Amend the plan modification if it is not declined	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H5.6.12(7) as outlined in submission	Oppose	Disallow	The Corporation opposes the proposed amendment as it is contrary to the Corporation's primary submission.
7	7.8	Lawrie Knight	Amend the plan modification if it is not declined	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H5.6.12(9)( c) as outlined in submission	Oppose	Disallow	The Corporation opposes the proposed amendment as it is contrary to the Corporation's primary submission.
7	7.9	Lawrie Knight	Amend the plan modification if it is not declined	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H5.6.13 as outlined in the submission (1st bullet point)	Oppose	Disallow	The Corporation opposes the proposed amendment as it is contrary to the Corporation's primary submission.
7	7.10	Lawrie Knight	Amend the plan modification if it is not declined	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H5.6.13(7) as outlined in the submission	Oppose	Disallow	The Corporation opposes the proposed amendment as it is contrary to the Corporation's primary submission.
7	7.12	Lawrie Knight	Amend the plan modification if it is not declined	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H10.6.10(8) as outlined in the submission	Oppose	Disallow	The Corporation opposes the proposed amendment as it is contrary to the Corporation's primary submission.
7	7.13	Lawrie Knight	Amend the plan modification if it is not declined	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H10.6.10(10) as outlined in the submission	Oppose	Disallow	The Corporation opposes the proposed amendment as it is contrary to the Corporation's primary submission.
7	7.14	Lawrie Knight	Amend the plan modification if it is not declined	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H11.6.8(8) as outlined in the submission	Oppose	Disallow	The Corporation opposes the proposed amendment as it is contrary to the Corporation's primary submission.
7	7.15	Lawrie Knight	Amend the plan modification if it is not declined	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H11.6.8(10)( c) as outlined in submission	Oppose	Disallow	The Corporation opposes the proposed amendment as it is contrary to the Corporation's primary submission.
7	7.16	Lawrie Knight	Amend the plan modification if it is not declined	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H12.6.8(8) as outlined in the submission	Oppose	Disallow	The Corporation opposes the proposed amendment as it is contrary to the Corporation's primary submission.
7	7.17	Lawrie Knight	Amend the plan modification if it is not declined	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H12.6.8(10)( c) as outlined in the submission	Oppose	Disallow	The Corporation opposes the proposed amendment as it is contrary to the Corporation's primary submission.
7	7.18	Lawrie Knight	Amend the plan modification if it is not declined	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H13.6.9(8) as outlined in the submission	Oppose	Disallow	The Corporation opposes the proposed amendment as it is contrary to the Corporation's primary submission.
7	7.19	Lawrie Knight	Amend the plan modification if it is not declined	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H13.6.9(10)( c) as outlined in the submission	Oppose	Disallow	The Corporation opposes the proposed amendment as it is contrary to the Corporation's primary submission.
7	7.20	Lawrie Knight	Amend the plan modification if it is not declined	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H14.6.7(8) as outlined in the submission	Oppose	Disallow	The Corporation opposes the proposed amendment as it is contrary to the Corporation's primary submission.
7	7.21	Lawrie Knight	Amend the plan modification if it is not declined	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H14.6.7(10)( c) as outlined in the submission	Oppose	Disallow	The Corporation opposes the proposed amendment as it is contrary to the Corporation's primary submission.
7	7.3	Lawrie Knight	Amend the plan modification if it is not declined	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H4.6.11 as outlined in the submission (1st bullet point)	Oppose	Disallow	The Corporation opposes the proposed amendment as it is contrary to the Corporation's primary submission.
10	10.2	Scentre(New Zealand) Limited	Accept the plan modification	Definitions	Gross floor area (GFA)	Seeks to approve the proposed amendment to the definition of 'gross floor area'	Support	Allow	The Corporation generally supports the amendments proposed to the definition of 'Gross Floor Area'.
15	15.10	Aaron Grey	Accept the plan modification with amendments	Business	Outlook Space - other Business zones and Residential zones	Seeks that Standards H10.6.10, H11.6.8, H12.6.8 and H13.6.9 be amended to be the same as Standards H4.6.11, H5.6.12 and H6.6.13 (including any amendments under this plan change)	Oppose	Disallow	The Corporation opposes the proposed amendment as it is contrary to the Corporation's primary submission.
15	15.2	Aaron Grey	Accept the plan modification with amendments	Residential	Height in Relation to Boundary - Pedestrian Access ways	Insert a definition of 'Pedestrian access way' into Chapter J Definitions as set out in submission	Oppose	Disallow	The Corporation opposes the proposed amendment as it is contrary to the Corporation's primary submission.
21	21.10	Ryman Healthcare Limited	Opposes specific provisions identified	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H5.6.12(10) as outlined in submission	Oppose	Disallow	The Corporation opposes the proposed amendment as it is contrary to the Corporation's primary submission.
21	21.11	Ryman Healthcare Limited	Opposes specific provisions identified	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H6.6.13(1st bullet point) as outlined in submission	Oppose	Disallow	The Corporation opposes the proposed amendment as it is contrary to the Corporation's primary submission.





Proposed Plan Change 16									
Summary of Decisions Requested									
Sub No.	Sub #/Point	Submitter Name	Decision Sought	Topic	Subtopic	Summary of Submission	Support or Oppose (Housing New Zealand)	Allow / Disallow in whole or in part	Reasons (Housing New Zealand)
22	22.41	Retirement Villages Association of New Zealand Incorporated	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H13.6.9(3)(a) as outlined in submission	Oppose	Disallow	The Corporation opposes the proposed amendment as it is contrary to the Corporation's primary submission.
22	22.42	Retirement Villages Association of New Zealand Incorporated	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H13.6.9(3)(b) as outlined in submission	Oppose	Disallow	The Corporation opposes the proposed amendment as it is contrary to the Corporation's primary submission.
22	22.43	Retirement Villages Association of New Zealand Incorporated	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H13.6.9(3)(c) as outlined in submission	Oppose	Disallow	The Corporation opposes the proposed amendment as it is contrary to the Corporation's primary submission.
22	22.44	Retirement Villages Association of New Zealand Incorporated	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H13.6.9(8) as outlined in submission	Oppose	Disallow	The Corporation opposes the proposed amendment as it is contrary to the Corporation's primary submission.
22	22.45	Retirement Villages Association of New Zealand Incorporated	Opposes specific provisions identified	Business	Outlook Space - other Business zones and Residential zones	Seeks changes to H13.6.9(10)(c) as outlined in submission	Oppose	Disallow	The Corporation opposes the proposed amendment as it is contrary to the Corporation's primary submission.
22	22.5	Retirement Villages Association of New Zealand Incorporated	Opposes specific provisions identified	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H4.6.11(8)(c) as outlined in submission	Oppose	Disallow	The Corporation opposes the proposed amendment as it is contrary to the Corporation's primary submission.
22	22.6	Retirement Villages Association of New Zealand Incorporated	Opposes specific provisions identified	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H4.6.11(10) as outlined in submission	Oppose	Disallow	The Corporation opposes the proposed amendment as it is contrary to the Corporation's primary submission.
22	22.7	Retirement Villages Association of New Zealand Incorporated	Opposes specific provisions identified	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H5.6.12(1st bullet point) as outlined in submission	Oppose	Disallow	The Corporation opposes the proposed amendment as it is contrary to the Corporation's primary submission.
22	22.8	Retirement Villages Association of New Zealand Incorporated	Opposes specific provisions identified	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H5.6.12(7) as outlined in submission	Oppose	Disallow	The Corporation opposes the proposed amendment as it is contrary to the Corporation's primary submission.
22	22.9	Retirement Villages Association of New Zealand Incorporated	Opposes specific provisions identified	Residential	Outlook Space - other Business zones and Residential zones	Seeks changes to H5.6.12(9)(c) as outlined in submission	Oppose	Disallow	The Corporation opposes the proposed amendment as it is contrary to the Corporation's primary submission.
30	30.5	Metlifecare Limited	Amend the plan modification if it is not declined	Business	Outlook Space - other Business zones and Residential zones	Seeks to delete all reference to 'units within an intergrated residential development' from Rule H9.6.10, H10.6.10, H11.6.8, H12.6.8 and H13.6.9 (relating to outlook space), or in the alternative amend the text to exempt retirement villages from these rules.	Oppose	Disallow	The Corporation opposes the proposed amendment as it is contrary to the Corporation's primary submission.
35	35.3	Dominion Constructors Limited	Accept the plan modification with amendments	Business	Bonus floor area ratio – light and outlook	Seeks to delete the proposed requirement to comply with Standards in order to qualify for the Light and Outlook bonus; or alternatively allow for a justified infringement of standards to be factored in to a decision whether the Light and Outlook bonus can still be awarded.	Oppose	Disallow	The Corporation opposes the proposed amendment as it is contrary to the Corporation's primary submission.



# Further Submission in support of, or opposition to, a publicly notified proposed plan change or variation

Clause 8 of Schedule 1, Resource Management Act 1991  
FORM 6



Send your submission to [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to :

Attn: Planning Technician  
Auckland Council  
Level 24, 135 Albert Street  
Private Bag 92300  
Auckland 1142

For office use only Further Submission No:
Receipt Date:

## Further Submitter details

### Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name) Richard Gardner

### Organisation Name (if further submission is made on behalf of Organisation)

Federated Farmers of New Zealand

### Address for service of Further Submitter

Private Bag 92-066, Auckland 1142

Telephone:  Fax/Email:

Contact Person: (Name and designation, if applicable)

## Scope of Further Submission

This is a further submission in support of (or opposition to) a submission on the following proposed plan change / variation:

Plan Change/Variation Number

Plan Change/Variation Name

I support :  Oppose  (tick one) the submission of: *(Please identify the specific parts of the original submission)*

*(Original Submitters Name and Address)*

Submission Number	Point-Number
<input type="text"/>	<input type="text"/>

(please see the attached schedule)

The reasons for my support / opposition are: (please see the attached schedule)

(continue on a separate sheet if necessary)

**I seek that:**

**the whole :**  (please see the attached schedule)  
**or part**  (describe precisely which part) \_\_\_\_\_

of the original submission be **allowed**   
**disallowed**  (please see the attached schedule)

I wish to be heard in support of my submission   
I do not wish to be heard in support of my submission   
If others make a similar submission, I will consider presenting a joint case with them at a hearing



14 March 2019

\_\_\_\_\_  
Signature of Further Submitter  
(or person authorised to sign on behalf of further submitter)

\_\_\_\_\_  
Date

**PLEASE COMPLETE THE FOLLOWING SECTION**

Please tick one

**I am a person representing a relevant aspect of the public interest. (Specify upon what grounds you come within this category)**

Federated Farmers of New Zealand is a representative body for farmers, so both represents a relevant aspect of the public interest and has an interest in the proposal that is greater than the interest that the general public has

**I am a person who has an interest in the proposal that is greater than the interest that the general public has. (Specify on what grounds you come within this category)**

\_\_\_\_\_  
\_\_\_\_\_

**Notes to person making submission:**

A copy of your further submission must be served on the original submitter within 5 working days after it is served on the local authority

If you are making a submission to the Environmental Protection Authority, you should use Form 16C.



No.	The specific submission that my further submission relates to:	The particular parts of the submission I support or oppose are:	Submission Topic	The reasons for my support or opposition are:	Whether the whole or part of the submission be allowed or disallowed	If part of the submission, details of which part of the submission be allowed or disallowed
13.1	Horticulture New Zealand	Support The whole of the submission	Definitions - Building	Tanks of 25,000 litres capacity or larger are normal in rural areas.	Submission allowed	
13.2	Horticulture New Zealand	Support The whole of the submission	Definitions – Workers accommodation	The provisions for workers accommodation in the Unitary Plan have not kept up to date with trends in the primary sector.	Submission allowed	
13.3	Horticulture New Zealand	Support The whole of the submission	Definitions – Workers accommodation	The provisions for workers accommodation in the Unitary Plan have not kept up to date with trends in the primary sector.	Submission allowed	
13.4	Horticulture New Zealand	Support The whole of the submission	Definitions – Workers accommodation	The provisions for workers accommodation in the Unitary Plan have not kept up to date with trends in the primary sector.	Submission allowed.	
13.5	Horticulture New Zealand	Support The whole of the submission	Definitions – Workers accommodation	The provisions for workers accommodation in the Unitary Plan have not kept up to date with trends in the primary sector.	Submission allowed	
20.1	T&G Global	Oppose The whole of the submission	Definitions - Workers accommodation	The provisions in the plan change are not ideal, but the proposed change should be modified to give effect to the submitter's intentions, rather than just deleted	Submission disallowed	
20.2	T&G Global	Support The whole of the submission	Definitions – Building	Tanks of 25,000 litres capacity or larger are normal in rural areas.	Submission allowed	

No.	The specific submission that my further submission relates to:	The particular parts of the submission I support or oppose are:	Submission Topic	The reasons for my support or opposition are:	Whether the whole or part of the submission be allowed or disallowed	If part of the submission, details of which part of the submission be allowed or disallowed
23.7	Better Living Landscapes Limited and Parallax Surveyors Limited	Support The whole of the submission	Definitions – Building	Stacks of baled agricultural produce are normal in rural areas, and are part of the rural character of rural areas of Auckland.	Submission allowed	
23.8	Better Living Landscapes Limited and Parallax Surveyors Limited	Support The whole of the submission	Definitions – Workers accommodation	The provisions for workers accommodation in the Unitary Plan have not kept up to date with trends in the primary sector.	Submission allowed	
24.1	Southern Paprika	Oppose The whole of the submission	Definitions - Workers accommodation	The provisions in the plan change are not ideal, but the proposed change should be modified to give effect to the submitter's intentions, rather than just deleted	Submission disallowed	
24.2	Southern Paprika	Support The whole of the submission	Definitions – Workers accommodation	The provisions for workers accommodation in the Unitary Plan have not kept up to date with trends in the primary sector.	Submission allowed	
24.3	Southern Paprika	Support The whole of the submission	Definitions – Building	Tanks of 25,000 litres capacity or larger are normal in rural areas.	Submission allowed	
25.1	Pakiri Farm Limited	Oppose The whole of the submission	Definitions - Workers accommodation	The provisions in the plan change are not ideal, but the proposed change should be modified to give effect to the submitter's intentions, rather than just deleted	Submission disallowed	
734	Pakiri Farm Limited	Support The whole of the submission	Definitions – Workers accommodation	The provisions for workers accommodation in the Unitary Plan have not kept up to date with trends in the primary sector.	Submission allowed	

No.	The specific submission that my further submission relates to:	The particular parts of the submission I support or oppose are:	Submission Topic	The reasons for my support or opposition are:	Whether the whole or part of the submission be allowed or disallowed	If part of the submission, details of which part of the submission be allowed or disallowed
27.2	Te Arai South Partners, Te Arai South Holdings Limited, Te Arai North Limited, Tara Iti Holdings NZ	Support The whole of the submission	Definitions – Workers accommodation	The provisions for workers accommodation in the Unitary Plan have not kept up to date with trends in the primary sector.	Submission allowed	

**FURTHER SUBMISSION ON PROPOSED PLAN CHANGE 16 TO THE PARTIALLY  
OPERATIVE AUCKLAND UNITARY PLAN PURSUANT TO CLAUSE 8 OF THE FIRST  
SCHEDULE OF THE RESOURCE MANAGEMENT ACT 1991**

**To:** Auckland Council  
Unitary Plan  
Private Bag 92300  
Auckland 1142  
Attention: Planning Technician

By E-Mail only: [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

**Submitter:** Z Energy Limited<sup>1</sup>  
PO Box 2091  
**WELLINGTON 6140**

BP Oil NZ Limited  
PO Box 99 873  
**AUCKLAND 1149**

Mobil Oil NZ Limited  
PO Box 1709  
**AUCKLAND 1140**

*Hereafter, collectively referred to as the Oil Companies*

**Address for Service:** 4Sight Consulting Limited  
201 Victoria Street West  
Auckland Central  
PO Box 911 310, Victoria Street West  
**AUCKLAND 1142**

Attention: Mark Laurenson  
Phone: 021 0868 8135  
Email: [markl@4sight.co.nz](mailto:markl@4sight.co.nz)

<sup>1</sup> On behalf of the wider Z group, including the Z Energy and Caltex operations in New Zealand.

- 1) **The Oil Companies' further submissions are as contained in the attached Table.**
- 2) **The Oil Companies' interests in the proposed plan are greater than the interests of the general public.**
- 3) **The Oil Companies wish to be heard in support of these further submissions.**
- 4) **If other make similar submissions, the Oil Companies would be prepared to consider presenting a joint case with them at any hearing.**

Signed on and behalf of the Oil Companies: Z Energy Limited, BP Oil NZ Limited and Mobil Oil NZ Limited



.....  
Mark Laurensen

Senior Planning and Policy Consultant

14 March 2019

Submission	Relief sought by submitter (additions in underline, deletions in strike through)	Position of further submitter	Reason for support/opposition and relief sought by further submitter
<p>Fluker Surveying Limited Sub #2 Sub #/point 2.5 Definition building</p>	<p>The submitter seeks deletion of the definition of tanks: <u>Tanks including retention tanks</u> <u>Over 1m in height from ground level, inclusive of the height of any supporting structure or</u> <u>More than 25,000L capacity, where any part of the tank is above ground level.</u></p> <p>The submitter notes that detention tanks are generally required as part of mitigation in SMAF areas and are generally over 1m in height and placed within side and/or rear yards. While the submitter seeks deletion of the definition of tanks, the submission also records that a higher height would be more appropriate and that tanks could also be excluded from the definition of building coverage. The submitter has issues with restrictive controls applying to tanks in rural areas.</p>	<p>Support in part, oppose in part</p>	<p>The Oil Companies consider that an increase in excluded tank height would be appropriate and agree that there may be merit in considering different limits in urban and rural zones. This aspect of the submission is supported and would help support the intent of the Oil Companies prime submissions which seek to ensure that that underground tanks that have elements above ground are not considered buildings.</p> <p>The Oil Companies do not, however, support deletion of reference to tanks entirely, noting that this would remove any qualification of dimensions and all tanks may therefore be considered buildings (which are defined as 'any permanent or temporary structure').</p> <p>The Oil Companies also note that tanks may be required for a range of purposes beyond hydrological mitigation. Consequently, exclusion of all tanks from the definition of building coverage may have unintended consequences for a range of other activities involving tanks. The Oil Companies would, however, support exclusion of tanks for hydrological mitigation from the definition of building coverage.</p>

## **PC16 - APPENDIX 6**

**PAUP, IHP EVIDENCE TOPIC 051-054 HRG  
– AUCKLAND COUNCIL (GEORGE FARRANT)  
– WIND COMFORT RULES**





**BEFORE THE AUCKLAND UNITARY PLAN INDEPENDENT HEARINGS PANEL**

**IN THE MATTER** of the Resource Management Act 1991 and the Local Government (Auckland Transitional Provisions) Act 2010

**AND**

**IN THE MATTER** of Topics 051-054 Centre Zones, Business Park and Industries Zones, Business Activities and Business Controls

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**STATEMENT OF EVIDENCE OF GEORGE FARRANT  
ON BEHALF OF AUCKLAND COUNCIL  
27 July 2015**

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## **BACKGROUND AND EXPERIENCE**

1. My name is George Gerald Farrant. I hold the degree of Bachelor of Architecture from Auckland University (1970). I have practiced as an architect for twelve years in New Zealand, the United Kingdom and the Middle East, before the commencing employment in 1982 at Auckland Council (**Council**), initially as the architectural and urban design advisor to the then Planning Department.
2. Subsequently, I was appointed in the Auckland City Council as a Senior Architect/Planner in the then emerging discipline of Urban Design, and later led the Conservation and Urban Design Division. After that, with the growth of heritage concerns under the then novel Resource Management Act 1991, the division became the Heritage Division, concentrating solely on developing Auckland City's District Plan objectives, policies and rules in heritage, character, and conservation from scratch. I have also been lead author of the Auckland City Council legacy district plan's provisions in matters of urban amenity, such as wind comfort controls, views and viewshafts, and shading /sunlight access controls, I am the initiator and author of most of the legacy plan's environmental provisions.
3. Later, my title was City Heritage Manager, and then Chief Heritage Advisor at the Council. I am now Principal Heritage Advisor Central of the Council, and have held that position since the inception of the Auckland super-city in November 2010.
4. I led the resource consent process in the early years of the operation of Auckland City's heritage, urban amenities provisions, and its special character zones. For the past five years I have mentored the same process and have mediated difficult or contentious consent applications.
5. For the past ten years I have provided pre-application (and occasionally pre-purchase) advice to owners or aspiring owners of sites proposed for major developments in the city, a process of fostering good outcomes and avoiding abortive expenditure on the part of owners.
6. I have been engaged by the Auckland Council to provide evidence in relation to the wind comfort rules and criteria of the Proposed Auckland Unitary Plan (the PAUP).

## **CODE OF CONDUCT**

7. I confirm that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note and that I agree to comply with it. I confirm that I have

considered all the material facts that I am aware of that might alter or detract from the opinions that I express, and that this evidence is within my area of expertise.

## **SCOPE**

8. I have been asked to provide evidence in relation to the PAUP wind comfort controls, and in particular to the level of information presented in the PAUP, and the issue of triggers for the requirement of an expert report, or alternatively a wind tunnel test report.
9. I was not involved in the decision to instigate a building height trigger for wind investigations in local centres outside the Central Business District – the City Centre, but support this decision.
10. My evidence addresses two principal matters relevant to the current hearings:
  - (a) How the wind control needs to be expressed in the PAUP; and
  - (b) How a professional assessment, and/or wind-tunnel test procedure is triggered in various design proposal circumstances.

## **BACKGROUND**

11. Auckland, like most maritime cities, is a moderately windy place, and wind comfort and safety is a significant urban planning concern.
12. Both the legacy Central Area Section of the Auckland City District Plan, and the Proposed Auckland Unitary Plan (PAUP) contain a detailed control and testing process intended to maintain equable conditions for various categories of city centre public space throughout the year. The wind rule for the Business zones is included in the PAUP at I.3.4.19. There is also a wind rule at 4.30 of the City Centre zone which I discuss further below.
13. The control was written jointly by Professor Richard Flay of the Mechanical Engineering Department of Auckland University and myself. I have subsequently made numerous evaluative assessments of the likely wind performance of proposed structures in the city, and have participated in many wind tunnel tests of major buildings. I have actively taken part in numerous wind tunnel tests at the University of Auckland's Unservices test

facility, and during such investigations have evolved corrective changes to reduce adverse effects.

14. While appearing a bit daunting at first glance, the Auckland wind control has proved very effective at investigating and identifying potential major negative wind impacts that would have resulted from proposed new structures, and then guiding alterations to building designs that ameliorate or avoid these.
15. The Auckland control is probably the most technically refined and sophisticated in place globally. It takes a quantitative, objective (and arguably probative) account of:
  - (a) Effects over a wide extent of public spaces around a proposal site;
  - (b) The detailed existing wind conditions around a subject site;
  - (c) Negative effects predicted to result from a proposed structure;
  - (d) Possible positive wind impacts (shelter) from a proposed structure;
  - (e) The statistical frequency of all wind directions prevalent in Auckland;
  - (f) Wind direction where it may locally differ slightly from wind high overhead;
  - (g) The frequency with which given wind speeds may be experienced; and
  - (h) The desired comfort levels in various categories of open space.
16. Like any significantly technical rule, the expression of the wind control in the PAUP needs to be adequate and complete to be statutorily meaningful. There are four essential parts to the control –
  - (i) A Development Control **text** clause specifying the requirement;
  - (ii) A **table** of acceptable wind performance categories;
  - (iii) A velocity/frequency threshold **graph**; and
  - (iv) The technical **criteria & equation** that explain how the graph is derived.

17. The PAUP City Centre provisions (4.30: Wind) correctly lists (i), (ii), & (iii), but in error omits (iv). **For the wind control to be effective it is imperative that this omission error is corrected.**
18. A wind control provision became important as the scale of city centre buildings increased beyond the earlier and long-lasting general height of six to seven stories within most commercial centres. Prior to the inception of a wind rule, a number of examples of notably poor wind comfort situations had occurred in Auckland.
19. Notable is the occasionally hazardous situation in strong south-westerly winds at the northwest corner of Queen Elizabeth Square, where major airflow caught by the large face area of 1 Queen St (the former Air NZ Building) descends violently off the abutting low podium of the current Downtown Development into that corner of the square. A second is the way a south-westerly eddies powerfully around the unmodulated tower base of the former council building at 1 Greys Avenue, creating uncomfortable conditions in Aotea Square nearby.
20. With the rapid escalation of commercial building heights since the early 1980's it became obvious that a control was needed if uncomfortable or even hazardous impacts were to be avoided.
21. Buildings can create adverse wind conditions not only as a consequence of greater height. The requirement for either an expert wind assessment report, or a wind tunnel test, depends on a range of other factors, such as (but not limited to):
- (a) The scale of the building, particularly at base level;
  - (b) The shape of a building – eg slab-like, boxy, or more streamlined;
  - (c) The outside texture of a building – eg smooth, complex, or with surface elements such as fins;
  - (d) The form of the building's base, eg whether there is a transitional base geometry, podium, or canopy;
  - (e) The level of the site's exposure particularly to the dominant SW and NE wind directions;

- (f) The absence of any significant existing upwind sheltering buildings or structures;
  - (g) Existing marginal wind conditions in the general vicinity of a new building proposal; and
  - (h) The presence of nearby public open space, street, or recreational spaces where various specific levels of comfort are expected.
- 22.** For a City Centre building proposal of significant scale – such as similar to the existing ANZ building in lower Albert St, 135 Albert St (council’s new home), or the Metropolis hotel/apartments, it is axiomatic that a full wind tunnel test will be required because the scale of the proposal, the size and complexity of its potential wind effects, and the distance over which these can propagate are virtually impossible to predict in realistic detail even by the most experienced expert in the absence of wind tunnel modelling.
- 23.** Examples in such circumstances of past wind tunnel testing identifying severe predicted effects, and evolving corrective redesign measures during the test process include the following:
- (a) The **Fay Richwhite Building** (now known as the SAP Tower) at 151 Queen Street was originally designed as a large but simple slab-form tower, descending sheer to the footpaths. Testing indicated collected south-westerly winds violently hitting the Wyndham St footpath below, then crossing Queen St with enough predicted force to fold existing verandahs upwards on the east side. The issue was successfully averted by the addition of a significant podium and spectacular tall glazed canopy that combine to shelter the footpaths, and divert the flow at a higher level across Queen St; and
  - (b) The **Metropolis Tower** at Freyberg Place, whose large base bulk (a multilevel carpark podium) resulted, when tunnel tested, in diverted south-westerly winds flowing at escalated speed around both sides of the building, then combining and descending violently into Freyberg Place at levels hazardous to pedestrian safety. The effect was successfully alleviated by opening the multiple carpark levels to wind entry and exit by way of metal decorative screens fore & aft in the exterior walls, so that the around-building diversion was avoided, substituting windy but non-hazardous internal carpark conditions instead.

24. In various such cases, predicted residual (but non-critical) wind effects have been measured as accurate after project completion, and I have personally taken part in this ‘ground-truthing’”

## Submissions

25. The Warehouse Limited (submission 2748-89) sought to amend 4.19 Wind, under the sub-heading 'Derivation of wind environment control graph', as follows: '...c = a variable ~~dependent~~ dependent on the boundary being defined:...'
26. This is a valid semantic correction which I **support**.
27. Times Trust (submission 6851-2) sought to delete the requirement for a wind report for ‘buildings higher than 20m where a canopy is provided over public spaces or where the development is on a rear site’. I do not support this request, because although a street canopy will avoid or greatly diminish adverse wind effects immediately around a building, adverse or non-complying effects can easily be created well beyond the area immediately around a structure, and for a building significantly higher than 20m (or on a rear site) such effects can easily be created in public spaces a city block or more away.
28. Although not addressed in submissions, I am aware of issues being raised as to the appropriate threshold to trigger a wind assessment or technical investigation. The notified rule uses a trigger of 25 m, and I support this trigger.
29. An 25m building (eg 8 stories typically) proposal at a Metropolitan Centre (or even a Town or Local Centre) and within a similar or moderately smaller scale of existing development can often have a reasonably simple and predictable wind impact over a limited area – or even a relative absence of wind impact.
30. Buildings below this height, especially if they have verandahs on street edges, are most unlikely to create adverse wind effects, and an expensive assessment testing procedure is not necessary. A reasonable threshold to trigger wind assessment or technical investigation is therefore arguably a building height of over 25 metres.
31. For proposed structures over the 25m threshold height in Business zones, the need for further testing will depend on an assessment of the exact physical circumstances (other than height) as noted above, and their predicted impact on wind comfort in the area. Although not sought in any submissions, this could best be achieved by the addition into

the PAUP wind rules of a provision similar to that in the Central Area Section of the operative district plan seeking further information if a theoretical expert opinion cannot reasonably predict that likely wind effects would satisfy the plan criteria. This two-stage interrogation of predicted effects is necessary, I believe because a more expensive wind tunnel test may not be needed, but will be sought if expert opinion cannot obviate the risk of non-compliance. I note in relation to the above arguments that the typical cost of an expert written opinion is currently typically about \$1600, and that for a full wind tunnel test is more like \$19,000.

**32.** In summary therefore, and for the above reasons:

- (a) I support submission 2748-89 from The Warehouse Ltd;
- (b) I do not support submission 6851-99 by Times Trust;
- (c) I support the threshold for assessment of possible wind effects in Business zones being a building height of 25m or above;
- (d) I consider the erroneous omission of the technical criteria & equation that explain how the wind performance graph is derived should be corrected in rule 4.30 of the City Centre provisions.

**33.** I believe that these actions will maintain the success of this important environmental control, while balancing the reasonable interests of property owners.



**George Farrant**

Principal Heritage Advisor Central

Plans and Places

Chief Planning Office

Auckland Council

27 July 2015