

25 February 2025

Oleg Palinich
OP Planning Consultancy Limited
PO Box 64-453
Botany Town Centre

For Apexone Ltd
37 Erima Avenue
Point England
AUCKLAND 1072

Issued via email: op.planning@xtra.co.nz

Dear Oleg,

RE: Clause 23(1) Resource Management Act 1991 Further Information – Private Plan Change request by Apexone Limited – 36A Eaglehurst Road, Ellerslie

- 1) Thank you for the responses received 12 February 2025 to the further information requested on 20 December 2024.
- 2) Please consider the following suggestions to ensure the documents supporting this plan change request are clear and easy to understand. It is not clear in the documents that the precinct would apply only to the rezoned portion of land, as indicated in your clause 23 response. The new map submitted (Appendix H) indicates the land subject to rezoning but not which portion the precinct would apply to. The original Appendix F demarcates the whole site – this plan should be deleted (note that 'precinct plans' in the AUP only appear as plans at the end of precinct provisions and are not required for this precinct). The Precinct Description (in 'Eaglehurst Road Precinct – Provisions') refers to the total site area, 3342 square metres, so this needs to be updated.
- 3) There is a need to clarify/rename the appendices listed on page 3 and at the end of the section 32 report. It is recommended that the rezoning plan (Appendix H) be 'Appendix A' to the section 32 report and be titled: "Eaglehurst Road proposed zoning and precinct boundary plan". The Legend text of 'Appendix A' (beside or below the red box) should read *"Plan Change and Eaglehurst Road Precinct boundary: Rezone land from Business – Light Industry Zone to Residential – Mixed Housing Suburban Zone and apply the Eaglehurst Road Precinct to this land."*

I suggest the following numbering for the documents:

Private Plan Change Request	Lodgement email, s32 report and AEE
Appendix A	Eaglehurst Road Proposed Zoning and Precinct Boundary Plan
Appendix B	Certificate of Title
Appendix C	Approved Resource Consent BUN60380705
Appendix D	Infrastructure Report and Appendices
Appendix E	Council Correspondence
Appendix F	Eaglehurst Road Precinct Provisions

- 4) Regarding the revised section 32 report, the following matters require attention:
 - a) At section 2.1 Background consider replacing the word 'application' with **'request'** in the last paragraph.
 - b) Section 4.1 refers to the proposed rezoning but Figure 4 indicates the whole site rather than the portion to be rezoned. Please consider updating the map and the following words: "This plan change seeks to re-zone a portion of 36a Eaglehurst Road, Ellerslie from Business - Light Industry Zone to Residential - Mixed ~~Use~~ Housing Suburban Zone, so that the whole site is zoned Residential - Mixed Housing Suburban as shown in the image below".

- c) At section 4.2 please consider changing the words in square brackets: [at 36^A Eaglehurst Road, Ellerslie]. The third paragraph begins "The report....", and should be "This report..." so that the reader knows which report is being referred to.
 - d) In section 5.1.2 under Policy 2 please consider the following text changes: "In this case, there are two potential qualifying matters (Regional Maunga Viewshafts and Height and Building Sensitive Areas Overlay, and Airspace Restriction Designation (1102)) on the site under PC 78, however, it is anticipated that these will not preclude the site from residential MDRS development in the future and therefore the precinct provisions do not specify these as qualifying matters to height or density."
 - e) Please consider updating the third paragraph of section 7.1 as follows: "The proposed precinct provisions capture the relevant MDRS standards to ensure effects associated with visual amenity, privacy and sunlight access are appropriately addressed with respect to on-site amenity and adjoining neighbours for up to three units within the precinct." The last paragraph could be amended to be more accurate: "Overall, the effects on the environment as they relate to urban design matters will be appropriately managed with the MHS zone provisions where development is of more than three units."
 - f) On page 16 (just above table 8.3.1.1) there is mention of only two options, please consider adding Option 3 to reflect the content of the table below. I also note in the table (8.3.1.1) there is no text under Efficiency and Effectiveness for option 3.
 - g) Please consider updating paragraph 8.3.1.2 as follows: "Option 2 is preferred. The application of the MHSU Residential – Mixed Housing Suburban zone to the Plan Change area included as part of this request, application is the..."
 - h) In section 9 the list of affected properties includes "9/38 Eaglehurst Road". Figure 5 has a star on 38 Eaglehurst Road. Please consider amending the list to refer to "38 Eaglehurst Road" so as to include all units within this affected property.
- 5) Regarding the Eaglehurst Road Precinct Provisions, some changes are required to ensure the precinct references the Mixed Housing Suburban zone (standards) and that the situation regarding any 'qualifying matters' to MDRS is clarified. If you are in agreement, please confirm your acceptance of these changes. The site area in the second paragraph will also need to be updated.

If you have any queries regarding this letter, please contact ewen.patience@aucklandcouncil.govt.nz in the first instance.

Kind regards



Craig Cairncross

Acting Central & South Manager Planning
Planning and Resource Consents Department