

Sarah El Karamany

From: Paul Glass <PGlass@devonfunds.co.nz>
Sent: Friday, 9 September 2022 10:00 am
To: Unitary Plan
Subject: Submission to Plan Change 78
Attachments: pc_78_form_5_b.pdf

Paul Glass

**DEVON
FUNDS.**

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www.devonfunds.co.nz

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Before you fill out the attached submission form, you should know:

You need to include your full name, an email address, or an alternative postal address for your submission to be valid. Also provide a contact phone number so we can contact you for hearing schedules (where requested).

By taking part in this public submission process your submission will be made public. The information requested on this form is required by the Resource Management Act 1991 as any further submission supporting or opposing this submission is required to be forwarded to you as well as Auckland Council. Your name, address, telephone number, email address, signature (if applicable) and the content of your submission will be made publicly available in Auckland Council documents and on our website. These details are collected to better inform the public about all consents which have been issued through the Council.

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least one of the following applies to the submission (or part of the submission):

- It is frivolous or vexatious.
- It discloses no reasonable or relevant case.
- It would be an abuse of the hearing process to allow the submission (or the part) to be taken further.
- It contains offensive language.
- It is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

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 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)

Paul __Glass

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

Address for service of Submitter

108 Vauxhall Road, Devonport

Telephone:

21671178

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

PC 78

Plan Change/Variation Name

Intensification

The specific provisions that my submission relates to are:

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

Plan provision(s)

Chapter D18 Special Character Overlay Residential as the overlay relates to Devonport

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:

Devonport is unique in Auckland and undeniably has a historic character that makes it special.

It is also highly constrained in terms of infrastructure and access.

All Aucklanders currently can enjoy the amenity value of Devonport - if the intensification goes ahead that will be destroyed.

(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	☐	
If the proposed plan change / variation is not declined, then amend it as outlined below.	☐	203.1
Retain the Special Character Overlay over Devonport		203.2
Delete the Mixed House Urban zone for Devonport		203.3
Designate the Victroia Road shopping precinct as a Historical Hertitage Area		203.4
Remove Policy 3d from residential development in Devonport		203.5
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	☒	

Paul Glass

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

09/09/2022

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.

Ginny Taare

From: Unitary Plan
Sent: Friday, 9 September 2022 10:45 am
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Anne Paterson
Attachments: 43 Springfield Rd_PC78 Map.pdf; 43 Springfield_Site Survey.pdf

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Anne Paterson

Organisation name:

Agent's full name: April Jolly

Email address: april@amarchitects.co.nz

Contact phone number:

Postal address:
47 Kervil Ave
Te Atatu Peninsula
Auckland 0610

Submission details

This is a submission to:

Plan change number: Plan Change 78

Plan change name: PC 78: Intensification

My submission relates to

Rule or rules:
Spatially Identified Qualifying matter on specific site (43 Springfield Road). Qualifying matter is Flood Plain.

Property address: 43 Springfield Road

Map or maps: Spatially Identified Qualifying Matters, Flood Plains

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:

The flood plain only just touches the property at 43 Springfield Rd. It is a steep sloping site with the RL at the flood plain approximately RL+20.5m while the rest of the site rises steeply to RL31.0m at the highest point. We believe the qualifying matter should be removed from this site as the flood plain accounts for less than 1% of the site area with the rest of the site rising steeply up above the flood plain.

I or we seek the following decision by council: Approve the plan change with the amendments I requested

Details of amendments: Removal of Qualifying Matter from property at 43 Springfield Road

Submission date: 9 September 2022

Supporting documents
43 Springfield Rd_PC78 Map.pdf
43 Springfield_Site Survey.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:

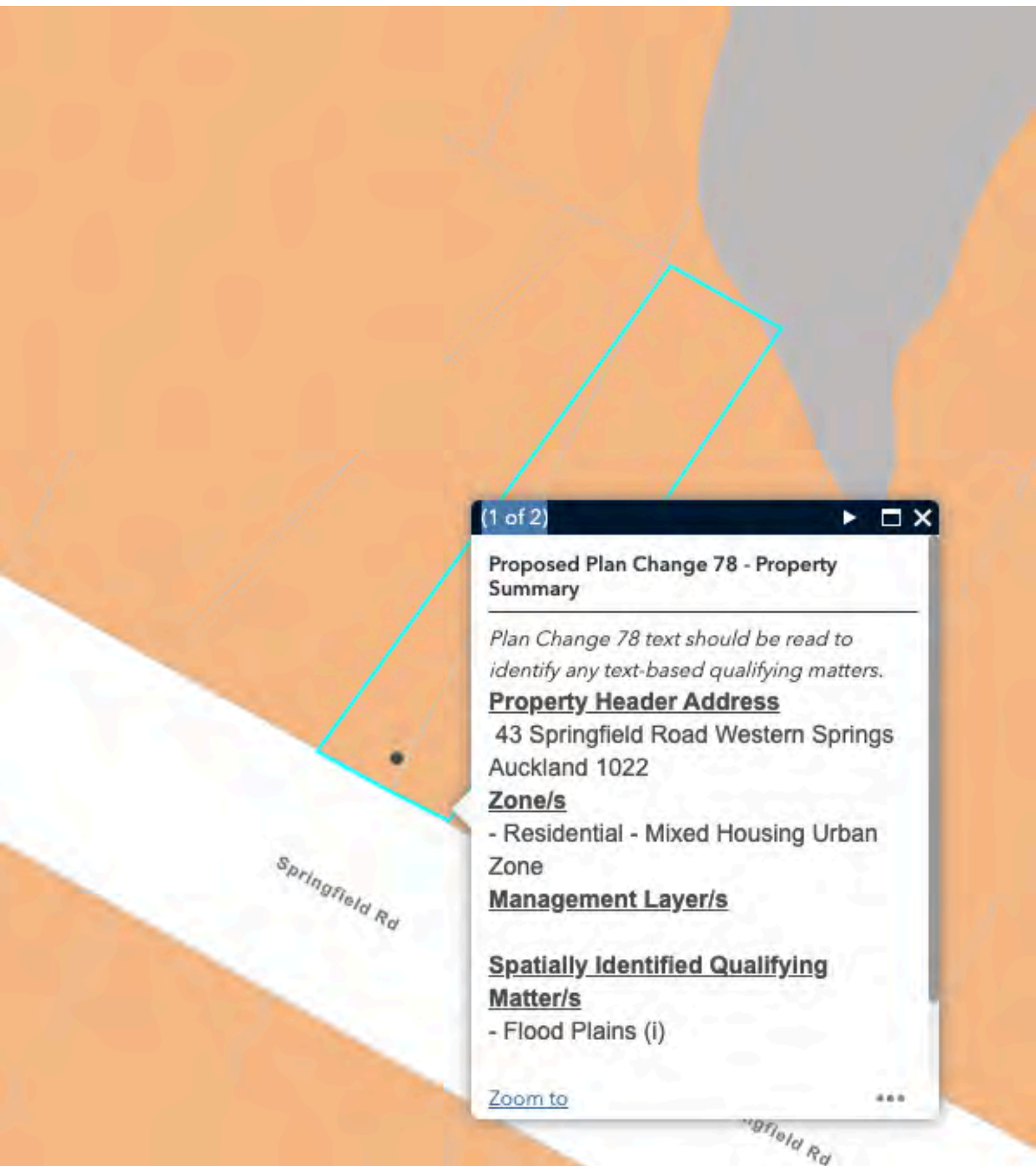
- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

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



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(1 of 2)

**Proposed Plan Change 78 - Property Summary**

Plan Change 78 text should be read to identify any text-based qualifying matters.

Property Header Address

43 Springfield Road Western Springs
Auckland 1022

Zone/s

- Residential - Mixed Housing Urban Zone

Management Layer/s**Spatially Identified Qualifying Matter/s**

- Flood Plains (i)

[Zoom to](#)

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35
DP 4817

Part Lot 40
DP 4838

1
DP 156972

SPRINGFIELD ROAD

0 2 4 6 8 10cm

- LEGEND
- Tree
 - Power Pole
 - Telecom Plinth
 - Water Meter
 - Gutter
 - Ridge
 - FFL
 - Boundary
 - Top of Kerb
 - Edge of Concrete
 - Fence
 - Retaining Wall
 - Hedge
 - Vehicle Xing
 - Building
 - Edge of Seal
 - Deck
 - Edge of Bush

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Use of this plan and/or the information on it for any other purpose is at the user's risk.

Levels are in terms of Auckland Vertical Datum 1946
Origin: 1648 SO 52121 RL=32.42

Comprised in RT N4482/124
Total Area = 615m²

CLIENT			A Paterson & G Emery		
AMENDMENTS			NAME	DATE	
SURVEYED			NAME	DATE	
DESIGNED			AE	24-05-22	
DRAWN			AE	25-05-22	
A.I.BATES & ASSOCIATES			Registered Surveyors		
Unit 5B, 10 Canaveral Drive, Albany			PO Box 302 532, North Harbour,		
Auckland 0751			Ph 09 415 8424 Fax 09 415 8425.		
ORIGINAL SCALE			1:100	ORIGINAL SIZE	A1
DATE			May 2022	CAD REF	REF: 222097

George Bramer

From: Unitary Plan
Sent: Thursday, 29 September 2022 11:16 pm
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Anne Paterson
Attachments: 43 Springfield_Site Survey.pdf; 43 Springfield Rd_PC78 Map.pdf

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Anne Paterson

Organisation name:

Agent's full name: April Jolly

Email address: april@amarchitects.co.nz

Contact phone number: 0223563785

Postal address:
47 Kervil Ave
Te Atatu Peninsula
Auckland 0610

Submission details

This is a submission to:

Plan change number: Plan Change 78

Plan change name: PC 78: Intensification

My submission relates to

Rule or rules:
Spatially Identified Qualifying Matter on Specific Site (43 Springfield Road). Qualifying matter is Flood Plain.

Property address: 43 Springfield Road, Western Springs

Map or maps: Spatially Identified Qualifying Matters, Flood Plains

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:
The flood plain only just touches the property at 43 Springfield Rd. It is a steep sloping site with the RL at the flood plain approximately RL+20.5m while the rest of the site rises steeply to RL31.0m at the highest point. We believe the qualifying matter should be removed from this site as the flood plain accounts for less than 1% of the site area with the rest of the site rising steeply up above the flood plain. At the very least the limitations should affect only the portion of the site affected by the flood plain. MDRS rules should be able to be applied to the majority of this site.

I or we seek the following decision by council: Approve the plan change with the amendments I requested

Details of amendments: Removal of Qualifying Matter from property at 43 Springfield Road

Submission date: 29 September 2022

Supporting documents

43 Springfield_Site Survey.pdf

43 Springfield Rd_PC78 Map.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.



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35
DP 4817

Part Lot 40
DP 4838

1
DP 156972

SPRINGFIELD ROAD

0 2 4 6 8 10cm

- LEGEND
- Tree
 - Power Pole
 - Telecom Plinth
 - Water Meter
 - Gutter
 - Ridge
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 - Boundary
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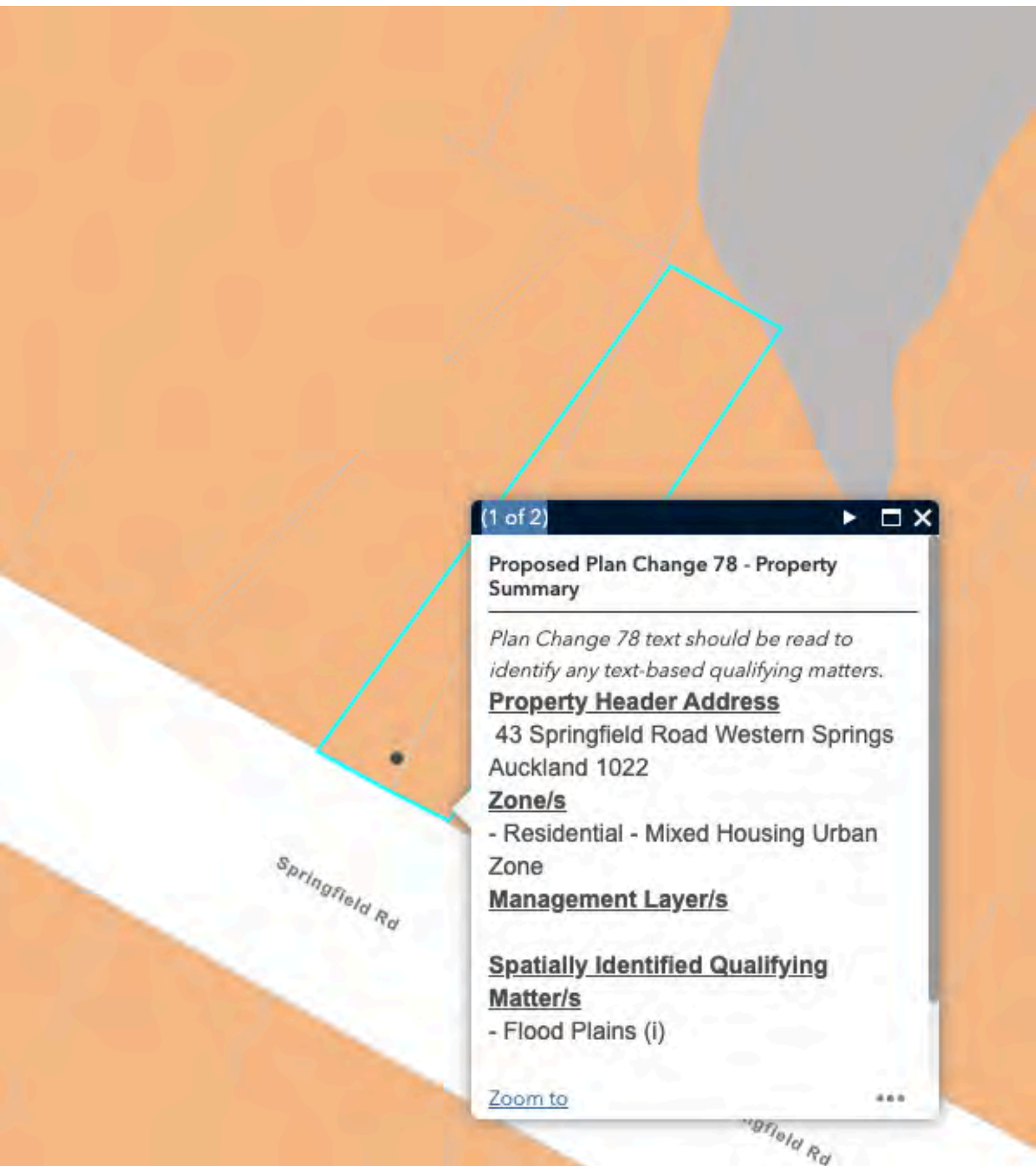
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Use of this plan and/or the information on it for any other purpose is at the user's risk.

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Origin: 1648 SO 52121 RL=32.42

Comprised in RT N4482/124
Total Area = 615m²

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SURVEYED		
NAME	DATE	
DESIGNED	AE	24-05-22
DRAWN		
NAME	DATE	
AE	25-05-22	
A.I.BATES & ASSOCIATES		
Registered Surveyors		
Unit 5B, 10 Canaveral Drive, Albany		
PO Box 302 532, North Harbour,		
Auckland 0751		
Ph 09 415 8424 Fax 09 415 8425		

CLIENT		
A Paterson & G Emery		
DRAWING TITLE		
Site Survey of		
Lot 39-40 DP 4838		
43 Springfield Road, Western Springs		
ORIGINAL SCALE	ORIGINAL SIZE	REF:
1:100	A1	222097
DATE	CAD REF	
May 2022		



(1 of 2)

**Proposed Plan Change 78 - Property Summary**

Plan Change 78 text should be read to identify any text-based qualifying matters.

Property Header Address

43 Springfield Road Western Springs
Auckland 1022

Zone/s

- Residential - Mixed Housing Urban
Zone

Management Layer/s**Spatially Identified Qualifying Matter/s**

- Flood Plains (i)

[Zoom to](#)

...

Ginny Taare

From: Unitary Plan
Sent: Friday, 9 September 2022 11:00 am
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Sean Darcy and Annette Smith
Attachments: Council submission Sept 2022 flooding photos.pdf

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Sean Darcy and Annette Smith

Organisation name:

Agent's full name:

Email address: sean.r.darcy@gmail.com

Contact phone number:

Postal address:
7 Kapa Road
Devonport
Auckland 0624

Submission details

This is a submission to:

Plan change number: Plan Change 78

Plan change name: PC 78: Intensification

My submission relates to

Rule or rules:
H3A. Residential – Low Density Residential Zone

P78 - SECTION 32 and sec 77K / sec 77Q alternative process for existing qualifying matters.

H3A.1.: Zone description within qualifying matter - Protect areas subject to risks from natural hazards including coastal hazards, coastal erosion, overland flow paths and flood plains.

Property address: 7 Kapa Road, Devonport

Map or maps:

Other provisions:
The rule proposed by the council is in alignment with RMA s6 Matters of national importance, in particular s6(h) management of significant risks from natural hazards.

It is deemed a qualifying matter in accordance with s77I(a) and s6 of the RMA and is supported by the documented conclusions of the Evaluation Reports for qualifying matter s77I(a) and s77O(a):

- Significant Natural Hazards – flooding
- Significant Natural Hazards – Coastal inundation.

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:

We support the council's proposed Low Density Residential Zone for 7 Kapai Road as per the following:

- Kapai Road Devonport and the surrounding area are prone to flooding as per the hydrology overlay map on the Plan Change 78 map viewer and the photographic evidence provided in the attached document (4 photos).
- Flooding occurs today within the current single house zone that has a building site coverage of 35% and impervious area not exceeding 60%. The proposed low density residential zone (LDRZ) will adopt the same building and impervious coverage limits.
- An increase of the building site coverage to 50% with more impervious areas in the surrounding neighbourhood would have an immediate hydrological impact, worsening flooding, especially if it coincides with a rising high tide / sea level which prevents storm water run-off from entering the nearby Waitemata Harbour.

208.1

208.2

We also note that the proposed Low Density Residential Zone adheres to the National Policy Statement on Urban Development amendment associated with matters of national importance under section 6 of the RMA. An increase of development in areas of natural hazard risk will increase the risk of a loss of life and property.

I or we seek the following decision by council: Approve the plan change without any amendments

Details of amendments:

Submission date: 9 September 2022

Supporting documents

Council submission Sept 2022 flooding photos.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.



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Overlay map and photographic evidence of flooding in our area that supports the Plan change 78 map viewer layers of Flood Plains and Coastal inundation. The area is only 3 metres above mean sea level and when high tide is present, storm water runoff occurs from the local maunga and coastal ridges into this area.

Council's recommendation of low density residential within the qualifying matters associated with natural hazards of Flooding and coastal inundation are appropriate for this area as per the visual evidence provided in the following images.

Image 1 – Plan Change 78 map viewer, 18 August 2022 with Qualifying matter overlay of Flood Plain and coastal inundation.

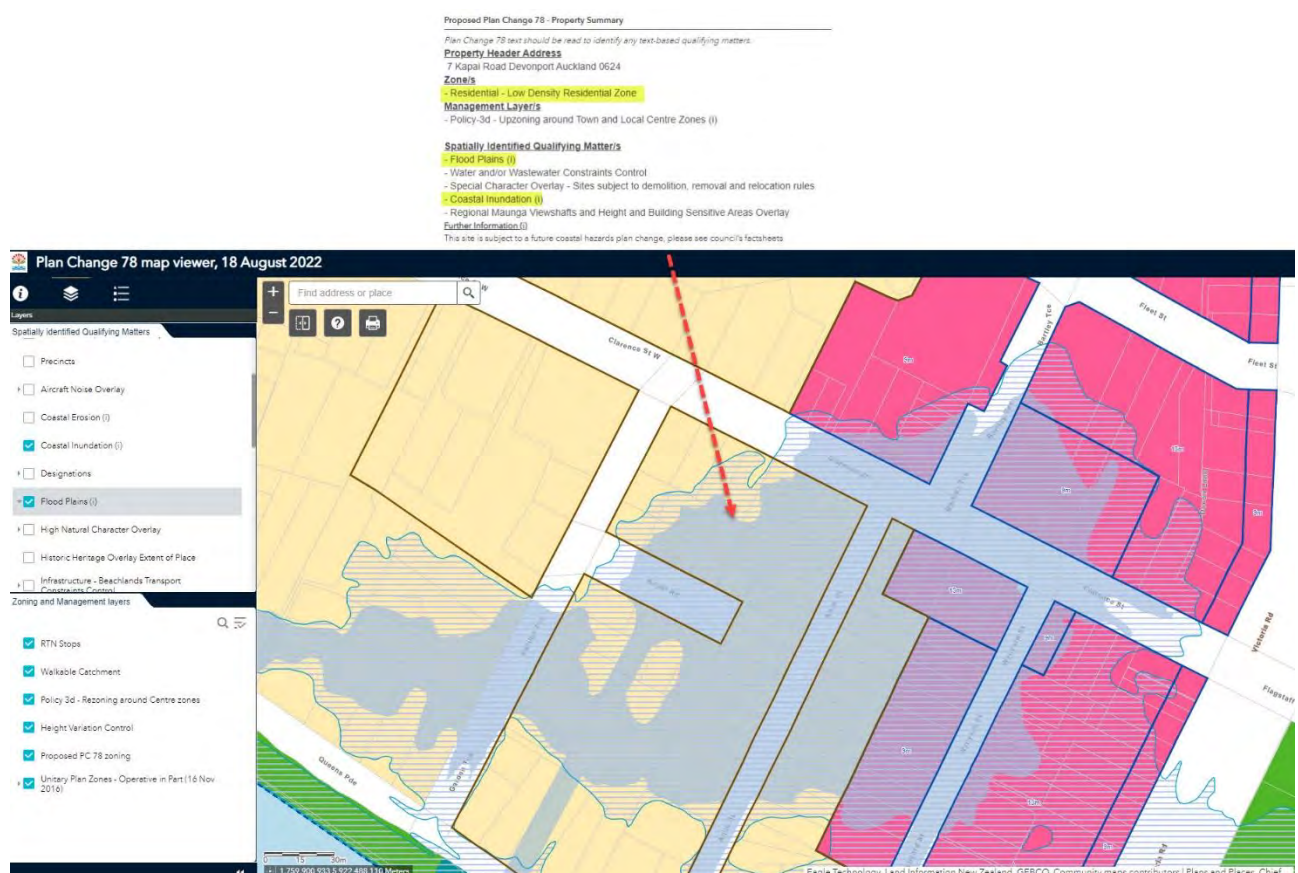


Image 2 - 25 December 2018 flooding in front of 5 & 7 Kapa road, Devonport



Image 3 – 25 December 2018 flooding in front of 5 & 7 Kapai road Devonport



Image 4 – 21 March 2022 Rising flood waters on both sides of Kapai road Devonport



Ginny Taare

From: Brigitte van Kessel <vankessel@xtra.co.nz>
Sent: Friday, 9 September 2022 8:10 pm
To: Unitary Plan
Subject: Auckland Unitary Plan submission form (PC78)

Sent from my iPhone

Ginny Taare

From: Unitary Plan
Sent: Friday, 9 September 2022 8:45 pm
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Brigitte van Kessel

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Brigitte van Kessel

Organisation name:

Agent's full name:

Email address: vankessel@xtra.co.nz

Contact phone number:

Postal address:
 2/22A Cheltenham Road
 Devonport
 Auckland 0624

Submission details

This is a submission to:

Plan change number: Plan Change 78

Plan change name: PC 78: Intensification

My submission relates to

Rule or rules:
 Chapter D18 Special Character Overlay as it relates to Devonport

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:

Devonport is a unique village in the whole of New Zealand. It has a very special historic character and once it is destroyed it will be FOREVER.

There is heritage value which should be preserved for future generations. Once it is gone there is no reason for tourists to visit either.

210.1

210.2

I or we seek the following decision by council: Decline the plan change

Submission date: 9 September 2022

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.

Yes

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



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Ginny Taare

From: Unitary Plan
Sent: Saturday, 10 September 2022 3:46 pm
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Jo Banks
Attachments: AUCKLAND COUNCIL SUBMISSION - 2 Sept 2022_20220910153944.431.pdf

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Jo Banks

Organisation name:

Agent's full name: Jo Banks

Email address: jo@promedtech.co.nz

Contact phone number: 021745954

Postal address:
1a Summit Drive
Mt Albert
Auckland 1025

Submission details

This is a submission to:

Plan change number: Plan Change 78

Plan change name: PC 78: Intensification

My submission relates to

Rule or rules:
D14. Maunga Viewshafts and Height and Building Sensitive Areas Overlay

Property address: 1a Summit Drive, Mt Albert and surrounding properties on Owairaka Maunga

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:
Refer attached sheet

I or we seek the following decision by council: Approve the plan change with the amendments I requested

Details of amendments: See attachment

Submission date: 10 September 2022

Supporting documents

AUCKLAND COUNCIL SUBMISSION - 2 Sept 2022_20220910153944.431.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

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Submission on a notified proposal for policy statement or plan change or variation, Clause 6 of Schedule 1, Resource Management Act 1991

FORM 5 Further Information in support of submission by:

Jo Banks

1a Summit Drive Mt Albert.

Submission to Plan Change 78:

The reasons for my views are:

I support the purpose, objectives, policies, rules and mapped geographic extent of D14, the Maunga Viewshafts and Height and Building Sensitive Areas Overlay as amended by Plan Change 78 and further submit that it should be strengthened to avoid significant adverse effects of intensification on the sensitive slopes of Owairaka Maunga.

PC 78 has rezoned 1a Summit Drive from Low Density to High Density Urban and removed this site and those surrounding it from the Special Character overlay. This level of development intensity on the sensitive slopes of the Maunga is incompatible and wholly inconsistent with the Council's inclusion, appropriately, of the site and those surrounding it on the slopes of Owairaka Maunga within the Maunga Viewshafts and Height and Building Sensitive Areas Overlay.

By way of a separate submission, we have opposed the inclusion of the property at 1a Summit Drive in the High Density Urban Zone as that zoning is incompatible with protection of the outstanding natural, physical and cultural resources of the Maunga. This submission addresses the Maunga Viewshafts and Height and Building Sensitive Areas Overlay.

If PC 78 is adopted as drafted, the Maunga overlay becomes the last remaining and a critical planning instrument to protect and enhance the outstanding and significant cultural, historic, physical and natural resources of the Maunga. The Maunga of the Auckland urban area are unique both nationally and internationally given the nature of the Auckland volcanic field, their cultural significance to Tangata Whenua and the significance of their landscape character. They help create Auckland's unique urban form and sense of place.

Without strict controls over the density, scale, bulk and form of development on the slopes of Auckland's maunga, including Owairaka, intensification will have significant actual and potential adverse effects on the environment. These adverse effects include the loss of outstanding natural and cultural features, loss of the green, vegetated open slopes within the view shafts and on the slopes of the maunga, in particular the highly visible upper slopes, and significant erosion of Auckland's unique sense of place through the loss of significant visual and landscape character with intensive housing development.

Such impacts would clearly be contrary to Part 2, in particular sections 5 through 8 which specify the purposes and principles of the Resource Management Act and require Council to protect important natural, physical and cultural resources.

Accordingly, I submit in support of the Overlay and in particular the policies and provisions of the overlay that seek to manage and control building height (to no more than 9m using the rolling height method), earthworks, and the requirements to maintain a minimum landscaped area of no less than 40% of net site area and a maximum site coverage of 35%.

I wish to further submit, that to effectively manage the actual and potential adverse effects of intensification (in particular the potential for a substantial increase in the bulk, scale and potential overshadowing effects of new buildings; the loss through intensification of open space; and erosion of the landscape values comprising highly vegetated, open slopes on the Maunga) additional controls are also required in the Overlay as follows:

- A minimum impermeable surface control to maintain the open, highly vegetated character of the maunga slopes, reduce the effects of excessive runoff and to reinforce the landscaping control.
- Retention of a more restrictive height in relation to boundary (HIRB) control that is more in keeping with the values of the maunga, more in keeping with the intentions of the height sensitive overlay controls and mitigates the impact of large imposing structures on the maunga slopes.
- Additional or strengthened Assessment Criteria that address the above matters and require applicants to undertake a comprehensive visual and landscape impact assessment.

I seek the following decision by Council:

- | | |
|---|-------|
| 1. Approve the amendments proposed for the Maunga Viewshafts and Height and Building Sensitive Areas Overlay (including height, earthworks, coverage and landscape controls and assessment criteria) | 219.1 |
| 2. Retain the mapped extent of the Maunga Viewshafts and Height and Building Sensitive Areas Overlay over the site at 1a Summit Drive and surrounding sites on Owairaka Maunga | 219.2 |
| 3. Further strengthen the controls of the Overlay through the introduction of: | 219.3 |
| <ul style="list-style-type: none"> • A minimum impermeable surface control to maintain the open, highly vegetated character of the Maunga slopes, reduce the effects of excessive runoff and to reinforce the landscaping control. • Retention of a more restrictive height in relation to boundary (HIRB) control that is more in keeping with the values of the Maunga, more in keeping with the intentions of the height sensitive overlay controls and mitigates the impact of large imposing structures on the maunga slopes (the HIRB control of the current unitary plan zoning seems more appropriate). • Add additional or strengthened Assessment Criteria that address the above matters and require applicants to undertake a comprehensive visual and landscape impact assessment that wholistically assesses the impact of additional site development or new buildings on the objectives and policies of the Maunga Overlay. This requires a more comprehensive assessment of effects than that envisaged by clause D14.8 which addresses only specific effects or the visual effects from an identified viewpoint or line. The totality and integrity of the maunga natural and cultural landscape as a whole should be assessed, rather than piecemeal visual or sight line assessment. | 219.3 |
| <ul style="list-style-type: none"> • The protection of significant trees in the area. Large trees are currently being lost to development. Keeping this area as a low density zone helps reduce the arbitrary cutting down of trees we are now seeing happening all across Auckland. | 219.4 |

Ginny Taare

From: Unitary Plan
Sent: Saturday, 10 September 2022 4:16 pm
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Jo Banks
Attachments: AUCKLAND COUNCIL SUBMISSION 3 Sept 2022.pdf

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Jo Banks

Organisation name:

Agent's full name: Jo Banks

Email address: jo@promedtech.co.nz

Contact phone number: 021745954

Postal address:
1a Summit Drive
Mt Albert
Auckland 1025

Submission details

This is a submission to:

Plan change number: Plan Change 78

Plan change name: PC 78: Intensification

My submission relates to

Rule or rules:
Special Character Area Overlay provisions as they apply to Owairaka Mt Albert

Property address: 1a Summit Drive, Mt Albert and surrounding properties on Owairaka Maunga

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:
Attached

I or we seek the following decision by council: Decline the plan change

Submission date: 10 September 2022

Supporting documents
AUCKLAND COUNCIL SUBMISSION 3 Sept 2022.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.



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Submission on a notified proposal for policy statement or plan change or variation, Clause 6 of Schedule 1, Resource Management Act 1991

FORM 5 Further Information in support of submission by:

Jo Banks
1a Summit Drive Mt Albert.

Submission to Plan Change 78:

The **reasons for my views are:**

PC 78 has rezoned 1a Summit Drive from lowDensity to High Density zoning and removed this site and those surrounding it from the Special Character overlay.

For many years special character provisions of successive district plans have helped protect, maintain and enhance the unique natural and cultural resources of Auckland's maunga and helped create the sense of place that Auckland enjoys as one of the world's most attractive and livable cities.

The proposed rezoning of our street makes no sense in terms of the other streets I note, that remain in special character zoning. I would like to challenge the methodology, the way that streets have been clumped together to formulate this methodology and the lack of common sense I see at play. Our house itself was one of the very first to be built in the are (1908) but because it cannot be seen on the street (it is set back) it cannot be considered to be special character. Once these houses are gone that history can never be replaced. Along with significantly older house like ours come older larger trees. Development means less trees. I am appalled by the arbitrary and dismissive nature that is now given to trees and fauna across Auckland. All very short sighted.

I believe that in responding to Government's blanket requirements, requiring Council to intensify the city, without an adequate strategic or spatial planning framework and with undue regard to the unique resources, geography, culture and communities of Auckland, Council has erred in its methodology, its application and ultimately its remapping of special character areas, including those applied to Owairaka Maunga.

By removing the site and surrounding sites from the special character overlay and upzoning the area for more intensive development, Government and by extension, Council has given insufficient regard to Part 2, in particular sections 5 through 8 which specify the purposes and principles of the Resource Management Act and require Council to protect important natural, physical and cultural resources and to have regard to other important matters including the quality of the environment, the maintenance and enhancement of amenity values and any finite characteristics of natural and physical resources. The maunga of Auckland are a unique and finite resource of outstanding natural and cultural heritage value of both national and international significance. In planning for intensification of the city, the Act requires that these important resource values must be recognized and protected.

The anticipated level of development intensity on the sensitive slopes of the Maunga is incompatible and wholly inconsistent with the Council's vision for Owairaka Maunga and with Council's stated recognition of the special values that the maunga as recorded elsewhere in the Plan. Such intention is well articulated by inclusion of the site and those surrounding it, on the slopes of Owairaka Maunga, within the *Maunga Viewshafts and Height and Building Sensitive Areas Overlay*. With the proposed removal of the Special Character Overlay, the only protection now afforded to the sensitive maunga slopes comes from the provisions of the 'Viewshafts and Height and Building Sensitive Areas Overlay'. In our submission, and having regard to Council's obligations under the **RMA**, that remaining level of protection is inadequate, as the permitted development intensity, bulk and scale of earthworks anticipated by the Mixed Housing Urban Zone will be excessive for the sensitive maunga slopes.

I further submit that for the following reasons, Council has erred in both the methodology and assessment of the resources and character of the maunga, when determining the specific boundaries of the Special Character Overlay in particular as they apply to the site at 1a Summit Drive and to surrounding sites on Summit Drive and the maunga slopes:

- The resurvey and assessment of character which Council has undertaken is flawed as there is undue weight applied only to the architectural character or period of an individual dwelling itself, rather than the landscape, natural, cultural and physical character and built form of the neighbourhood overall. It is our submission that this is a substantial deviation from, and erosion of, the purposes, objectives and policies which have been engrained in the special character area provisions for many years, including those engrained in Council's Unitary Plan today. A wholistic and more appropriate assessment of special character (and that used to include areas such as Summit Drive in the special character overlays of the existing Unitary Plan), includes the unique urban form of Auckland's volcanic cone slopes, the steep highly visible topography, cultural and historic features such as dry-stone walls, wide open space, extensive mature vegetation, as well as the architecture, period and character of the housing stock. Council's methodology to reassess and rate character areas has therefore erred by giving high ratings only to the period of individual housing stock itself. That methodology is inconsistently applied and fails to take a more wholistic and comprehensive approach to natural and built form or to the need to protect important resources and maintain and enhance special character and amenity as prescribed under the Resource Management Act.
- Secondly, Council has erred in the way it has grouped, assessed and mapped character areas or units on and around the Owairaka Maunga slopes including the unit in which the site at 1a Summit Drive sits. Council has advised that the property sits within the area known as "Owairaka Isthmus C {Area 38 & 39}". I understand this area was the subject of a partial resurvey in June and July 2022 (refer attached plans provided by the Unitary Plan Enquiries team).
- In my submission, Isthmus C appears to be a rather arbitrary 'area' for assessment as a single character or landscape unit. There appears to be no natural or physical consistency to the area, the area comprises streets that are physically disconnected and sit on opposite sides (visually) of the maunga, so clearly do not represent a single visual catchment. Further, Council has departed from its own guidelines used to group assessment areas. In response to a request for clarification of how Owairaka Area C was defined Council has advised that:

"Thank you for your enquiry on the Owairaka Isthmus C resurvey. Please see attached the resurvey report for this area.

For the purposes of calculating area percentages, report areas were defined based on two primary considerations: the overlay area and the historic subdivision pattern. The special character overlays (e.g. Isthmus A, Isthmus B, etc) manage different values and the survey of each area was informed by the values described in the special character statements {Schedule 15}. To maintain these distinctions, overlay areas were considered separately; this is why Owairaka Isthmus C is a separate report area from Owairaka Isthmus B, even though they are adjacent.

The second consideration for defining report area boundaries is historic subdivision pattern or pattern of development. The legacy/historical values of each special character area are often informed by the history of its development (e.g. the land blocks that were speculatively developed along the tram routes, the original extent of a settlement within a suburb, etc.), and because special character is a values-based overlay, the values were used to inform the unit of assessment. These historic development patterns were determined based on the special character statements and also additional research into historic survey plans and cadastral maps."

- If that methodology had been correctly and consistently applied to Area definition, hence assessment and ultimately rating of character areas on Owairaka Maunga, it is our submission that different results would have been generated. In particular Council has erred in its mapping and definition of historical subdivision patterns. In fact there is no apparent consistency within the broad, disconnected units of housing, their development period or subdivision pattern that comprise Area C. By way of example, La Veta Ave and Pickens Crs were subdivided much later than Summit Drive and comprise housing stock mostly from the 1950s to 1980s including ex State Houses. They are on the opposite mountain slope and from a completely different period from the villa and bungalow era prevalent on Summit Drive, yet they feature in the same assessment unit and therefore impact the rating scores because of the scoring system adopted, which generates a total aggregate 'percentage' score for each area.

I seek the following decision by Council:

Amend PC78 to retain the Special Character Overlay as a qualifying matter on the site at 1a Summit Drive Mt Albert and on surrounding sites on Owairaka Maunga.

219.5

Retain the Maunga Viewshafts and Height and Building Sensitive Areas Overlay over this site and surrounding sites on Owairaka Maunga (this is the subject of a separate submission).

Support the ruling that properties built prior to 1940 be considered as special character despite the area they are in.

219.6

Accordingly, and to achieve a consistent and coherent planning framework that has sufficient regard to physical, natural and cultural resources of Owairaka Maunga, inclusive of the site at 1a Summit Drive Mt Albert and surrounding sites; apply the Low Density Zone to this area.

219.7

Ginny Taare

From: Unitary Plan
Sent: Saturday, 10 September 2022 1:46 pm
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - kirsten van kessel

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: kirsten van kessel

Organisation name:

Agent's full name:

Email address: kirstenvankessel@yahoo.co.nz

Contact phone number:

Postal address:

Cheltenham
Auckland 0624

Submission details

This is a submission to:

Plan change number: Plan Change 78

Plan change name: PC 78: Intensification

My submission relates to

Rule or rules:
Chapter D18 Special Character Overlay as it relates to Devonport

Property address:

Map or maps:

Other provisions:
Chapter D18 Special Character Overlay as it relates to Devonport

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:
Intensive developments will greatly impact its heritage value and destroy the low-scale coherence of Devonport's character.

I or we seek the following decision by council: Decline the plan change

Submission date: 10 September 2022

225.1
225.2

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.



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Ginny Taare

From: Unitary Plan
Sent: Friday, 9 September 2022 4:00 pm
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Matthew John Yallop

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Matthew John Yallop

Organisation name:

Agent's full name:

Email address: matt@rmltd.co.nz

Contact phone number:

Postal address:
11 Ewen Alison Avenue
Devonport
Auckland 0624

Submission details

This is a submission to:

Plan change number: Plan Change 78

Plan change name: PC 78: Intensification

My submission relates to

Rule or rules:
Chapter D18 Special Character Overlay as it relates to Devonport

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:
Devonport is a unique visitor-magnet that we work extremely hard on maintaining. The value of the historic is obvious to the many many visitors and it would be a tragedy to weaken the integrity of its historic character with the kind of intensification that can be found anywhere else in Auckland. Messing up Devonport would be an epic 'own-goal' and we would all be the poorer for that including visitors from all over Auckland.

I or we seek the following decision by council: Decline the plan change, but if approved, make the amendments I requested

Details of amendments: Retain the Special Character Overlay over Devonport and make the Victoria Road shopping area an Historic Heritage Area. Remove Policy 3d from residential areas in Devonport.

228.1

228.2

Submission date: 9 September 2022

228.3

228.4

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.

Yes

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



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Ginny Taare

From: Unitary Plan
Sent: Sunday, 11 September 2022 11:00 pm
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Simon Angelo

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Simon Angelo

Organisation name:

Agent's full name:

Email address: simonangelo@gmail.com

Contact phone number: 0211602232

Postal address:

6 First Ave
Stanley Point
Auckland 0624

Submission details

This is a submission to:

Plan change number: Plan Change 78

Plan change name: PC 78: Intensification

My submission relates to

Rule or rules:

Chapter D18 Special Character Overlay as it relates to Devonport

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:

Plan change 78 is negligent in protecting the unique urban heritage of Devonport, a small suburb that contains one of the world's largest collection of Kauri villas in unique low density streetscapes.

I or we seek the following decision by council: Approve the plan change with the amendments I requested

Details of amendments: Delete the Mixed Housing Urban zone altogether. Retain the Special Character Overlay over Devonport. Make the Victoria Road shopping area an Historic Heritage Area. Remove Policy 3d from residential areas in Devonport

Submission date: 11 September 2022

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.



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Ginny Taare

From: Unitary Plan
Sent: Tuesday, 13 September 2022 9:15 am
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Rob Towner and Ann Smart

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Rob Towner and Ann Smart

Organisation name: NA

Agent's full name: NA

Email address: towner@richmondchambers.co.nz

Contact phone number:

Postal address:
 8 St Aubyn Street
 Devonport
 Auckland
 Auckland 0624

Submission details**This is a submission to:**

Plan change number: Plan Change 78

Plan change name: PC 78: Intensification

My submission relates to

Rule or rules:
 chapter D18 Special Character Overlay as it relates to Devonport

Property address: 8 St Aubyn St, Devonport, Auckland, 0624

Map or maps: NA

Other provisions:
 We request that the Council: delete the Mixed Housing Urban zone altogether in particular areas; retain the Special
 Overlay over Devonport; make the Victoria Road shopping area an Historic Heritage Area; and remove Policy 3d from
 residential areas in Devonport.

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:
 Our local community has a unique character in Auckland and special heritage values which deserve to be preserved.
 This can be easily reconciled with a general planning objective of increasing housing intensification in Auckland.
 Specifically, Devonport is an important historic and unique marine community in Auckland; it is a popular tourist

destination. Intensive developments as are proposed would very likely impact Devonport's heritage negatively and destroy the low-scale coherence of its special character.

I or we seek the following decision by council: Decline the plan change, but if approved, make the amendments I requested

Details of amendments: as described above

Submission date: 13 September 2022

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.

Yes

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



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Ginny Taare

From: Unitary Plan
Sent: Tuesday, 13 September 2022 9:30 pm
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - David Wills

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: David Wills

Organisation name:

Agent's full name: David Wills

Email address: david_j_wills@hotmail.com

Contact phone number:

Postal address:
19 Shoal Bay Road
Devonport
Devonport
Auckland 0624

Submission details

This is a submission to:

Plan change number: Plan Change 78

Plan change name: PC 78: Intensification

My submission relates to

Rule or rules:
Chapter D18 Special Character Overlay as it relates to Devonport

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:
Devonport is an important historic area, a unique marine suburb, and a popular tourist attraction. Intensive developments will greatly impact its heritage value and destroy the low-scale coherence of Devonport's character. Further, society is too focused on the future and not cherishing and nurturing the past. Most of our lessons come from the experience of time. To tour Europe, you understand the importance of history through architecture. Once you approve this there will be no going back and an important part of NZ history will be lost forever. Devonport is a

beautiful place similar to Arrow Town where the villas showcase our heritage and history. Please don't let this be destroyed in the name of short-term outlooks, profits and gains.

I or we seek the following decision by council: Decline the plan change, but if approved, make the amendments I requested

Details of amendments: Retain the Special Character Overlay over Devonport. Remove Policy 3d from residential areas in Devonport and make the Victoria Road shopping area and surrounding area an Historic Heritage Area.

Submission date: 13 September 2022

257.1
257.2
257.3
257.4

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.

Yes

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



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Ginny Taare

From: Unitary Plan
Sent: Tuesday, 13 September 2022 7:15 pm
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Christopher Rapson

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Christopher Rapson

Organisation name:

Agent's full name:

Email address: chris.rapson@gmail.com

Contact phone number:

Postal address:

Takapuna
Auckland 0622

Submission details

This is a submission to:

Plan change number: Plan Change 78

Plan change name: PC 78: Intensification

My submission relates to

Rule or rules:

I want to submit my overall support for the proposed plan change, and a caveat for two specific sections: the heritage and special character exemptions. I haven't been able to identify the specific rules that correspond to these exemptions.

I think the National Policy Statement on Urban Development. Reducing the barriers to medium density housing in New Zealand will have many positive effects, including:

- reducing commute distances. Suburban sprawl is a significant contributor to New Zealand's stress levels and greenhouse gas emissions, which is very well visualised in this graphic www.greaterauckland.org.nz/wp-content/uploads/2014/10/Annual-CO2-emissions-per-commuter-v1.jpg
- protecting green spaces against greenfields development
- having lived in medium density cities in Europe, I found them to be vibrant and extremely convenient. There were literally 4 supermarkets within a 5 minute walk of my apartment, and 3 kindergardens on my street. It is much easier to provide infrastructure for public transport and active modes when there is a higher density of people using them.

The only modifications I would request are

- a) less exemptions, so that housing is built in the optimal places
- b) if we can enable Perimeter Build Housing, that would be preferable to infill housing. In my opinion the Coalition for More Homes has the best concrete suggestions on policy in that direction

<https://www.morehomes.nz/>

Property address: N/A

Map or maps: D17 Historic Heritage Overlay, D18 Special Character Areas Overlay

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:

I don't support any of the examples of "heritage" or "special character" exemption. I can't think of any New Zealand residential buildings that are noteworthy on an international benchmark. Preserving these buildings stands in the way of new development, with modern materials and designs.

I or we seek the following decision by council: Approve the plan change with the amendments I requested

Details of amendments: Removal, or a significant reduction in the areas that are exempted due to "historic heritage" or "special character"	258.1
	258.2

Submission date: 13 September 2022

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.



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Ginny Taare

From: Unitary Plan
Sent: Tuesday, 13 September 2022 8:45 pm
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Elizabeth Beard

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Elizabeth Beard

Organisation name:

Agent's full name:

Email address: beth@beard.co.nz

Contact phone number:

Postal address:
37 Allenby Avenue
Devonport
Auckland 0624

Submission details

This is a submission to:

Plan change number: Plan Change 78

Plan change name: PC 78: Intensification

My submission relates to

Rule or rules:
Chapter D18 Special Character Overlay as it relates to Devonport

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:
Devonport has an unusual density of heritage housing that creates a unique environment to experience early colonial NZ history. When we drive through, being able to see all the different construction, what was "normal" for a whole community from ages past, the plaques, the colours - it creates an unique education and tourist area. These houses, due to their age and construction were not built to cope with the conditions intensification would add. The expense to maintain a villa is a heritage decision people have chosen to undertake for the next generation by buying into the neighbourhood - this wouldn't be worth the buildings or the gardens if it was possible demolishing and rebuilding is an option for their neighbours.

I or we seek the following decision by council: Approve the plan change with the amendments I requested

Details of amendments: Delete the Mixed Housing Urban zone altogether or in particular areas. Retain the Special Character Overlay over Devonport Make the Victoria Road shopping area an Historic Heritage Area Remove Policy 3d from residential areas in Devonport

Submission date: 13 September 2022

259.1
259.2
259.3
259.4
259.5

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.

Yes

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



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Ginny Taare

From: Unitary Plan
Sent: Tuesday, 13 September 2022 7:45 pm
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Prageeth Jayathissa

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Prageeth Jayathissa

Organisation name:

Agent's full name:

Email address: p.jayathissa@gmail.com

Contact phone number: 0224108038

Postal address:
2-14 Ewen Alison Ave
Devonport
Auckland 0624

Submission details

This is a submission to:

Plan change number: Plan Change 78

Plan change name: PC 78: Intensification

My submission relates to

Rule or rules:
Chapter D18 Special Character Overlay as it relates to Devonport

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:

I support the intensification in my neighbourhood (Devonport) and am voicing my opinion to cross submit against a minority of submitters that oppose intensification.
Devonport is a strategically central village, with walking distance to all necessary facilities, and easy ferry connections to the central city. It will be beneficial for the community, and for Aucklands climate change goals to intensify this area. Furthermore, the large villas in Devonport are not affordable for the average Aucklanders. In order to have a diverse and young population living close to the city, higher density housing is required. Otherwise the unaffordable cost of living, driven by the sheer number of large land consuming houses in the central city (including devonport), are forcing

young professionals to leave the city. I am concerned for the future of this city if there is an inadequate workforce to properly run it. I therefore strongly support provisions to allow for:

- removal of special character overlay
- maintain a mixed housing zone
- maintain policy 3d in residential areas in devonport
- remove heritage provisions from Victoria road to allow for intensification close to the ferry terminal.

262.1
262.2
262.3
262.4
262.5

I ask that the review committee take these future focussed opinions into consideration, and not be swayed by a small minority of villa owners who are concerned about their loss of home value. The benefit to Aucklands future should take importance above the loss of property value to a few

I or we seek the following decision by council: Approve the plan change without any amendments

Details of amendments:

Submission date: 13 September 2022

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.



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Ginny Taare

From: George McMahon <george@codeplanning.co.nz>
Sent: Wednesday, 14 September 2022 1:57 pm
To: Unitary Plan
Subject: Submission on PC78: Intensification - George McMahon
Attachments: 1_23 Jutland Road Hauraki - HW Flooding enquiry 2020.pdf; 23 Jutland Road Hauraki - Healthy Waters Flooding enquiry.pdf; pc-78-form-5-notification_George McMahon_23 Jutland Road.pdf; Code Planning Mail - 23 Jutland Road, Hauraki - Flooding enquiry.pdf

Good afternoon,

This submission relates to the following properties at 23 Jutland Road, Hauraki 0622. The site has been identified by Auckland Council as containing a Qualifying Matter - Flood Plains. The site is currently zoned Mixed Housing Suburban, the proposed zoning under PC78 being Mixed Housing Urban.

Attached are two separate email threads from Auckland Council's Healthy Waters department confirming that the initial Catchment Management Plan for the Hauraki stormwater catchment (2000) was based on less reliable topographical information. Healthy Waters currently holds a new stormwater model for the Hauraki catchment (Takapuna, Hauraki, and Shoal Bay FHM 2019 Model), the new model does not show a flood plain over the property based on the definition of a flood plain (AUP-OP).

The following qualifying matter should be removed from the site as part of the plan change process. The MDRS should apply in full to the site without the above mentioned qualifying matter.

I do not wish to be heard as part of the submission, however, if there are similar submissions then this can be grouped with them.

Contact Information:
George McMahon
23 Jutland Road Hauraki 0622
0210711480
george@codeplanning.co.nz
Alternative postal address:
76A Jutland Road Hauraki 0622

Kind regards,

George McMahon

021 0711480

george@codeplanning.co.nz

www.codeplanning.co.nz



Before you fill out the attached submission form, you should know:

You need to include your full name, an email address, or an alternative postal address for your submission to be valid. Also provide a contact phone number so we can contact you for hearing schedules (where requested).

By taking part in this public submission process your submission will be made public. The information requested on this form is required by the Resource Management Act 1991 as any further submission supporting or opposing this submission is required to be forwarded to you as well as Auckland Council. Your name, address, telephone number, email address, signature (if applicable) and the content of your submission will be made publicly available in Auckland Council documents and on our website. These details are collected to better inform the public about all consents which have been issued through the Council.

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least one of the following applies to the submission (or part of the submission):

- It is frivolous or vexatious.
- It discloses no reasonable or relevant case.
- It would be an abuse of the hearing process to allow the submission (or the part) to be taken further.
- It contains offensive language.
- It is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

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 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)

George McMahon

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

Address for service of Submitter

23 Jutland Road Hauraki

Auckland 0622

Telephone:

210711480

Fax/Email:

george@codeplanning.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 78

Plan Change/Variation Name

Intensification

The specific provisions that my submission relates to are:

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

Plan provision(s)

Qualifying Matter - Flood Plain

Or

Property Address

23 Jutland Road Hauraki

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:

Attached to this submission are two separate threads from Auckland Council's Healthy Waters department.

These threads confirm that more recent stormwater modeling has been completed for the Hauraki catchment.

This modeling confirms that a flood plain is not present on the site, the QM - Flood Plains should be removed from the site

(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 ☐

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

Remove the flood plain from the operative planning maps from 23 Jutland Road, Hauraki.

Remove the qualifying matter from the site.

Apply the MDRS in full to the site.

270.1

270.2

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 ☒

George McMahon

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

08/24/2022

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.

From: Wui-Shen Tay <wui-shen.tay@aucklandcouncil.govt.nz>
Sent: Wednesday, 30 September 2020 2:18 PM
To: Scott Lamason <scott@lamason-consulting.co.nz>
Cc: KC Lee <KC.Lee@aucklandcouncil.govt.nz>; HWDDevelopment <HWDDevelopment@aucklandcouncil.govt.nz>
Subject: RE: 1/23 Jutland Road, Hauraki - Flooding enquiry

PC 78 Sub #270

Hi Scott,

Please see below for the latest catchment model information at 1/23 Jutland Road, Hauraki for 100-year ARI with climate change scenario. The model result extracted from Takapuna, Hauraki, and Shoal Bay FHM 2019 Model.

The current published flood plain at 1/23 Jutland Hauraki was based on Catchment Management Plan for the Hauraki stormwater catchment completed in the year 2000. The flood plain was mapped based on the topographical information at that time which may have been far less reliable than what we have now. We have a new stormwater model has recently completed and subject to review and approval for the Hauraki catchment. The new model result does not show a flood plain over the property (see Figure 1) based on the following definition of a flood plain (extracted from Auckland Unitary Plan – see Figure 2).



Figure 1: Flood plain at 1/23 Jutland Road, Hauraki

Floodplain

The area of land that is inundated by runoff from a specified rainfall event, with an upstream catchment generating $2\text{m}^3/\text{s}$ or greater of above ground flow, taking into account:

- any increases in impervious areas that would arise from changes in land use enabled by the policies and zonings of the Plan;
- the effects of climate change over a 100 year timeframe in respect of the frequency and duration of rain fall events and a 1m sea level rise; and
- assuming that primary drainage is not blocked.

Excludes the following areas:

- constructed depressions or pits within the Special Purpose - Quarry Zone

Figure 2: Definition of Flood plain

Modelling has been carried out at a catchment level based on the datasets available at the time of model build. Please note that the model is subject to review and approval. Whilst due care has been taken in producing the flood results, Auckland Council gives no warranty as to the accuracy and completeness of any information given and accepts no liability for any errors, omission or use of the information. The information provided does not preclude the need for an appropriate site-specific assessment and cannot be construed as an endorsement or approval of any development by Auckland Council

PC 78 Sub #270

Many thanks.

Kind regards,

Shen

[Quoted text hidden]



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23 Jutland Road, Hauraki - Flooding enquiry

Wui-Shen Tay <wui-shen.tay@aucklandcouncil.govt.nz>

24 August 2022 at 11:59

To: George McMahon <george@codeplanning.co.nz>

Cc: HWDDevelopment <HWDDevelopment@aucklandcouncil.govt.nz>, Jahangir Islam <Jahangir.Islam@aucklandcouncil.govt.nz>

Hi George,

The contributing catchment area of the overland flow path passing through the property at 23 Jutland Road is less than 1ha. The peak overland flow is expected to be less than 2m³/s flow. Therefore the property will not cover by the floodplain.

Please see below the definition of the floodplain based on the AUP.

Floodplain

The area of land that is inundated by runoff from a specified rainfall event, with an upstream catchment generating 2m³/s or greater of above ground flow, taking into account:

- any increases in impervious areas that would arise from changes in land use enabled by the policies and zonings of the Plan;
- the effects of climate change over a 100 year timeframe in respect of the frequency and duration of rain fall events and a 1m sea level rise; and
- assuming that primary drainage is not blocked.

Excludes the following areas:

- constructed depressions or pits within the Special Purpose - Quarry Zone

Please note that the property at 23 Jutland is subject to an overland flow path. You need to assess the flood risk of the overland flow passing through the property.

The flood risk assessment need to be based on TP108 methodology as stated in the Code of Practice for Land Development and Subdivision, Chapter 4 – Stormwater, and AUP rules (E36)

Thank you.

Kind regards,

Shen

From: George McMahon <george@codeplanning.co.nz>

Sent: Wednesday, 24 August 2022 10:26 AM

To: Wui-Shen Tay <wui-shen.tay@aucklandcouncil.govt.nz>

Cc: HWDDevelopment <HWDDevelopment@aucklandcouncil.govt.nz>; Jahangir Islam <Jahangir.Islam@aucklandcouncil.govt.nz>

Subject: Re: 23 Jutland Road, Hauraki - Flooding enquiry

Also appreciate you have provided a response on this on the 30th September 2020, essetenilly is there any other supporting information that HW can provide additional to your initial response.

Thanks,

George McMahon

021 0711480

george@codeplanning.co.nz

www.codeplanning.co.nz

On Wed, 24 Aug 2022 at 10:12, George McMahon <george@codeplanning.co.nz> wrote:

Hi Shen,

Is the FHM Model report available?

I am after confirmation that the floodplain is not present on the site and this has been confirmed through HW modelling. Ideally if there is information that would supersede the current flood plain shown on the AUP planning maps.

Thanks,

George McMahon

021 0711480

george@codeplanning.co.nz

www.codeplanning.co.nz



On Wed, 24 Aug 2022 at 09:55, Wui-Shen Tay <wui-shen.tay@aucklandcouncil.govt.nz> wrote:

Hi George,

Can you please let me know what information that you are looking for? The FHM model report doesn't have floodplain information.

Thank you.

Kind regards,
Shen

From: George McMahon <george@codeplanning.co.nz>
Sent: Tuesday, 23 August, 2022 2:33 PM
To: HWDDevelopment <HWDDevelopment@aucklandcouncil.govt.nz>
Subject: 23 Jutland Road, Hauraki - Flooding enquiry

Hi HW,

Thanks,

From: Wui-Shen Tay <wui-shen.tay@aucklandcouncil.govt.nz>
Sent: Wednesday, 30 September 2020 2:18 PM
To: Scott Lamason <scott@lamason-consulting.co.nz>
Cc: KC Lee <KC.Lee@aucklandcouncil.govt.nz>; HWDDevelopment <HWDDevelopment@aucklandcouncil.govt.nz>
Subject: RE: 1/23 Jutland Road, Hauraki - Flooding enquiry

Hi Scott,

Please see below for the latest catchment model information at 1/23 Jutland Road, Hauraki for 100-year ARI with climate change scenario. The model result extracted from Takapuna, Hauraki, and Shoal Bay FHM 2019 Model.

The current published flood plain at 1/23 Jutland Hauraki was based on Catchment Management Plan for the Hauraki stormwater catchment completed in the year 2000. The flood plain was mapped based on the topographical information at that time which may have been far less reliable than what we have now. We have a new stormwater model has recently completed and subject to review and approval for the Hauraki catchment. The new model result does not show a flood plain over the property (see Figure 1) based on the following definition of a flood plain (extracted from Auckland Unitary Plan – see Figure 2).

Figure 1: Flood plain at 1/23 Jutland Road, Hauraki

Figure 2: Definition of Flood plain

The process of updating the flood plain is work in progress at this stage. Once completed it will go through detail review process prior to release for publishing.

Modelling has been carried out at a catchment level based on the datasets available at the time of model build. Please note that the model is subject to review and approval. Whilst due care has been taken in producing the flood results, Auckland Council gives no warranty as to the accuracy and completeness of any information given and accepts no liability for any errors, omission or use of the information. The information provided does not preclude the need for an appropriate site-specific assessment and cannot be construed as an endorsement or approval of any development by Auckland Council

Many thanks.

Kind regards,

Shen

Kind regards,

George McMahon

021 0711480

george@codeplanning.co.nz

www.codeplanning.co.nz





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23 Jutland Road, Hauraki - Flooding enquiry

Wui-Shen Tay <wui-shen.tay@aucklandcouncil.govt.nz>

9 September 2022 at 16:27

To: George McMahon <george@codeplanning.co.nz>

Cc: HWDevelopment <HWDevelopment@aucklandcouncil.govt.nz>, Jahangir Islam <Jahangir.Islam@aucklandcouncil.govt.nz>, KC Lee <KC.Lee@aucklandcouncil.govt.nz>

Hi George,

The process of updating the flood hazard maps is work in progress at this point. Once completed it has to go through a very detailed review process prior to release for publishing. For work efficiency, the updates are worked through catchment by catchment. The team working on the flood plain updates aim to have it completed within the next 2 months.

Thank you for your patience.

[Quoted text hidden]

Ginny Taare

From: Unitary Plan
Sent: Wednesday, 14 September 2022 9:46 pm
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Stan Jan Augustowicz

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Stan Jan Augustowicz

Organisation name:

Agent's full name:

Email address: s.augustowicz@gmail.com

Contact phone number: 0226456503

Postal address:
 7 Fowler Ave
 Mount Albert
 Auckland 1025

Submission details**This is a submission to:**

Plan change number: Plan Change 78

Plan change name: PC 78: Intensification

My submission relates to

Rule or rules:
 Intensification of the catchment where our house is

Property address: 7 Fowler Ave, Mt Albert, Auckland 1025

Map or maps:

Other provisions:
 Flooding

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:
 Firstly-

The new proposed height of six storeys does not sufficiently take into account the impact on neighbouring homes. Any new builds should not exceed double the height of any adjacent dwellings e.g. if a six storied apartment is built next to a bungalow it would dwarf it and potentially that bungalow could be surrounded on three sides by six storied apartments. Each tall building would make the bungalow look ridiculous and lower its value especially if sandwiched between apartments. Any six storied apartment should only be built next to a multi dwelling building of at least three

278.1

storeys, that way the buildings would all gain height in a more uniform manner minimising impact on each other. Secondly-

The proposed change further ignores existing potential flood risk to non-coastal properties lower in the catchment identified as being in a potential flood zone. Currently there is no acknowledgment of increased flood risk new apartment buildings will cause by significantly increasing impervious areas often two to three fold and the engineers don't even include balconies exposed to wind blown rain as being an impervious area. I have already raised this with council as three homes on our street flooded in the heavy rainfall we had in May of this year. I have suggested up-stream detention/storage of storm-water for new builds that result in increased impervious area over that of the building existing previously. Allowing even taller buildings will further exasperate the problem as even greater impervious areas will be created with additional balconies. Additionally it will encourage greater numbers of apartment builds as these will become more economically viable. The council needs to set protection standards for low lying homes before allowing any intensification.

278.2

Thirdly-

Apartments are not suitable for long term living, most people will want a bigger home after living in a 40 to 60 m2 apartment for a year or two. If typical 100m2 to 250m2 homes are demolished to make way for apartments it will result in people moving further out from city centers to get a larger home. That in turn will result in transport problems and traffic congestion.

278.3

I or we seek the following decision by council: Decline the plan change

Submission date: 14 September 2022

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.



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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 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)

Sandra Gillies

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

Address for service of Submitter

60A Wairoa Road, Narrowneck, Auckland 0624

Telephone:

0276588840

Fax/Email:

sandyg@outlook.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 78

Plan Change/Variation Name

Intensification

The specific provisions that my submission relates to are:

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

Plan provision(s)

Chapter D18 Special Character Overlay Residential as the overlay relates to Devonport

Or

Property Address

60A Wairoa Road, NARROWNECK

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:

Devonport is one of the few historic areas left, a destination for tourists, and an asset for Auckland.

The suburb should be valued for its unique character so generations to come may enjoy

and gain insight into the history of New Zealand. Change is not always for the better.

(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 ☐

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

Retain the special overlay in Devonport, Victoria Road and surrounding areas, leave

Devonport as an Historic Heritage area for future generations.

283.1

283.2

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)

15/09/2022

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 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 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)

Mr Fraser Gillies

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

Address for service of Submitter

60 a Wairoa Road Narrow Neck Devonport 0624

Telephone:

0274764372

Fax/Email:

fgillies@xtra.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 78

Plan Change/Variation Name

Intensification

The specific provisions that my submission relates to are:

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

Plan provision(s)

Chapter D18 Special Character Overlay Residential as the overlay relates to Devonport

Or

Property Address

your address 60a Wairoa Road Narrow Neck Devonport 0624

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:

Devonport is a well regarded heritage area with the Township on the harbour, classic English hotel and original shop front stores attracting thousands of tourists each year. Intensive development will

destroy the unique asset and will impact negatively on the area's already testing conditions, traffic, privacy, sunlight amenity and the quiet nature of the local community
destroy the Heritage nature of the area, will impact the already challenged infrastructure, increase traffic and compromise the peaceful nature of the community. (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 ☐

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

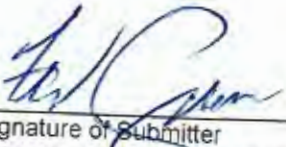
Delete the Mixed Housing Urban Zone altogether, retain the Special Character Overlay in Devonport
 Victoria Road shopping area to be an Historic Heritage area, remove Policy 3d from residential areas in Devonport.

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 ☒

284.1
284.2
284.3
284.4
284.5


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

15 September 2022

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.

Ginny Taare

From: Astina Jamil <astina.jamil@gmail.com>
Sent: Thursday, 15 September 2022 9:26 pm
To: Unitary Plan
Subject: Submission on the Planned Intensification 78

I would like to make a submission to raise a point regarding the intensification of PC 78.

I reside at 33 The Avenue Albany which would be affected by the planned intensification change from Resident Mixed Housing Suburban to Residential Terrace Housing and Apartment Buildings.

I certainly do support the need for intensifying the area to meet the needs for housing in the future.

However due to my experience in trying to subdivide unsuccessfully and then now trying to clear and construct a minor dwelling, I am faced with a number of obstacles and obstructions by rules and regulations which discourage me from realizing the unitary plan intentions.

The change in such rezoning the Albany Precinct 10 to a higher residential zoning would not change the issues and obstructions that I face.

First and foremost there is a Special Ecological Area (SEA) zone on my section and to add further deterrence to the issue, the council has also imposed a further covenant ruling in addition to the SEA which is already on site.

This effectively makes it almost impossible to add further development to the section and all the sections which were subdivided from the original Lot 13 DP405453.

The rezoning does not trump the easements which were put in restrictions on the titles and sections. Neither I or any of the sections 1-6 owners are able or capable of subdivision or intensify building on the site.

So in what capacity does Change 78 benefit us if the restrictions are not eased or erased to enable building at all? None whatsoever.

The SEA which was enacted on the site in 2008 is so far outdated against the backdrop of the unitary plan that Auckland has, that it should no longer be allowed to be restricted in perpetuity without revisiting the original approval given.

The SEA area on my site is furthermore an act of preserving an ecological area which is far removed from the riverside that it begs disbelief. My section is not near significant ecological features and yet we are designated as having an SEA when there are closer houses to the ecological features than we are which are neither constraint by this restriction.

It made no sense to me that the section has a SEA and approval was based on characters and ecological values which are not there on the section and property and certainly with language of approval based on vague measurement.

I have done an ecological report on the section of my property and the report shows that the ecological value of the section is not unique, or significant. Rather the SEA has native plants, rich in ecology. But given that it has been undisturbed by human interference for decades, it would be rich in ecology, no different from an undisturbed backyard.

Thus I am mystified as to my consent was granted to be an SEA when there is no significant value attached to the section, it is far and further removed from the riverside ecological features (there is housing much closer to the riverside).

288.1

SEA was granted in a political climate and government in the past where maintaining housing scenery and values, and intensification was not encouraged or allowed. This was probably the intent of the developer.

Furthermore SEA was granted on a section based on vague terms - there really is no significant value attached to the property and there is no ecology report done by the council to identify why the site was granted this status. When we had a meeting with a council staff, they informed us that they did not know what the SEA encompass and what made it valued to be awarded that status.

In fact for us to do even a minor land clearing on non-SEA land, but was awarded protection covenants by Auckland Council itself, we needed to do an ecology report to analyze the ecological values of non-SEA land.

The council has in every way impeded further development on our site making it difficult and costly. We have not even reached the stage of survey and planning. This has in no way supported us considering the irony of designating Change 78 when the restrictions on the section prevents us from doing so.

This is now archaic against the backdrop and need for more housing. The section 1-6 of Lot 13 is capable and can able about 30 units of unique terrace housing to the site without adding too much infrastructure to the area or add too much constraint against the ecological area.

There is already a road and drainage infrastructure in place. There is a possible entrance and exit and possibly driveway access through my section that would enable such a construction of housing.

Yet we are constrained by old laws and restrictions which were enacted against and before the unitary plan came about. I have contacted planners who are hesitant to touch on the SEA on my site because of the obstruction and the problems I might encounter. They stress that despite all the talk about intensification, the council might put up obstructions and requirements in which building up the section, it might not be worthy of the costs.

What I want:

- | | |
|--|-------|
| a) restrictions on the property title to be examined again and a planned course of addressing their removal. | |
| b) removal of restrictions and easement on site which adds and obstructs further building and prevents further housing growth on sections. | 288.2 |
| c) examine SEA restrictions on property sections especially if they were made prior to newer RMA regulations where self-interests of the developers which does not align with the newer vision and direction of planned intensification. | 288.3 |
| The procedure to remove SEA and to examine that there should be an expiration to such SEA restrictions. Rather than confining current owners to be binded in perpetuity. | 288.4 |

I hope you take our considerations into discussion. We are attempting to engage with the council again with a planner. But we are quite aware that even erecting a minor dwelling, we would be faced with major challenges since there is an ill-conceived SEA on our site and a further hindance of Auckland Council covenants.

It is as if the Auckland Council does not want us to further intensify development rather than encourage it.

And we need further assistance to help us realize this vision.

My contact details are: 0211882465

Thank you.

Regards
Astina Jamil

Nathaniel Hazelden

From: Unitary Plan
Sent: Friday, 16 September 2022 5:01 pm
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Kathryn E Davies

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Kathryn E Davies

Organisation name:

Agent's full name: Kathy Davies

Email address: kathy.davies38@gmail.com

Contact phone number: 021671797

Postal address:
 kathy.davies38@gmail.com
 Mission Bay
 Auckland 1071

Submission details**This is a submission to:**

Plan change number: Plan Change 78

Plan change name: PC 78: Intensification

My submission relates to

Rule or rules:
 Qualifying Matters
 Removal of Special Character Areas
 Walkable Catchment in small local center zone
 Using MHU zone as response to intensification

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:

The UP allows for appropriate intensification already. The mandated MDRS could have been implemented with far less impact to the existing UP and far more pushback on government for pretending to be planners and understand local issues.

All existing special character should be requested as qualifying matter and likewise infrastructure requirements should

305.1
 305.2

be assessed more thoroughly for all areas.

We have a zone walkable catchment in Mission Bay which is not close to any major center or transport route and is on a portion of road which is already often bottlenecked being a narrow local street, on a bus route, and the main route for all locals to reach the local centre a.k.a supermarket. It is not an appropriate area for highrise developments. My major objection is to the adoption of MHU as a response to "3 houses per site to 3 stories". MHU provides for unlimited dwellings without resource consent and I see nothing in the proposed change that restricts to 3 per site with 4 triggering review for consent. I personally attended a planning meeting where I asked Council planners if I could consider my 1200m2 site (was SH zone SC overlay) was now good for 12 dwellings without consent and I was told there was no limit to 12 so long as the rules for the zone were complied with.

The general public is blissfully unaware of the impact of this change as many look at my site and think 3 homes to 3 stories will fit very nicely. In actual fact it is far more likely to result in 12 dwelling to 4 stories and that will comfortably fit within the zone guidelines.

I or we seek the following decision by council: Decline the plan change

Submission date: 16 September 2022

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.



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Nathaniel Hazelden

From: Unitary Plan
Sent: Saturday, 17 September 2022 11:01 am
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Martin Baker

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Martin Baker

Organisation name:

Agent's full name: Martin Baker

Email address: martinsandhills@gmail.com

Contact phone number:

Postal address:
30 Scenic Drive
Manurewa
Auckland 2102

Submission details

This is a submission to:

Plan change number: Plan Change 78

Plan change name: PC 78: Intensification

My submission relates to

Rule or rules:

I am writing in support of Auckland Council's proposal that the Hillpark Special Character Area Overlay be retained as a 'Qualifying Matter' 309.1

I Propose that the wider Hillpark suburb's significant natural environment be recognised as a Qualifying Matter. 309.2

I Propose that Hillpark's significant landscape visual presence be recognised as a Qualifying Matter 309.3

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:

1) Support Auckland Council's proposal to recognise the Hillpark Special Character Area Overlay as a Qualifying Matter.

- The Hillpark Special Character Area is one of the only Special Character Area's in the wider Sth Auckland area.
- The Hillpark Special Character Area is the only Special Character Area that is a purpose-designed garden suburb with a high number of mid-century homes (many by prominent architects of the time).
- The Hillpark Special Character Area recognises the pattern of subdivision – the unique combination of natural and built environments. A subdivision designed around the trees.

2) I Propose that the wider Hillpark suburbs significant natural environment be recognised as a Qualifying Matter.

- Within Hillpark there is a high number of scheduled Notable Trees and several Significant Ecological Areas, as well as permanent and intermittent streams. That said, the natural environment in Hillpark is under-recognised / under-protected, with significant stands of mature native trees potentially worthy of having Significant Ecological Area overlays applied, and some streams not yet identified on Unitary Plan maps.
- Hillpark's mature native bush supports an abundance of flora and fauna. Most noticeable are the native birds supported by Hillpark's bush including Kereru, Tui, Kotare (Kingfisher), Piwakawaka (Fantail), Ruru (Morepork), and Kaka are also seen from time to time.
- Hillpark is part of a wider ecological corridor that stretches from Great Barrier Island in the east, through the Hunua Ranges, Totara Park and Murphy's Bush to the Waitakere Ranges in the west. This corridor is largely broken with large areas clear-felled in the past, so it is important to maintain what we have left while other initiatives are undertaken to improve the corridor, such as regeneration of the Puhinui Stream and the South-East Wildlink Project (by Forest and Bird).
- Maintaining the health of Hillpark's streams, which generally coincide with stands of native bush, helps to maintain the health of the Puhinui Stream and Manukau Harbour.
- We suggest that Council undertake a thorough investigation of Hillpark's natural environment and apply additional protections where required, such as additional and / or extended Significant Ecological Area Overlays and improved identification and classification of streams where appropriate.

3) I Propose that Hillpark's significant landscape visual presence be recognised as a Qualifying Matter.

- While there are currently no landscape related overlays applied to Hillpark, it is clear the abundance of mature native bush cover has landscape value that can be appreciated both within Hillpark itself (as noted in the current Special Character Overlay statement), and also in the wider region.
- Hillpark's significant tree cover has a strong visual presence from all surrounding viewpoints, including both North and South motorway approaches and from surrounding suburbs. A keen eye can even pick Hillpark out from the Bombay Hills.
- Hillpark's trees provide a stunning dark backdrop to Manurewa Town Centre.
- Arguably this landscape value is worth recognition either by extension of the Special Character Statement, or by further assessment and application of SEA Overlays, or by addition of a suitable landscape overlay (ie ridgeline protection, or outstanding natural landscape) noting this landscape value is heavily interrelated with Hillpark's Special Character. We suggest Council undertake a Landscape Visual Assessment(s) to determine whether Hillpark's landscape values are worthy of specific recognition, and if necessary to further inform proposed development standards.

I or we seek the following decision by council: Decline the plan change

Submission date: 17 September 2022

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.

Yes

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



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Nathaniel Hazelden

From: Unitary Plan
Sent: Sunday, 18 September 2022 2:31 pm
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Philip Wheeler

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Philip Wheeler

Organisation name:

Agent's full name:

Email address: philipawheeler@gmail.com

Contact phone number:

Postal address:

Submission details

This is a submission to:

Plan change number: Plan Change 78

Plan change name: PC 78: Intensification

My submission relates to

Rule or rules:
Proposed Plan Change 78, Chapter H, Section H5.6. Standards

Property address:

Map or maps:

Other provisions:
Standards relating to the developments which are on sites with an SEA-T overlay. The Objectives described for SEA-T (under H5.2, 9) are highly subjective and it would prove difficult to enforce any out of character development. Furthermore, Section H5.6 does not define the requirements for buildings which have an SEA-T overlay other than for total site coverage. SEA-T need to be protected, and to do this require structured and clear guidance on building height, height to boundary, impervious surfaces, etc to be included in the amended plan. Those Standards should direct developers to design and build dwellings that are of lower height, lower height to boundary, lower impervious surface coverage, etc than the MHU Zone in order to protect the SEA-T from overdevelopment.

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:
In order to protect SEA-T from overdevelopment, the plan should include restrictions on dwellings height, height to

boundary, and impervious surface coverage, etc in comparison to the MHU Zone for any site which has a defined SEA-T.

I or we seek the following decision by council: Decline the plan change, but if approved, make the amendments I requested

Details of amendments: In order to protect SEA-T from overdevelopment, the plan should include restrictions on dwellings height, height to boundary, and impervious surface coverage, etc in comparison to the MHU Zone for any site which has a defined SEA-T.

312.1

Submission date: 18 September 2022

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.



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Nathaniel Hazelden

From: Unitary Plan
Sent: Saturday, 17 September 2022 11:01 am
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Sandra Joy Callister

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Sandra Joy Callister

Organisation name:

Agent's full name:

Email address: sandysandhills@gmail.com

Contact phone number:

Postal address:
 30 Scenic Drive
 Hillpark
 Auckland 2102

Submission details**This is a submission to:**

Plan change number: Plan Change 78

Plan change name: PC 78: Intensification

My submission relates to

Rule or rules:

I am writing in support of Auckland Council's proposal that the Hillpark Special Character Area Overlay be retained as a 'Qualifying Matter'.

I propose that the wider Hillpark suburb's significant natural environment be recognised as a Qualifying Matter.

I propose that Hillpark's significant visual presence be recognised as a Qualifying Matter.

314.1

314.2

314.3

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:

1. I support Auckland Council's proposal to recognise the Hillpark Special Character Area as a Qualifying Matter.
2. The Hillpark Special Character Area is one of the only Special Character Areas' in the wider South Auckland area.
3. The Hillpark Special Character Area is the only Special Character Area that is a purpose-designed garden suburb with a large number of mid-century homes (many by prominent architects of the time).

4. The Hillpark Special Character Area recognises the pattern of subdivision - the unique combination of natural and built environments. A subdivision designed around the trees and native bush.

5. Hillpark is part of a wider ecological corridor that Stretches from Aotea Great Barrier Island in the Hauraki Gulf, through the Hunua Ranges, Totara Park and Murphy's Bush to the Waitakere Ranges in the west. This corridor is largely broken so it is important to maintain what we have left while other initiatives are undertaken to improve the corridor, such as the regeneration project for the Puhunui Stream and Manukau Harbour.

I or we seek the following decision by council: Decline the plan change

Submission date: 17 September 2022

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.

Yes

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



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Nathaniel Hazelden

From: Unitary Plan
Sent: Saturday, 17 September 2022 11:31 am
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Simon Michael Horner

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Simon Michael Horner

Organisation name:

Agent's full name: Simon Horner

Email address: smhorner818@gmail.com

Contact phone number: 0294771694

Postal address:
44 Tainui Road
Devonport
Devonport
Auckland 0624

Submission details

This is a submission to:

Plan change number: Plan Change 78

Plan change name: PC 78: Intensification

My submission relates to

Rule or rules:
Chapter D18 Special Character Overlay as it relates to Devonport

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:
Devonport is an important historic area and a beautiful and a unique marine suburb. This also makes it a popular tourist attraction. The plan change as currently proposed will destroy all this. While it is understandable that certain properties have no heritage value and should therefore be able to be demolished and replaced, allowing intensive development of 3 story properties sprinkled throughout the suburb will result in islands of intensive developments which will destroy forever Devonport's unique character and visitor appeal, as well as causing significant adverse effects on those properties located near the intensive developments. You can see this happening already in suburbs

where intensification is allowed. And nor will intensification have any meaningful impact on the issue it seeks to address - namely housing affordability. The number of new dwellings, while being sufficiently high to ruin this suburb, will be negligible in the overall scheme of things, and nor will the dwellings be available to those most in need - these will all be premium properties with a matching price tag. The real beneficiaries will be property developers, who will make a lot of money. There are plenty of greenfields and non-heritage areas where intensification is appropriate. It is not appropriate in Devonport.

I or we seek the following decision by council: Decline the plan change

316.1

316.2

Submission date: 17 September 2022

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.



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Nathaniel Hazelden

From: Unitary Plan
Sent: Friday, 16 September 2022 10:16 pm
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Alex wang

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Alex wang

Organisation name:

Agent's full name:

Email address: alexander78913@gmail.com

Contact phone number:

Postal address:

Submission details

This is a submission to:

Plan change number: Plan Change 78

Plan change name: PC 78: Intensification

My submission relates to

Rule or rules:

The density of buildings allowed for a plot of land which has a qualifying matter.

Property address: 71 glendhu road Bayview

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:

The amount of buildings allowed on this site with a qualifying matter is excessive. I believe the current amount of buildings which council allows of 11 houses 3 stories high is especially excessive because of the road capacity and also biodiversity of this area. This site has a qualifying matter which council has said they would protect but with the proposed planning laws of 3 stories buildings and also allowing more houses I believe will impact the environment of the area.

319.1
319.2

I or we seek the following decision by council: Decline the plan change

Submission date: 16 September 2022

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.

Yes

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



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Nathaniel Hazelden

From: Unitary Plan
Sent: Sunday, 18 September 2022 1:46 pm
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Derek Quentin Battersby
Attachments: Exler Place Submission to PC78 SEP2022.pdf; Exler Place Residents Association Operational Rules 12 SEPT 2017 MH v02 (1).pdf

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Derek Quentin Battersby

Organisation name: Exler Place Residents Association Incorporated

Agent's full name: Derek Quentin Battersby

Email address: derek@battersby.net.nz

Contact phone number: 021599672

Postal address:
0600
Avondale
Auckland 0600

Submission details

This is a submission to:

Plan change number: Plan Change 78

Plan change name: PC 78: Intensification

My submission relates to

Rule or rules:
PROPOSED ZONE & QUALIFYING MATTER CHANGE REQUEST

Property address: 14 through to 58 Exler Place Avondale, Auckland. 33 Residential Properties

Map or maps: Included in attached file

Other provisions:
Included in attached file

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:
Reasons for amendment to qualifying matters , refer to our submission in attached file

I or we seek the following decision by council: Approve the plan change with the amendments I requested

Details of amendments: Included in attached file

Submission date: 18 September 2022

Supporting documents

Exler Place Submission to PC78 SEP2022.pdf

Exler Place Residents Association Operational Rules 12 SEPT 2017 MH v02 (1).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? 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.



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SUBMISSION ON PROPOSED AUCKLAND UNITARY PLAN CHANGES (PC 78)

NPS-UD (National Policy Statement) & the MDRS (Medium Density Residential Standards)

SUBJECT: **PROPOSED ZONE & QUALIFYING MATTER CHANGE REQUEST**

TO: Auckland Council

SUBMITTED BY: Derek Battersby, Chairman

REQUESTED BY: Exler Place Residents Association Incorporated

MOBILE: 021 599 672 and **EMAIL:** derek@battersby.net.nz

DATE: Wednesday, 31 August 2022

ATTACHMENT: Operational Rules of Exler Place Residents Association 2017

SUBJECT SITE: EXLER PLACE RESIDENTS' ASSOCIATION - PRIVATE ROAD

LEGAL TITLE: LOT 100 DP436788

SITE STATUS: 33 dwellings/lots currently located within a common & legally private area and governed by a Private Residents Association Incorporated which encompasses infrastructure of roading (currently reduced width), lighting, civil engineering infrastructure works all within the site parameters.

PROPOSED ZONE CHANGE STATUS: THAB (Terraced housing & Apartment Building zone- modified)

REQUESTED ZONE CHANGE to: MDRS (Medium Density Residential Standards). Request that Council redraw the zone line definition in accordance with its own publicly stated criteria.

We provide further detail of our request, further to our previous correspondence 6 May 2022 that was submitted for the consultation process.

RATIONALE OF REQUEST:

- 1) The subject site is managed by a Residents Association and further intensification is impractical.**
 - a) Given the existing private legal status of the Subject Site it is concluded that there is almost zero possibility of actually ever achieving the THAB zone intensification. (Based on the existing operative rules that the association is legally bound by). Refer attached.

- b) therefore, the said site has no advantage in being in the proposed THAB zone for both residents (via possible increase in land value) OR the Auckland City Council (via densification) as no densification will be achieved. (Thereby negating the very reason that it was to be rezoned THAB in the first place.)

2) Entry to the development is beyond the walkable catchment zone

- a) the entry/access to the Exler Place private road is actually beyond the walkable catchment of 800m from a train station. (From Auckland Councils own explanatory document and dimensions from Councils GIS mapping tool) refer details below.
- b) The association is however supportive of the Governments & Councils intensification plan for Auckland in principle.

3) Significant subterranean infrastructure is a limiting factor to further intensification

- a) Auckland council considered stormwater constraints as a qualifying matter for some sites in the central isthmus.
- b) This qualifying matter is currently not applied to the Exler Estate subdivision.
- c) During the development of Exler Place from its historical use as agricultural grazing land, a significant investment was placed by the developers in subterranean stormwater drains and filtration. As a result, the sites are not suitable for further sub-division.



An aerial image showing the extensive earthworks and infrastructure build during the land conversion from farm land into the current development (Source: Google)

RESIDENTS ASSOCIATION REQUEST:

That the proposed rezoning be changed to Residential MDRS by:

- 1) adding to the “qualifying matters” information sheet 6 & 7 a PRIVATE STREET category, or other way to achieve the same if cannot make the qualifying matter assessment. (To be judged on a site-by-site basis) refer item 13 of the Council frequently asked questions on following page; and / or
- 2) the redrawing of the “walkable catchment” in the correct place (the purple line). guidelines (in which case it simply should not be considered in THAB at all.

321.1

321.2

321.3

BASIS OF REQUEST

Under the Governments New Housing Rules, what it means for Auckland publication:

Implementing the new rules

The changes set out in the NPS-UD and the MDRS are not optional. By law, we must change the Auckland Unitary Plan (our planning rulebook) to put these new rules in place.

However, the NPS-UD allows us to make some limited decisions to help shape the future of our city.

We can decide:

- The distances of walkable catchments where buildings of six storeys or more are required. These are the areas around the city centre, rapid transit stops, and the ten metropolitan centres (Albany, Takapuna, Westgate, Henderson, New Lynn, Newmarket, Sylvia Park, Manukau, Botany and Papakura).
- The building heights and density to enable within and next to other suburban centres – neighbourhoods centres, local centres, and town centres.
- The “qualifying matters” that will apply in Auckland, or the characteristics within some areas that may allow the council to modify (or limit) required building heights and density. Qualifying matters may include such reasons as protecting special character and public open space.

Central government has already identified a number of qualifying matters. The council is also allowed to include other ‘qualifying matters’ that are important for our city.

PROPOSED QUALIFYING MATTERS- Part 2 information sheet 7 No currently proposed “qualifying matters” have been found in Auckland Council Documents that reflect the Exler Pace Resident Associations “private street” status.

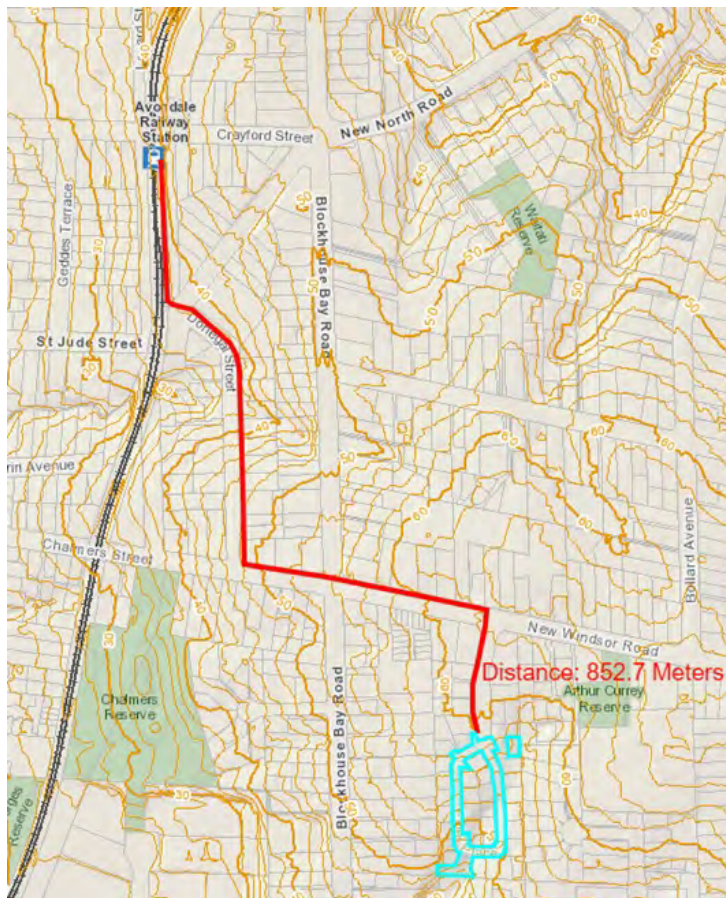
WALKABLE CATCHMENT AREAS

The Council’s explanatory document for the walkable catchments states that the walkable catchment is 800m from a train station. The walkable catchment boundary that the Council has shown for the location around the Exler Place Residents Private Road goes well beyond that.

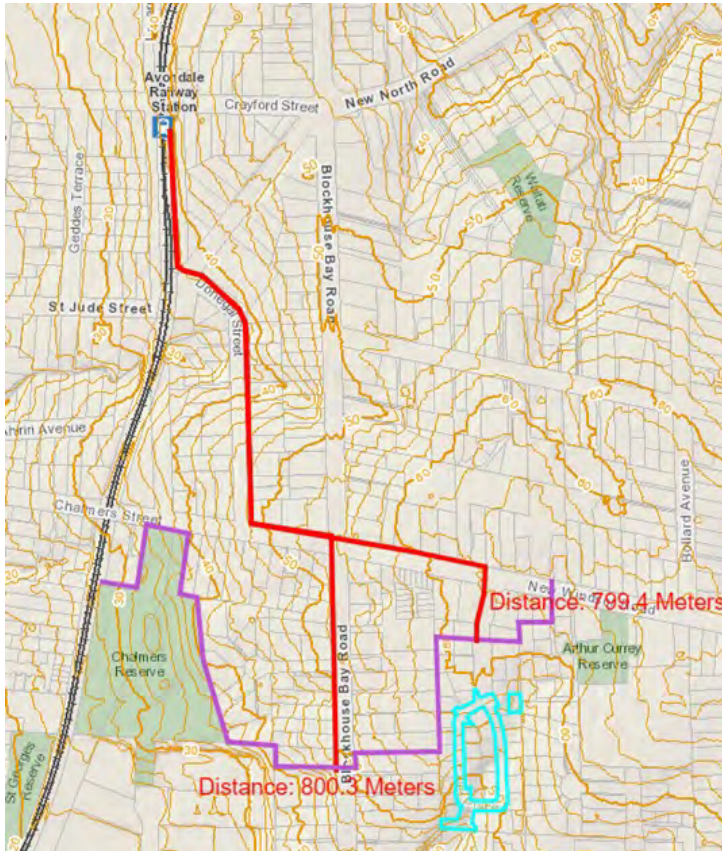
[Auckland Council](#)

Proposed Plan Change 78 – Intensification Frequently Asked Questions

13. Does this mean my property will be developed? The Auckland Unitary Plan sets the rules for how land can be used, including what can be built and where. Changing the planning rules for what can be built on a property does not mean that development must take place. Rather, **it provides property owners with more choices about how to use their land**. It is entirely up to them to choose to develop their property if they wish, or not. While some development of residential sites will likely occur where it complies with the new MDRS, following the notification of the IPI on 18 August 2022 (see FAQ below about immediate effect), there's also a long way to go before any final changes to the Auckland Unitary Plan are decided. And, even then, it can take years before redevelopment starts happening to a level that is noticeable across areas.



An image that shows the entrance to the Exler Place associations is over 850m from the train station, taking the shortest route.



An image that shows where the 800m distance finishes in Exler Place and also on Blockhouse Bay Road. We have shown/ drawn a sensible line (in purple) that tracks along property boundaries at the 800m mark. The distances are accurate as they are generated by the Council's GIS mapping tool.

EXLER PLACE RESIDENTS ASSOCIATION INCORPORATED

Operational Rules — 12th September 2017

The Residents Association

1. The name of association shall be: Exler Place Residents Association Incorporated (**Residents Association**)
2. The purposes of the Residents Association are to be beneficial to those resident at or owners (**Proprietors**) of 14-58 Exler Place, Avondale, Auckland (**Development**), and in doing so:
 - (a) Promote the Development as a safe, appealing, harmonious and sustainable place and community.
 - (b) Take all practical steps to provide a safe environment for children.
 - (c) Make improvements to the Development as to increase the value of the Development itself and the properties on the Development.
 - (d) Provide a mechanism whereby costs incurred during the ongoing use of the Development can be shared between Proprietors; this includes but is not limited to electricity and water usage.
 - (e) Care for, maintain and keep in good order the shared property of the Development which includes and is not limited to the shared spaces, road and other improvements to the land, seen and unseen, such as the storm water drainage systems.
 - (f) To safeguard and promote the interests of residents on matters concerning housing, infrastructure, public amenities, development of the community and the surrounding environment.
 - (g) Do anything necessary or helpful to the above purposes.
3. Monetary gain is not a purpose of the Residents Association.
4. The registered office of the Residents Association will be defined as the street address corresponding to the business premises used by the currently appointed administrator or secretary (**Secretary**) to the Residents Association.

Membership of the Residents Association

5. As Owners (**Owner**) of property within the Development, all Owners have entered into an agreement for purchase the property, including the property's covenants, and hence willingly provide consent to be Members of the Residents Association.
6. The first Members of the Association shall be the signatories to the Application to the Registrar of Societies for incorporation of the Association. These Members shall resign from the Association as soon as there are more than fifteen Owners of Lot 1-33, 100 & 101 Being a subdivision of Lot 30 DP 180690 (excluding the Developer) as Members. The First Members shall be entitled to vote at any meeting of the Association, to elect a Committee, and exercise all rights of Members set out in the Association Rules, but shall have no obligations as Members.
7. Each Member shall prior to settling the sale of a Residential Property procure the purchaser to enter into, execute and deliver to the Association a deed of covenant in favour of the Association. The deed of covenant shall be prepared by the solicitors for the Association, and the selling Member shall pay the reasonable fees and disbursements of the Association's solicitors.
8. Each Member agrees to comply promptly and fully with these Rules, with all regulations made by the Association (from time to time), and with all covenants given in favour of the Association by such Member (whether by separate deed of covenant or as noted against the Owner's Title to the Residential Property of such Member).
9. All Members shall promote the purposes of the Residents Association and shall do nothing to bring the Residents Association into disrepute.
10. A register that specifically identifies all Members will be maintained by the Secretary.
11. Persons will cease to be Members of the Residents Association when provided written notice of such by the Secretary. This notice will typically be provided following payment all fees, disbursements and provision of an executed deed of covenant related to the unconditional sale of the property for which they are were the Owner on the Development.

Duties of a Proprietor

12. A Proprietor shall –

- (a) Permit the Residents Association (or its agents, servants or contractors) at all reasonable hours to enter into and upon the unit and any accessory unit for any of the following purposes, that is to say, -
 - (i) Viewing the condition thereof;
 - (ii) Installing, maintaining, repairing or renewing any pipes, conduits, wires, cables or ducts for the time being, in upon, or passing through the unit and capable of being used in connection with the enjoyment of any other unit or common property, and repair, maintain, replace and keep clean the exterior of the building and signs and all chattels, fixtures and fittings (including without limitation stairs, barbecue, spa pool, security or fire protection systems) and other apparatus or systems used, or intended, adapted or designed for use, in connection with any other unit or with the common property or the enjoyment thereof and permit the Residents Association to exercise the powers and duties stipulated in these rules;
 - (iii) Maintaining, repairing or renewing any accessory unit or common property; and
 - (iv) Ensuring that the rules are being observed.
 - (v) Maintaining, repairing and cleaning, repainting, redecorating or renewing the exterior of the building.
- (b) Comply in all respects with the Acts (including the noise control provisions of the Resource Management Act 1991), bylaws, and regulations for the time being in force in the area in which the unit is situated in so far as they relate to the use, occupation, or enjoyment of the unit or of the common property or any accessory unit:
- (c) Forthwith and at all times carry out all work that may be ordered by any competent local authority or public body in respect of his unit to the satisfaction of that authority or body.
- (d) Duly and punctually pay all rates, taxes, charges, and other outgoings from time to time payable in respect of his unit to any local authority or public body and all sums properly levied in respect of his unit by the Residents Association.
- (e) Repair and maintain his unit, and keep it in sufficiently good order, repair, and condition to ensure that no damage or harm shall ensue to the common property or any other unit in the building of which his unit forms part.
- (f) Make no additions or structural alterations to the unit or any unit or common property or in any way alter the elevation or external appearance or decoration thereof without the consent of the Residents Association. This includes the provision that no aerials are to be installed without prior Residents Association approval.
- (g) Forthwith upon contracting to part with possession of the unit by any means other than sale, give to the secretary of the Residents Association full particulars of any tenant, lessee or licensee as the case may be.
- (h) Annex to any tenancy agreement, lease or license pertaining to the unit a copy of these rules.
- (i) Ensure the observance and compliance by any tenant, lessee, licensee or invitee of these rules, and obtain from any such tenant, lessee or licensee a guarantee of personal liability in the event of default or neglect of these rules.
- (j) Observe and comply with the rules of the Residents Association relating to the control, management, security, safety, care, operation, cleanliness, and use of the unit and the building and the common property, and the preservation of good order, safety, comfort and the enjoyment for the buildings occupants and visitors;
- (k) With respect to marketing for the sale of a unit, no marketing signage is allowed without prior consent from the Residents Association Committee.
- (l) Neither fix or erect any sign to the exterior of the building without first obtaining
 - (i) The prior written approval of the Residents Association;
 - (ii) All statutory and local authority approvals;
 - (iii) The directions of the Residents Association as to position, size, colour and style of sign.
- (m) Not fix signs to the interior walls of the building comprising part of the building comprising part of the common property without the prior written consent of the Residents Association;

- (n) Maintain and clean to the satisfaction of the Residents Association any signs which the proprietor fixes to or erects on the exterior of the Building, or fixes to any internal wall of the Building comprising part of the common property;
- (o) Use the unit in accordance with the Local Body requirements under the current District Plan and any noise associated with the use of the unit shall not be a breach of these rules; and
- (p) Covenants shall at all times be noted against each Owner's Title in favour of the Association. The Association shall not be dissolved and shall continue and be noted on each owners title in perpetuity.

Powers and Duties of Residents Association

13. The Residents Association may -

- (a) Borrow any money necessary to enable it adequately to perform its duties or exercise its powers.
- (b) Invest any money for the time being held by it (whether in a fund established under section 15 of the Unit Titles Act 1972 or otherwise) in any of the modes of investment for the time being authorised by law for the investment of trust funds.
- (c) Establish a current account at a bank, and nominate for the purposes of this paragraph 3 persons (including the secretary) of whom one and the Secretary may operate the account.
- (d) Enter into any agreement with a Proprietor or an occupier of any unit for the provision of amenities or services by it to the unit or to the Proprietor or occupier or for the provision of amenities or services by a Proprietor or occupier to the Residents Association or another Proprietor or occupier of a unit.
- (e) Enter into any agreement with a management company or professional manager for the carrying out and management of all or any such duties of the Residents Association at such remuneration and upon such terms and conditions as are therein stipulated provided that such agreement can be terminated by majority resolution of the Proprietors.
- (f) Settle and approve schemes for the exterior colour and landscaping of the units or any accessory unit or common property, and for signs to be erected and painted on the unit or on the common property
- (g) Levy and require payment solely from a defaulting unit Proprietor without apportioning the liability of the unit Proprietors, as a whole, of any fees cost, or expenditures incurred in the recovering of a contribution or other lawful payment from such defaulting unit Proprietor.

For the purposes of this paragraph "a defaulting unit Proprietor" shall mean a Proprietor or Proprietors whose unit or units substantially benefit from any repair, work or act carried out by the Residents Association or by or under any other Act and that Proprietor or Proprietors has not paid the share of expenditure allocated to him or her by the Residents Association, and also includes a Proprietor whose negligent act or omission or breach of rule by that Proprietor or by any tenant, lessee, licensee or invitee of that Proprietor, necessitates any repair, work or act to be carried out by the Residents Association.

Lots 100 & 101 are required to be managed and maintained by the residents association. Areas on the title plan marked O, P, Q, R, S, T, & L are required to be protected for landscaping in accordance with the conditions of amalgamation.

Committee of Residents Association

- 14. Where there are more than three Proprietors, the powers and duties of the Residents Association shall be exercised and performed by a committee.

Election of Committee Members

- 15. The members of the committee shall be elected at each Annual General Meeting (AGM), to hold office until the next annual general meeting: the Association shall appoint a committee chairperson at each AGM.
- 16. Provided that, unless the committee consists of all the Proprietors, the Residents Association may by resolution at an extraordinary general meeting remove any member of the committee before the expiration of his or her term of office and appoint another Proprietor as a replacement to hold office until the next Annual General Meeting.
- 17. Any casual vacancy on the committee may be filled by the remaining members of the committee.

18. A committee member must be a natural person.
19. A person is disqualified from being appointed or holding office as a committee member if he or she is:
 - (a) Under 18 years of age
 - (b) An undischarged bankrupt;
 - (c) Prohibited from being an officer of an incorporated society or Residents Association;
 - (d) Prohibited from being a Director, or taking part in the management of an incorporated or unincorporated body by a recognized government body or legislation; and
 - (e) An individual who is subject to a property order made under the Protection of Personal and Property Rights Act 1988.

Duties of Committee Members

20. Committee members have the responsibility:
 - (a) to act in good faith and in the best interests of the Residents Association and use his or her powers for a proper purpose;
 - (b) to comply with the Incorporated Societies Act and with the rules, except where the rules contravenes the Act;
 - (c) to exercise the degree of care and diligence that a reasonable person with the same responsibilities within the Residents Association would exercise in the circumstances applying at the time;
 - (d) to not allow the activities of the Residents Association to be carried on recklessly or in a manner that is likely to create a substantial risk of serious loss to the Residents Association's creditors; and
 - (e) to not allow the Residents Association to incur obligations that the committee member does not reasonably believe will be fulfilled.

Limitation of Liability of Committee Members

21. The Residents Association recognizes that the members of the Committee are likely Proprietors who have volunteered, rather than been appointed based on their professional skill, to help in the management of the Residents Association.
22. As a consequence of this voluntary nature of the role, the Residents Association will:
 - (a) indemnify a Committee Member for the costs incurred in defending criminal or civil proceedings relating to liability for his or her actions where judgment is given in favour of the Committee Member or he or she is acquitted;
 - (b) indemnify a Committee Member against liability to third parties for the Committee Member's actions in his or her capacity as a Committee Member (and for costs relating to any claim or proceedings relating to that liability), not including any criminal liability or any liability resulting from any breach of the duty to act in good faith and in the best interests of the Residents Association; or
 - (c) review if insurance is required for a Committee Member, and if required, procure this insurance in respect of liability (except criminal liability) for any acts or omissions committed by the Committee Member in his or her capacity as a Committee Member.

Proceedings of Residents Association Committee

23. The quorum necessary for the transaction of the business of the committee may be fixed by the committee; and unless so fixed, shall be two if there are not more than four members and three if there are five or more members.
24. If the number of committee members is reduced below the number which would constitute a quorum, the remaining members may act for the purpose of increasing the number of members to that number or of summoning a general meeting of the Residents Association, but for no other purpose.
25. At meetings of the committee all matters shall be determined by a simple majority of votes. In the case of equality of votes, the chairman for the time being of the meeting shall have a casting vote as well as a deliberative vote, if entitled to the latter by being a Proprietor.
26. A procedure will be implemented to identify any material conflicts of interest that arise during Committee business and will allow for minimization of any perceived, and mitigate any actual conflicts, of interest.
27. Subject to any restriction imposed or direction given at a general meeting, the committee may -

- (a) Meet for the conduct of business, adjourn, and otherwise regulate its meetings as it thinks fit.
Provided that it shall meet when any member of the committee gives to the other members not less than 7 days' notice of a meeting proposed by the member, specifying the reason for calling the meeting.
 - (b) Employ for and on behalf of the Residents Association such agents and servants and contractors as it thinks fit in connection with the control, management, and administration of the common property, and the exercise and performance of the powers and duties of the Residents Association and of these rules.
 - (c) From time to time elect one of its members to act as convener of the committee.
 - (d) Delegate to one or more of its members such of its power and duties as it thinks fit and at any time revoke the delegation.
 - (e) Whenever it thinks fit, convene an extraordinary general meeting of the Residents Association.
28. The committee shall -
- (a) Keep minutes of its proceedings
 - (b) Cause minutes to be kept of general meetings of the Residents Association and include therein a record of all resolutions.
 - (c) Cause proper books of account to be kept in respect of all sums of money received and expended by it, and the matters in respect of which all such income and expenditure is received or incurred.
 - (d) Prepare proper accounts relating to all money of the Residents Association, and the income and expenditure thereof (provided that it shall be at the option of the Committee whether or not such accounts shall be audited by an independent auditor) and the Committee shall arrange for a copy of such annual accounts to be sent to each Proprietor before each Annual General Meeting of the Residents Association, and for the accounts to be presented to each Annual General Meeting of the Residents Association.
 - (e) On application by a Proprietor or a mortgagee of a unit, or any person authorised in writing by either of them, make the books of account and all minutes available for inspection at all reasonable times.
 - (f) Upon the requisition in writing made by Proprietors entitled to not less than 50 percent of the total unit entitlement of the units, convene an extraordinary general meeting of the Residents Association.
29. Except as provided in clause 24 of these rules, no act or proceeding of the committee or of any person acting as a member of the committee shall be invalidated in the consequence of there being a vacancy in the number of the committee at the time of that act or proceeding, or of the subsequent discovery that there was some defect in the election or appointment of any person so acting or that he or she was incapable of being or had ceased to be such a member.
30. Provided that any expenditure of over \$2,000, not being expenditure which the Residents Association is legally obliged or previously authorised to incur, shall be referred to a general meeting; and if the share of the Proprietors of any principal unit in any expenditure that is referred to a general meeting exceeds \$1,000, that expenditure shall not be incurred unless it is approved by at least a three-fourths majority of votes.

General Meetings of a Residents Association

- 31. A general meeting of the Residents Association to be called the Annual General Meeting, shall in addition to any other meeting be held at least once in every calendar year and not more than 15 months after the holding of the last preceding Annual General Meeting. The first annual general meeting of the Residents Association shall be held within three months after the date of the deposit of the unit plan, or of the first sale of a unit, whichever is the later.
- 32. All general meetings of the Residents Association other than Annual General Meetings shall be called Extraordinary General Meetings.
- 33. At least 7 days' notice of every general meeting of the Residents Association specifying the place, the date, and the hour of the meeting, and the proposed agenda shall be given by the convener of the meeting to all persons entitled to exercise a vote in accordance with clause 42 of these rules.
- 34. Provided that accidental omission to give such notice to anyone so entitled shall not invalidate any proceedings at any such meeting.
- 35. Any notice required to be given under clause 33 of these rules shall be sufficiently given if delivered personally to the person concerned or if left, or sent by email or letter posted to the person concerned, at the last address of that person notified to the Residents Association, or if no such address has been so notified at that person's last known place of residence or place of business in New Zealand.
- 36. Provided that, if a Proprietor advises the Residents Association in writing that any notice is to be sent to that Proprietor by registered post, thereafter notice shall not be sufficiently given unless it is sent by registered post.

37. At a general meeting of the Residents Association, the persons entitled, on an ordinary resolution, to exercise the voting power in respect of not less than twenty five percent of the aggregate unit entitlements of the Building shall constitute a quorum.
38. Except as otherwise provided in these rules, no business shall be transacted at any general meeting of the Residents Association unless a quorum is present at the time.
39. If within half an hour from the time appointed for a general meeting of the Residents Association a quorum is not present, the meeting shall stand adjourned to the same day in the next week at the same time and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting the number of persons present and entitled to vote at the expiration of that half hour shall constitute a quorum.
40. At a general meeting of the Residents Association, the chairman shall be the Residents Association secretary, or if no Residents Association secretary has been appointed, the chairman shall be the chairman of the owners' committee, or in the absence of such person, the chairman shall be the convenor of the meeting. If there is no convenor or if the convenor is not present, or is unwilling to act, a chairman shall be elected at the commencement of the meeting.
41. Save as otherwise provided by these rules, all matters at a general meeting of the Residents Association shall be determined by a simple majority of votes. In the case of equality of votes, the chairman for the time being of the meeting shall have a casting vote and, if he or she is a Proprietor of a unit within the Residents Association, a deliberative vote.
42. At any general meeting of the Residents Association -
 - (a) Where a unanimous resolution is required each person who is a Proprietor shall be entitled to exercise one vote.
 - (b) In all other cases one vote only shall be exercised in respect of each principal unit and no separate vote may be exercised in respect of any accessory unit.
 - (c) Any Proprietor which is a company or other incorporated body may, by resolution of its directions or other governing body, authorise such person as it thinks fit to act as its representative at any meeting of the Residents Association or committee, providing however that the company or other incorporated body shall notify the Residents Association of the name of the person so authorised, and that the name of the person so authorised and that person may exercise the same powers on behalf of the Proprietor he or she represents as that Proprietor could exercise if it were an individual person.
43. At any meeting of the Residents Association any person present and entitled to vote on the matter that is under consideration may demand a poll therein, which shall be taken in such a manner as the chairman thinks fit.
44. The result of the poll shall be deemed to be the resolution of the meeting at which it was demanded. Where a poll is not demanded, a declaration by the chairman that a resolution has been carried shall be conclusive evidence of that fact without proof of the number or proportion of votes recorded for or against the resolution.
45. Any vote to be cast at a general meeting of the Residents Association may be exercised personally or by proxy. Where two or more person are jointly entitled to exercise one vote and wish to do so by proxy, that proxy shall be jointly appointed by them and may be one of them. A proxy shall be appointed in writing. If only one of those persons is present at a general meeting and they have not appointed a proxy as aforesaid, he or she may exercise the vote.
46. Where a poll is demanded or a special resolution is before the meeting, each vote shall correspond in value with the unit entitlement of the principal unit and accessory unit in respect of which it is exercised. In all other cases each vote shall be of equal value.
 - (a) If there is an equal number of votes for and against any matter, the matter shall be referred to a single arbitrator where the Proprietors can agree on one, and otherwise to two arbitrators, one to be appointed by each group of the Proprietors to the matter in difference and, if the arbitrators are unable to agree, then to their umpire to be appointed by them before entering upon the consideration of the matter submitted to them. In either case, arbitration shall be conducted in accordance with the provisions contained in the Arbitration Act 1908 or any other Act in substitution for that Act for the time being in force, and the decision of the arbitrator, arbitrators or their umpire shall be final and binding upon all Proprietors and upon the Residents Association.
47. Except where a unanimous resolution is required, a power of voting in respect of a unit shall not be exercised unless all amounts accrued due and payable to the Residents Association in respect of the unit in respect of which the vote is exercisable have been duly paid.
48. If there is no committee, the responsibility for the matters set out in clause 28 hereof except paragraph (a), and the powers given to the committee by clause 27 hereof except paragraph (a), shall be those of the Residents Association; and, unless the context otherwise requires, every reference in these rules to the committee shall be read as a reference to the Residents Association.

Secretary

49. A secretary who shall not be a proprietor shall be appointed by the Residents Association at its first Annual General Meeting for such term, at such remuneration, and upon such conditions as it may approve;

Providing however, that the secretary shall deposit and disburse all monies for and on behalf of the Residents Association through a trust account in the name of the Residents Association or its secretary which account shall be subject to audit: and any secretary so appointed may be removed by the Residents Association, either at a subsequent Annual General Meeting or at an extraordinary general meeting called for that purpose. At any such meeting the secretary shall have the right to attend and be heard.

50. The function of the secretary shall be to keep proper books of account in which shall be kept full, true, and complete accounts of the affairs and transactions of the Residents Association and to carry out such other functions as may from time to time be delegated to the secretary by the Residents Association.

The secretary shall in each year prepare a balance sheet showing the Residents Association's financial dealings during that year, and shall, within six months after each Annual General Meeting, send a copy of the latest balance sheet to every proprietor.

Resolution by Minute Book Entry

51.

- (a) Anything that may be done in accordance with these rules, may be done in the same manner or by resolution passed without a meeting, or without any previous notice being given, by means of an entry in the minute book signed by all the Proprietors in the Residents Association or by their duly appointed proxies.
- (b) It shall not be necessary for the Residents Association to hold an Annual General Meeting or an extraordinary general meeting if everything required to be done at any such meeting is done by means of any entry in the minute book signed in accordance with this proviso.
- (c) A memorandum pasted or permanently affixed in the minute book and signed by members of the Residents Association shall be deemed to be an entry accordingly.
- (d) Any such resolution by entry in the minute book may consist of several separate documents in like form each signed by one or more Proprietors provided that all Proprietors sign one or other of such separate documents.

Disputes

52. The Residents Association will develop and maintain procedures, as required, for complaints concerning misconduct of members, or discipline of members, and for grievances brought by members concerning their rights or interests as members. These procedures will account for the nature of the dispute and allow for the matter to be heard and a determination made without bias.
53. The Residents Association may elect not to consider or continue consideration of any complaint or grievance if it is satisfied that:
- (a) the matter is trivial or does not appear to disclose material misconduct or material damage to members' interests;
 - (b) the complaint appears to be without foundation or there is no apparent evidence to support it;
 - (c) the complainant has no sufficient interest in the matter or otherwise lacks standing to bring it; or
 - (d) the relevant conduct, incident, event or issue has already been investigated and dealt with by the Residents Association.

Seal - Custody and use

54. The Committee shall obtain a common seal for the use of the Residents Association, and shall provide for its safe custody. The common seal shall not be used except by resolution of the Committee. Every instrument to which the common seal is affixed shall be signed by any two members of the Committee or by the Secretary by approval of the committee.

Miscellaneous

55. For the purposes of these rules, a special resolution means a resolution proposed at a general meeting of the Residents Association of which at least 14 days' notice specifying the intention to propose the resolution as a special resolution has been given.

Where a resolution is proposed as a special resolution, the vote of the meeting shall be taken in the same way as if it had been proposed as an ordinary resolution and a poll had been demanded:

56. Provided that a special resolution shall be deemed not to be carried unless persons entitled to exercise not less than three-fourths of the value of the votes and not less than three-fourths of the number of votes exercisable in respect of all the units vote in favour of it.
57. Where in the opinion of the Residents Association or its secretary, it is necessary to undertake any work pursuant to clause 13(a) and to rule 13(b) which is substantially for the benefit of one unit only, or is substantially for the benefit of one or more of the units than for the benefit of the others of them, the Residents Association may apportion the amount payable to the Proprietor of any unit or units having regard to the relative values of such work notwithstanding that the amount so apportioned may be greater or less than the unit entitlement assigned to that unit or those units.

Dissolution

58. The Residents Association may be wound up in accordance with section 24 of the Act. Upon the winding up of the Association, ownership of the Communal Facilities shall vest in the Members as tenants in common in shares equal to the Member's Proportion as at the date of winding up, and the Association shall take all necessary steps to vest legal title to the Communal Facilities in the Members.

Alteration of Rules

59. These Rules shall not be amended, added to or rescinded except at an annual general meeting, or a general meeting convened for that purpose, and unless written notice of the propose amendment, addition or decision shall have been given to all Members in accordance with these Rules.
60. No rule, including this one, shall be amended, added to or rescinded except by Special Resolution, and with the written consent of the Controlling Member (if there is one).
61. Notwithstanding any other rule in these Rules, these Rules shall not be amended, added to or rescinded so as to detrimentally affect the rights of the Controlling Member.
62. No such amendment, addition or decision shall be valid unless and until accepted by the Registrar.

Use

63. A Proprietor or occupier of any unit (which term shall for the purposes of these clause 12 (a) to (d) inclusive also include any associated accessory unit) shall not -
 - (a) Use or permit his unit to be used for any purpose other than those uses permitted under the current local district Plan or such other usage as may be approved by the Residents Association, and shall comply or procure compliance with those requirements of the District Plan of the local authority corresponding to the permitted activity, or such other activity as is approved by the Residents Association; or
 - (b) Use any unit or the common property in such manner as to unreasonably interfere with the use and enjoyment thereof by other Proprietors, lessees, licensees or occupiers and in particular shall not drive, operate or use or permit to be driven, operated or used on the common property and vehicle or machinery of a weight or nature which is likely to cause damage to the common property and each Proprietor shall be responsible for any loss damage or injury to such common property cause or contributed by the use of such Proprietor or any lessee, licensee, occupier, servant, agent, sub-tenant, contractor, guest or invitee of such Proprietor of any vehicle or machinery and shall forthwith after any such damage or injury as aforesaid takes place, repair or cause such damage to be repaired at that Proprietors own cost, or
 - (c) Use or permit a unit to be used for any purpose which is illegal or which may be injurious to the reputation of the building; or
 - (d) Allow any fire, or incinerator to be ignited in or upon the unit, the common property or any part thereof, unless in accordance with such directions as may be given by the Residents Association from time to time;

Car Parking

64.
 - (a) Car parking areas within the Residents Association common property shall be kept tidy and free of all litter and shall not be used for storage of any kind. No maintenance or repair work other than minor maintenance work shall be carried out on any motor vehicle located therein.
 - (b) Visitor Car parks are to be used only for parking of mobile, registered vehicles for no longer than three-hour intervals.

- (c) The Residents Association may devise a scheme or process to manage car parking on the Development. This may involve maintaining a register of motor vehicles, and contact details of their Owners on the Development.

Matters to be Directed to the Secretary

65. All requests for consideration of any particular matter that is to be referred to the committee or to the Residents Association shall be directed to the secretary and not to the chairman or members of the committee. Proprietors or occupiers of units shall not directly instruct any contractor or workmen employed by the Residents Association unless so authorised.

Obstruction

- 66.
- (a) The drives, paths and other access ways on the land shall not be obstructed by any of the Proprietors or occupiers of units, or used by them for any other purpose than the reasonable ingress, and egress, to and from their respective units and no Proprietor or occupier of a unit shall park, or stand, or permit to be parked, or stood upon common property, or jointly owned accessory unit, any vehicle except with the consent in writing of the secretary or the Residents Association. A Proprietor or occupier of a unit shall not obstruct, not deposit nor throw anything on any drive, path or entranceway nor injure or dirty any part thereof.
 - (b) In accordance with the development resource consent the residents association shall not install entry gates or any other physical barriers at the entrance point or any other location that would restrict physical access to the site.

Cleanliness

- 67.
- (a) A Proprietor or occupier of any unit shall not throw, or allow to fall, or permit, or suffer to be thrown or fall, any paper rubbish, refuse, cigarette butts or any other substances or liquids whatsoever out of the windows or doors. Any damage or costs for cleaning or repairs caused by breach thereof shall be borne by the Proprietor or occupier of the unit concerned.
 - (b) A Proprietor or occupier of any unit shall not hang washing outside premises other than on the clothesline erected within the unit grounds for that purpose unless express written permission has been obtained from the Residents Association.

Refuse

- 68.
- (a) A Proprietor shall ensure that the Proprietors unit is kept clean at all times and that rubbish is regularly collected from the unit and not allowed to accumulate.
 - (b) A Proprietor shall not allow litter or rubbish to accumulate on the Common property, and the cost incurred in removing any rubbish from or the cleaning of any part of the Common property where there is a breach of this rule shall be borne by the Proprietor responsible.

No Dangerous Substances

69. A Proprietor or occupier of any unit shall not bring to, do or keep anything in a unit which shall increase the rate of fire insurance on the buildings or any property on the land or which may conflict with the laws or regulations relating to fires or any insurance policy upon the buildings or any property on the land or the regulations or ordinances or any public authority for the time being in force.

Special Rules for Lots 1-33, 100 & any Accessory Units and the Common Property

- 70.
- (a) The Residents Association may make rules relating to the accessory units and the common property and the same shall be observed by the Proprietor or occupier of the unit
 - (b) The duties and obligations imposed by these rules on Proprietor or occupier of any unit shall be observed not only by that Proprietor or occupier but also by the guests, servants, employees, agents, invitees, licensees and tenants of such Proprietor or occupier.
 - (c) Planting - In accordance with the development resource consent owners of lots 1-33 shall protect, manage and maintain the newly established planting within the front yard of each respective lot (including

maintaining the height of hedging to a maximum of 1.2m and where appropriate), and where applicable those lots affected by planting areas R, S and T on a continuing basis with on-going weed control to the satisfaction of the Resource Consents Monitoring Leader. No activity shall be undertaken within the planted areas that may prejudice the health and viability of the trees and associated vegetation.

- (d) In accordance with the development resource consent all trees on common property shall be maintained in accordance with correct arboriculture practices and the hedging on the common front boundary shall be maintained at a height of not more than 1.2m
- (e) In accordance with the development resource consent no wheelie bins and the like for rubbish and recycling shall be placed in the public road reserve area.
- (f) Stormwater —
 - (1) In accordance with the development resource consent, the stormwater overland flowpath detailed in the Thurlow Consultant Engineers and Surveyors Ltd Plan referenced DA-02 Rev 01 dated March 2009 shall be maintained by the respective lot owners(s) in perpetuity.
 - (2) All development on lots 1-33 shall be required to provide freeboards complying with Part 5D of the 1999 Auckland City Operative District Plan particularly habitable and non-habitable floors. Details showing compliance with these freeboard levels shall be required with any building consent application as they relate to the overland flowpath affecting Lots 1-33. Further details of flowpaths can be obtained from the Thurlow Consultant Engineers and Surveyors Ltd Plan referenced DA-02 Rev 01 dated March 2009 and the final as-built drawings.
 - (3) The Joint Owned Access Lot 100 contains a stormwater treatment system that shall be retained and maintained in private ownership. This shall be utilised to treat stormwater runoff from the access way and shall operate in perpetuity. Refer to Babbington 2007 for details of the design and location.
 - (4) All development on Lots 1-33 shall provide and maintain in perpetuity on-site private stormwater detention tanks to the requirements of the Auckland City/Metrowater Development & Connection Standards Manual dated 2005. Design runoff coefficient shall be 0.3. Tank design and installation can be undertaken at time of building consent. The on-going operation and maintenance of the detention tank shall be the responsibility of the Lot owner.
 - (5) The owners of Lots 1-33 shall be responsible for the maintenance, costs and upkeep of the private subsoil drain that crosses the historical watercourse/gully line traversing the Lots.
- (g) In accordance with the development resource consent the bulk water meter and reticulation will be paid for by the association and the association will arrange for apportionment of individual use between lots.
- (h) The association will be responsible for commonly owned and operated site facilities and infrastructure including the common lighting, private loop road, communal space, footpaths, grass berms, waste management and, stormwater and waste water systems. The cost of operation and maintenance of said facilities and infrastructure shall be in accordance with clause 13. Any decision relating to cost of operation and maintenance of said facilities and infrastructure shall be resolved in accordance with clause 41 or where a poll is called and an equal number of votes is reached clause 46(a) shall be invoked and the matter passed to arbitration.
- (i) Geotechnical —
 - (1) In accordance with the development resource consent Lots 1-33 may be subject to geotechnical hazards. All building consent applications for development on the lots shall refer to the requirements of Chambers Consultants Ltd report dated 25th October 2007. Further additional development or subdivision on the land may result in requests for further comprehensive geotechnical reports for the whole site and addressing any global stability issues.
 - (2) Lots 12, 24 and 25 may be subject to specific geotechnical hazards. Specific geotechnical design shall be required and provided as part of any application for building consent for the construction of any building works on these sites.

Recovery of Funds Expended to Rectify Breach

71. Where the Residents Association expends money to make good any damage or loss caused by a breach of these rules, by any Proprietor or occupier of any unit or any guest, servant, employee, agent, invitee, tenant or licensee of any Proprietor or occupier, the Residents Association shall be entitled to recover the amount so expended as a debt in any action in any court of competent jurisdiction from the Proprietor of the unit at the time when the breach occurred.

Security

72. The Proprietor or occupier of any unit shall at all times comply with the operating instructions in respect of any security equipment installed in the unit or jointly owned accessory unit.

Animals

73. Small domestic animals, including cats, birds or pets (excluding all dogs) may be kept in any unit. Express permission of the Residents Association committee must be granted for any more than two cats per unit or any dogs whatsoever. Any dispute in relation to the suitability of an animal shall be referred to the Residents Association or Committee (as the case may be) for resolution. The decision of the Residents Association or Committee (as the case may be) shall be final and binding.

Interior Maintenance

- 74.
- (a) A Proprietor shall be responsible for the interior maintenance and decoration of the Proprietors Unit.
 - (b) A Proprietor shall not employ any contractor or worker for the purpose of repairing or altering or making good any part of any unit or any services to any Unit other than a contractor or worker appointed or approved by the committee for such a purpose or under the supervision and to the satisfaction of the Committee, which may specify conditions under which the work shall be carried out.
 - (c) Nothing in this rule shall prevent a Proprietor from employing an interior decorator for the purpose only of decorating or redecorating the interior of any Unit.
 - (d) A Proprietor may, subject to the approval of the committee nominate and employ tradespersons for the purpose of repairing and making good any part of that Proprietors Unit in an emergency.

Windows

- 75.
- (a) All windows shall be kept clean and if broken or cracked shall be promptly replaced by the Proprietor of the Unit (at the expense of the Proprietor or occupier) with fresh glass of the same or better quality and weight.
 - (b) No clothing, bedding or other articles shall be hung on the windows, balconies or on the outside of the Building or windows.

Notice of Defects

76. A Proprietor, on becoming aware of any defect, damage or defilement to the exterior of the Building or the Common Property or the failure or defect of any of the Buildings services, shall notify the Residents Association immediately. The Committee shall have authority to make such repairs or renovations as the Residents Association considers necessary for the safety and preservation of the Building (or, in an emergency, such repairs or renovations as the committee considers necessary). The Residents Association shall be entitled to recover the costs of the repairs or renovations from the Proprietor if the act or neglect of the Proprietor necessitated the repairs or renovations.

Leasing

- 77.
- (a) A Proprietor shall ensure that any tenant, licensee or occupier of the Proprietors Unit has received a copy of these rules (and any amendments)
 - (b) A Proprietor shall notify the Committee of all tenants, licensees and occupiers from time to time of the Proprietors unit.

Emergency Contact

78. A Proprietor shall advise the Committee of the Proprietors private address and telephone number or, if the Proprietor is a corporation of the secretary or other responsible person employed by the Proprietor, and shall keep the Residents Association promptly informed of any change of such address or telephone number.

No business activities permitted on the Development

79. No Proprietor, or any other entity, will be permitted to run a business operating within the Development whereby undertaking business would be detrimental to the purpose and or rules of the Residents Association.
80. For the avoidance of doubt, businesses such as the sale of food and beverages; running a marketplace; commercial sex operations; massage; transportation and logistics of goods and people, are all expressly prohibited from operating in the Development.
81. No Proprietor, or any other entity, will be permitted to conduct any business activities that would cause a reasonable person to conclude that this would lead to an increase foot and vehicular traffic, noise or cause a nuisance in the Development.

No participation in Social Housing

82. The proprietor, or any agent acting or nominated by them, must not use their property on the Development for the provision of social housing, emergency accommodation or provision of rental accommodation to government or local authority tenants.

Health and Safety

83. The Residents Association will:
 - (a) Appoint a health and safety professional to prepare a Health and Safety Plan, and system for management of risks for the Development;
 - (b) Conduct a regular site risk assessment of the Development, and confirm the suitability of the Health and Safety Plan;
 - (c) Maintain a hazard and risk register;
 - (d) Communicate to Proprietors the location of the register, plan, hazard and incident report forms;
 - (e) Carry out regular maintenance checks for assets in the Development; and
 - (f) Investigate any reported incidents in line with the Health and Safety Plan.

END

Nathaniel Hazelden

From: Unitary Plan
Sent: Friday, 16 September 2022 5:16 pm
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Jennifer Goldsack

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Jennifer Goldsack

Organisation name:

Agent's full name:

Email address: nomadsathome@xtra.co.nz

Contact phone number:

Postal address:
 102 Opanuku Road
 Henderson Valley
 Auckland 0612

Submission details

This is a submission to:

Plan change number: Plan Change 78

Plan change name: PC 78: Intensification

My submission relates to

Rule or rules:

What do you think of our proposed walkable catchment of 1200 metres from the edge of the city centre?

323.1

Do not support - I think it should be closer

Tell us why

I have commuted in London (where public transport is established) and my criteria was a maximum 10 minute walk from the station.

What do you think of our proposed walkable catchment of 800 metres from the edge of the metropolitan centres?

323.2

Do not support - I think it should be closer

Tell us why

It may be suitable for some but this is how you create slums

323.3

What do you think of our proposed walkable catchment of 800 metres around rapid transit stops?

Do not support - I think it should be closer

Tell us why

Did you say rapid? Commuting and other "city" journeys need to have a minimum time frame, say an hour or taking your car will be the only option.

What do you think of our proposal to apply the Terrace Housing and Apartment Buildings Zone to residential areas up to around 400 metres from large town centres with high accessibility?

323.4

Do not support - I think it should be closer

Tell us why

Firstly we have over use of current reticulation with faeces flowing into the Harbour . Secondly we are not equipped for a drought re water supply. Thirdly the building standard needs to be improved as we haven't recovered from leaky homes and have this example to learn from when building intensive, low quality, ugly, unliveable eye sores. Fourthly the roads and public transport are inadequate.

What do you think of our proposal to apply the Terrace Housing and Apartment Buildings zone to residential areas up to around 200 metres from small town centres or large local centres with high accessibility?

323.5

Do not support - I think it should be closer

Tell us why

Firstly we have over use of current reticulation with faeces flowing into the Harbour . Secondly we are not equipped for a drought re water supply. Thirdly the building standard needs to be improved as we haven't recovered from leaky homes and have this example to learn from when building intensive, low quality, ugly, unliveable eye sores. Fourthly the roads and public transport are inadequate.

What do you think of our proposal to include identified special character areas as a qualifying matter?

323.6

Do not support – I think all existing special character areas should be a qualifying matter

Tell us why

Soulless and ugly city of slums. Intensive housing in Manurewa is already a rubbish dump. Only identified suitable areas should be over intensified. The whole blanket lazy unfix is a guaranteed fail. The ruling is in reverse. Identify identify identify. Drive around and honestly appraise the excessive intensive, mostly unattractive blocks of units and as we all say "unsuitable" and Council who we elected has approved these builds. So we as ratepayers, not the profiteers, will have to prop up the services required, the social degradation, the building disasters and drive the clogged roads until the public transport system eventually provides. Intensive housing locations that are suitable should be the ONLY areas approved, as the rest IS SPECIAL CHARACTER AREAS OF HISTORY, QUALITY AND ERAS OF NZ HISTORY.

What do you think of the proposed residential special character areas that we have identified?

323.7

Do not support – I think there are more areas that should be identified as a qualifying matter

Tell us why

Soulless and ugly city of slums. Intensive housing in Manurewa is already a rubbish dump. Only identified suitable areas should be over intensified. The whole blanket lazy unfix is a guaranteed fail. The ruling is in reverse. Identify identify identify. Drive around and honestly appraise the excessive intensive, mostly unattractive blocks of units and

as we all say "unsuitable" and Council who we elected has approved these builds. So we as ratepayers, not the profiteers, will have to prop up the services required, the social degradation, the building disasters and drive the clogged roads until the public transport system eventually provides. Intensive housing locations that are suitable should be the ONLY areas approved as the rest is SPECIAL CHARACTER AREAS OF HISTORY, QUALITY AND ERAS OF NZ HISTORY.

323.8

What do you think of the proposed business special character areas that we have identified?

Do not support – I think more areas or parts of areas should be identified as a qualifying matter

Tell us why

Lie down and feel the foot prints walking over our souls. Who has challenged these rulings? Who has approved these rulings? Drawing lines on maps is not real or realistic. Also the map is too difficult to use. Why don't the suggested areas overlap when clicked?

323.9

What do you think of our proposal to include areas in Auckland with long-term significant infrastructure constraints as a qualifying matter?

Support

Tell us why

Review review review this slash and burn of our city is irresponsible and irreversible so ALL AREAS, ALL QUALIFYING, OR OTHER NEED REVIEWING. Ripping up the regulations with no consideration or common sense is criminal. Auckland's history is being destroyed. Auckland's historic trees of a hundred year old plus cut down, original homesteads turned into slums, farms that provide our food turned to concrete. Are you all mad?

Do you have feedback on any other qualifying matters? (please be clear which proposal you are talking about)

It is too late to stop some of the destruction you have approved. A moratorium is needed on all development until suitable build types, services, roads, public transport, historic value, etc are put in place. Nearly two centuries of history are being bulldozed with no regard to climate, sea levels, pollution, stability, services, character, intrinsic value, existing views, shading, wind tunnel creation.

Property address: AUCKLAND

Map or maps: AUCKLAND

Other provisions:
Intensification

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:

Review review review this slash and burn of our city is irresponsible and irreversible so ALL AREAS, ALL QUALIFYING, OR OTHER NEED REVIEWING. Ripping up the regulations with no consideration or common sense is criminal. Auckland's history is being destroyed. Auckland's historic trees of a hundred year old plus cut down, original homesteads turned into slums, farms that provide our food turned to concrete. Are you all mad?

It is too late to stop some of the destruction you have approved. A moratorium is needed on all development until suitable build types, services, roads, public transport, historic value, etc are put in place. Nearly two centuries of history are being bulldozed with no regard to climate, sea levels, pollution, stability, services, character, intrinsic value, existing views, shading, wind tunnel creation.

The rulings are in reverse to planning. Identify suitable areas to intensify. Plan the intensification with all services. All

services need to be provided by the funding of the developers, NOT by the existing ratepayers who are already trying to pay for 100 years of mismanagement of services.

I or we seek the following decision by council: Decline the plan change

Submission date: 16 September 2022

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.



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

Ginny Taare

From: Herald Island Environmental Group <heraldislandenviro@gmail.com>
Sent: Sunday, 18 September 2022 9:47 am
To: Unitary Plan
Subject: FW: Plan Change 78 key and Note queries

Dear Unitary Plan Team,

Further to the email below – there is no need to answer the first two questions - I have now studied the maps (AUC and PC78) and read the FAQ's etc. so now understand that:

1. Single House Zone and Mixed Housing Suburban Zoned areas have been retained and still exist, but to a very small extent (eg. Riverhead, Kumeu, Huapai, Maraetai) – and it appears to me that they are farther away from developed areas than those zoned Mixed Housing Urban or Low Density Residential.

2. I now see that the planning maps show the zone and other relevant matters when one clicks on a property on the map. That is really helpful and much better than trying to compare key colours. Thank you for making that available.

But could you please clarify if I have correctly interpreted the meaning of the purple bubble and green dots in the plan. "Does the purple one mean that aspects of the density standards are included in PC 78, but the green one means the new density standards have totally replaced something in the old Auckland Unitary Plan or one of its variations?"

Thanks again.

Kind regards
Jan

Jan Diprose
Herald Island Environmental Group Chair
027 687 4157

From: Herald Island Environmental Group <heraldislandenviro@gmail.com>
Date: Friday, 16 September 2022 at 16:33
To: Unitary Plan <unitaryplan@aucklandcouncil.govt.nz>
Subject: Plan Change 78 key and Note queries

Dear Unitary Plan Team,

Sorry I have a couple more queries before I can make a submission. Have a short time frame as am going away next week.

Plan Change 78 Map key: (see image below email signature)

1. Why do both Residential - Single House Zone and Residential – Mixed Housing Suburban Zone have the note "not a relevant residential zone" – are they now obsolete?

2. Some key colours are not easy to distinguish. Can I confirm that Herald Island is (a) Low Density Residential Zone (outer island and a few inner) and (b) Mixed Housing Urban Zone (most of inner)

PC 78 document: (see image below email signature)

1. What do the following notes mean? Why does the first (purple bubble) refer to PC 78 but the second (green dots) to the Auckland Unitary Plan?

Does the purple one mean that aspects of the density standards are included in PC 78, but the green one means the new density standards have totally replaced something in the old Auckland Unitary Plan or one of its variations?

Thanks

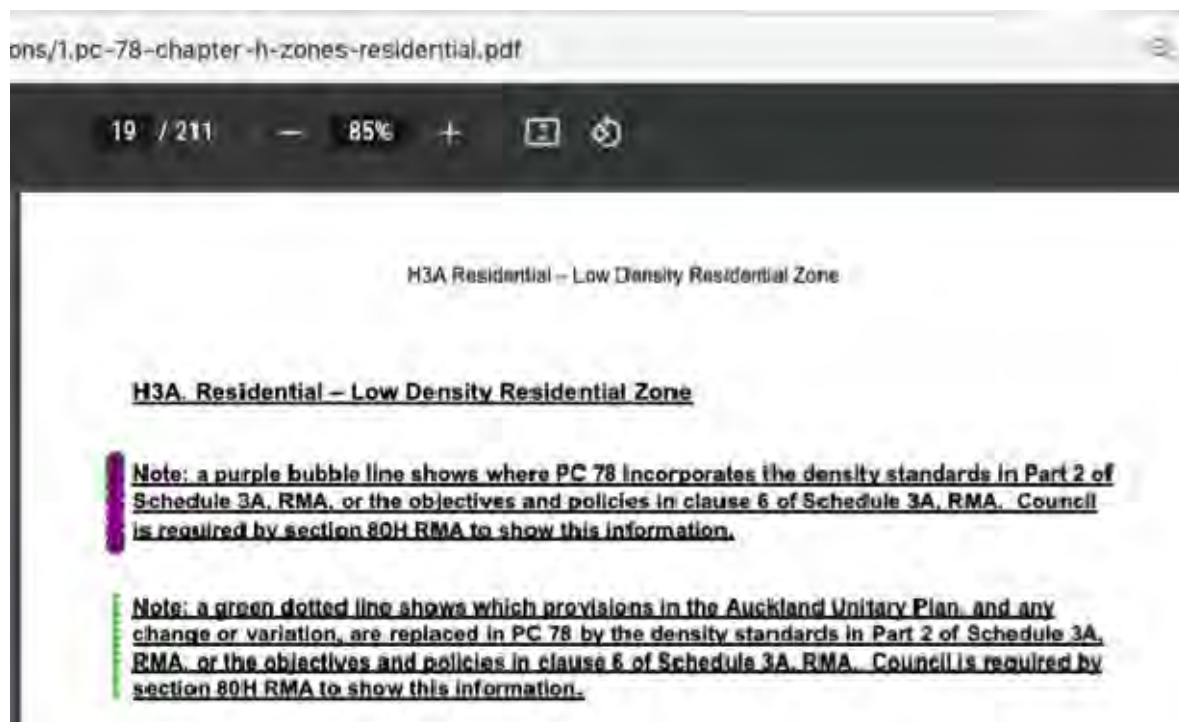
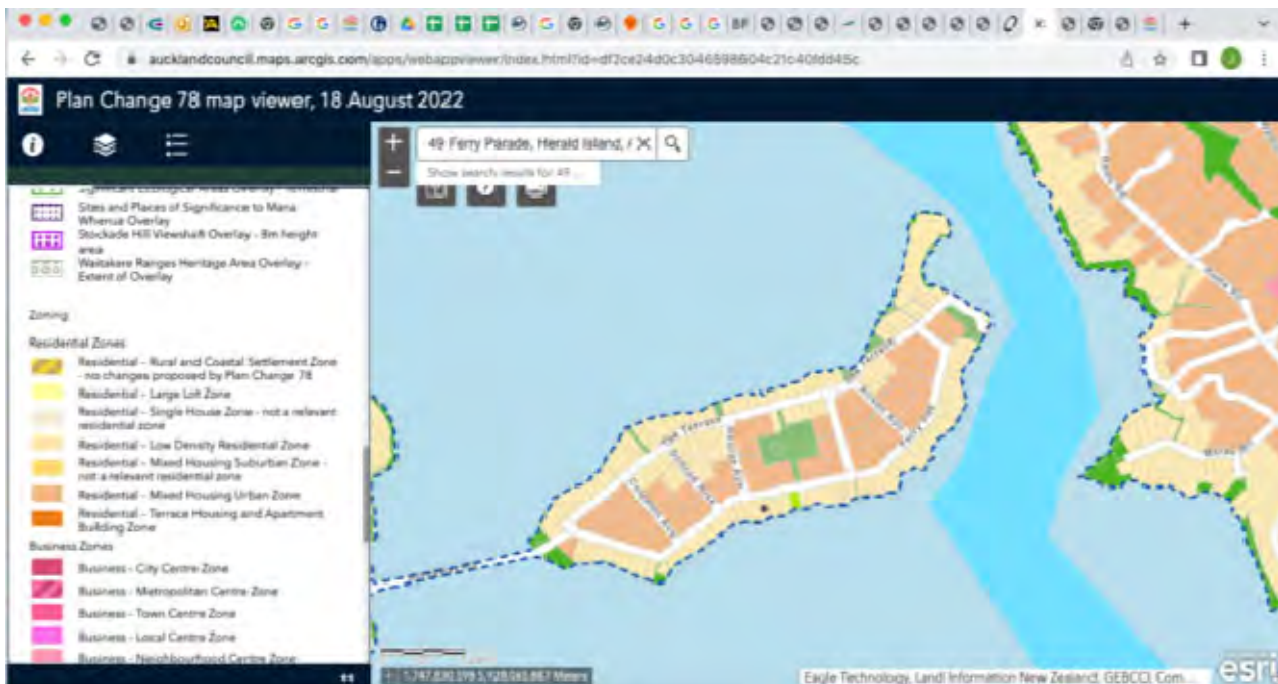
Kind regards

Jan

Jan Diprose

Herald Island Environmental Group Chair

027 687 4157



Ginny Taare

From: Herald Island Environmental Group <heraldislandenviro@gmail.com>
Sent: Friday, 16 September 2022 4:34 pm
To: Unitary Plan
Subject: Plan Change 78 key and Note queries

Dear Unitary Plan Team,

Sorry I have a couple more queries before I can make a submission. Have a short time frame as am going away next week.

Plan Change 78 Map key: (see image below email signature)

1. Why do both Residential - Single House Zone and Residential – Mixed Housing Suburban Zone have the note “not a relevant residential zone” – are they now obsolete?
2. Some key colours are not easy to distinguish. Can I confirm that Herald Island is (a) Low Density Residential Zone (outer island and a few inner) and (b) Mixed Housing Urban Zone (most of inner)

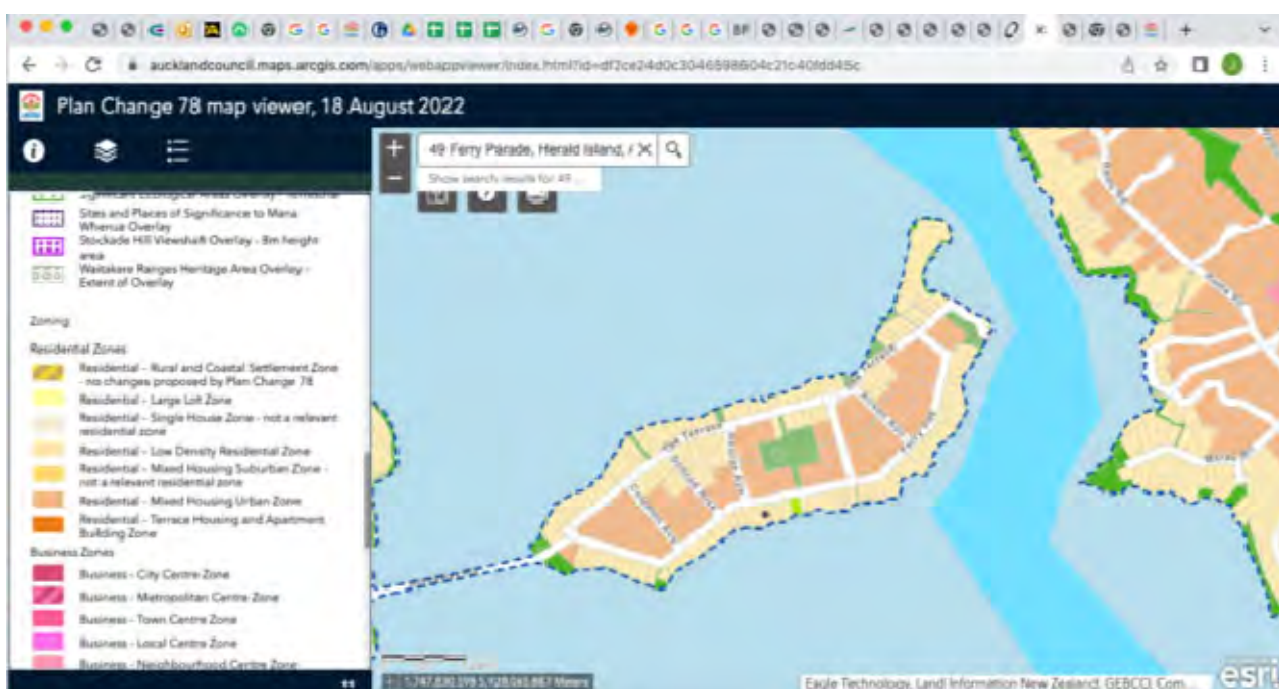
PC 78 document: (see image below email signature)

1. What do the following notes mean? Why does the first (purple bubble) refer to PC 78 but the second (green dots) to the Auckland Unitary Plan?

Does the purple one mean that aspects of the density standards are included in PC 78, but the green one means the new density standards have totally replaced something in the old Auckland Unitary Plan or one of its variations?

Thanks
 Kind regards
 Jan

Jan Diprose
 Herald Island Environmental Group Chair
 027 687 4157



H3A Residential – Low Density Residential Zone

H3A. Residential – Low Density Residential Zone

Note: a purple bubble line shows where PC 78 incorporates the density standards in Part 2 of Schedule 3A, RMA, or the objectives and policies in clause 6 of Schedule 3A, RMA. Council is required by section 80H RMA to show this information.

Note: a green dotted line shows which provisions in the Auckland Unitary Plan, and any change or variation, are replaced in PC 78 by the density standards in Part 2 of Schedule 3A, RMA, or the objectives and policies in clause 6 of Schedule 3A, RMA. Council is required by section 80H RMA to show this information.

Ginny Taare

From: Herald Island Environmental Group <heraldislandenviro@gmail.com>
Sent: Thursday, 22 September 2022 7:14 pm
To: Unitary Plan
Subject: Submission on PC 78 - Intensification
Attachments: pc-78-form 5-notification Jan Diprose 22 Sep 2022.pdf; Plan Change 78 Submission HIEG Sep 2022.pdf

Dear Planning Technician,

Please find attached a PC 78 Form 5 and a more detailed submission to go with it on behalf of the Herald Island Environmental Group.

Thanks

Kind regards

Janette (Jan) Diprose
Herald Island Environmental Group Chair
027 687 4157

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 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)

Mrs Janette Louise Diprose

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

Herald Island Environmental Group

Address for service of Submitter

49 Ferry Parade, Herald Island, Auckland 0618, New Zealand

Telephone:

+64 27 687 4157

Fax/Email:

heraldislandenviro@gmail.com

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 78

Plan Change/Variation Name

Intensification

The specific provisions that my submission relates to are:

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

Plan provision(s)

All the Residential - Mixed Housing Urban Zoned properties on Herald Island

Or

Property Address

Or

Map

See attached submission

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:

Please see 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 ☐

Decline the proposed plan change / variation ☐

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

Apply a transport related qualifying matter to all Herald Island properties and amend all

328.1

Herald Island properties zoned Mixed Housing Urban Zone to Low Density Residential Zone

328.2

328.3

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)

22nd September 2022

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 a notified proposal for Plan Change 78

by Janette Louise Diprose, on behalf of the Herald Island Environmental Group
22nd September 2022

The specific provisions that my submission relates to are:

All the Residential - Mixed Housing Urban Zoned properties on Herald Island as seen on the PC 78 map below (in the centre of the island mapped in the darker peach colour):

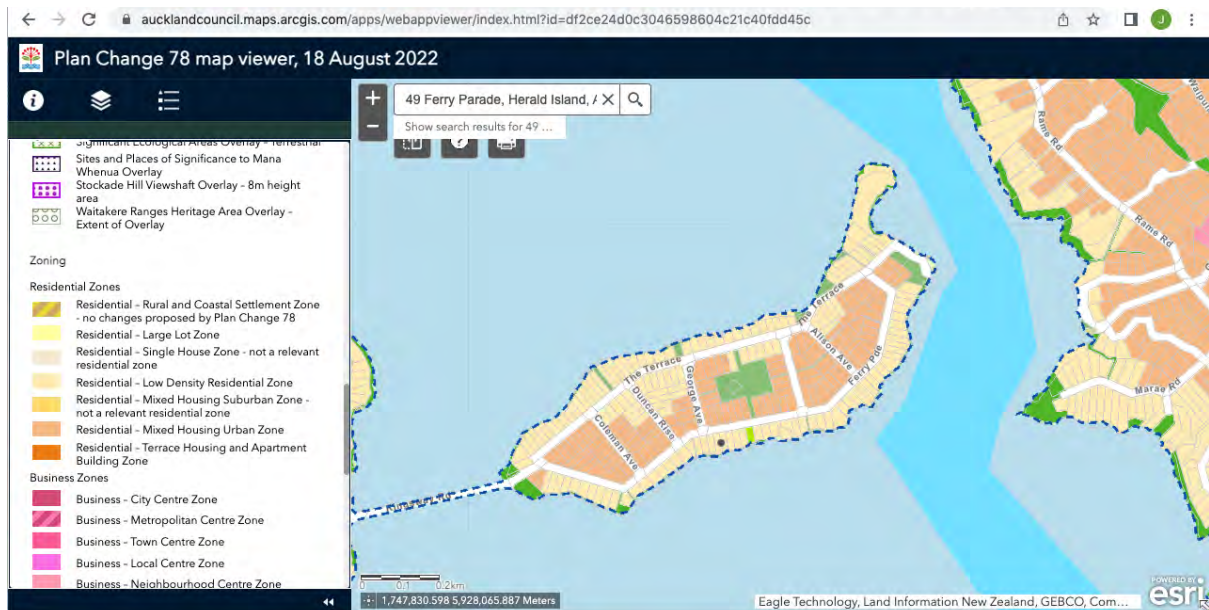


Figure 1 - Herald Island's PC 78 zoning – MHUZ properties in centre of island in dark peach colour

My submission is:

I oppose the rezoning by PC 78 of any of the Herald Island properties from Residential – Single House Zone to Residential – Mixed Housing Urban Zone (MHUZ).

The reasons for my views are:

1. Public transport constraints are a qualifying matter

There is no public transport available on Herald Island.

The nearest bus stops for accessing any public transport are in Kauri Road Whenuapai, a dangerous road with open drains and no footpath, which is reached by walking across the causeway to the island (Kingsway Road), a narrow, dangerous road with no proper footpath and no streetlights.

Depending on where one lives on the island, the walk is from 10-to-30-minutes (0.7 km to 1.8 km) to reach either Kauri Road stop (5840 by airfield) or (5823 at 107 Kauri Road).

Getting to the Auckland City centre (eg. Auckland City Hospital) for a Monday to Friday job from 8 am to 4.30 pm takes about 2 hours each way (4 hours of travel time). Leaving home at 5.45 am, taking two to three buses, walking for about 30 minutes, arriving just after 7 am. The return journey option is to leave the hospital around 5 pm, arriving home at about 7 pm. Total time taken from the day is 5 hours.

Getting to Auckland City Hospital for a midnight shift again takes about 2 hours each way. Leaving home at 8.15 pm, (when one should be sleeping) walking in the dark to the first bus stop, and arriving at 10 pm, two hours before the shift starts. Getting home again takes about 2 hours, leaving at 8.15 am and arriving home at about 10 am. This trip includes a 45-minute walk. Total time taken from the day is 6 hours.

Getting to Waitakere Hospital for a night shift starting at 11 pm takes just over 1 hour, but I must leave at 7.30 pm (when I should be sleeping), walk in the dark to the first bus stop, and arrive at 8.30 pm, 2.5 hours before my shift starts. Getting home takes about 1 hour, arriving home at about 8.30 am. Total time taken from the day is 4.5 hours. Driving by car takes about 20 minutes each way.

Public transport options from Herald Island to the city are only practical if one uses a combination of travel by car and one of the more efficient transport options such as the Northern Expressway, Hobsonville Point Ferry or West Harbour Ferry. For example, getting to Auckland City Hospital by driving to Constellation Park and Ride, the drive takes 20 to 30 minutes, then the bus trip to the hospital about 30 to 40 minutes, arriving just before 8 am. Travel time about 1 hour, with no time wasted. The return trip is just over an hour, with a bus trip of about 45 minutes and drive home of about 30 minutes.

328.4

2. Parking constraints are a qualifying matter

Cars are necessary for living on the island as no efficient public transport options are provided. There are currently about 276 island dwellings and of these, 128 (46%) are zoned MHUZ and 148 (54%) Low Density Residential Zone (LDRS). In a worst case scenario, if all the MHUZ sections had 3 dwellings each, there would be 532 dwellings on the island, nearly double the current number (an extra 256 dwellings). If all these dwellings had a minimum of one car there would be an extra 256 cars on the island, for which no parking needs to be provided, plus the 128 cars previously accommodated on properties would now need to park on the road, that is 384 cars would now need to park on the road. According to the Auckland Transport Parking Design Code¹ a 6 m space is required for cars parked parallel to the kerb. If all 384 cars were parked on the road this would take up 2.3 km of road space. The roads are only 6 m wide so cars can only park on one side of the road and if parked on the road almost take up the full carriageway. Taking driveways and no parking areas into account, the length of Ferry Parade and The Terrace available for parking is about 1.8 km and of this about 800 m are often boggy grass swales where cars must park on the carriageway. The inner roads would provide about 0.6 km of parking giving a total of 2.4 km of road available for parking.

An extra 384 cars would take up one side of the carriageway of nearly all island roads, make driving on the island very difficult and unsafe and electric vehicle charging a logistical nightmare.

¹ https://at.govt.nz/media/1982226/engineering-design-code-parking_compressed.pdf

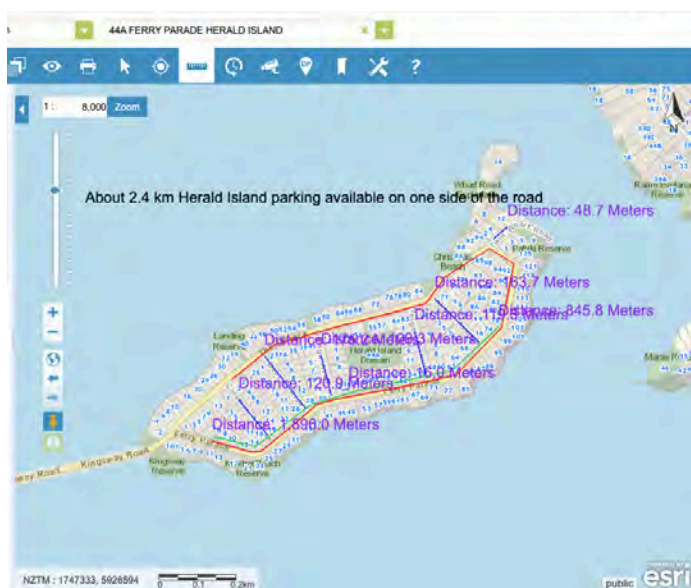


Figure 2 - Herald Island Parking Option Estimations



Figure 3 - Ferry Parade grass swales on rubbish day – rocks to stop parking



Figure 4 - Parked cars taking up most of carriage way - Alison Ave, Herald Island

3. Intensification dispersed away from transport hubs is a negative climate input

The goal of the Auckland Climate Plan 2020² is for net zero carbon emissions by 2050 in line with the Climate Change Response (Zero Carbon) Amendment Act 2019, Part 1B Emission Reduction Target for 2050.³ Auckland's projected housing need over the next 30 years to 2051 is another 338,000 dwellings. The Auckland Unitary Plan already enabled a carefully planned increase of 1,425,000 total residential dwellings, more than four times the projected need. Of these 1,180,000 are where MDRS standards have been applied and 245,000 are in walkable catchments and have NPSUD (National Policy Statement on Urban Development) standards applied. This is total overkill and an unnecessary blanket intensification applied across most of Auckland's residential areas (including Herald Island), that will disperse intensification rather than concentrate it and lead to an increased use of cars away from transport hubs and an increase in carbon emissions. As cars are the highest producer of carbon emissions in Auckland (30% in 2016)², a blanket MHUZ across Auckland will work against New Zealand's emission reduction target.

4. Tree loss and increased impermeable surfaces a negative biodiversity, climate and harbour water quality input

Herald Island's residential areas currently have significant canopy tree cover: providing bird habitat, shade reducing urban heat island effects, carbon sequestration and stormwater runoff mitigation.

Under Plan Change 78 about 15 hectares of Herald Island's residential area is Low Density Residential Zone (LDRS) and 11 hectares becomes Mixed Housing Urban Zone (MHUZ). In addition, Herald Island has about 3 hectares of reserves. (See map below – MHUZ areas outlined in red.)

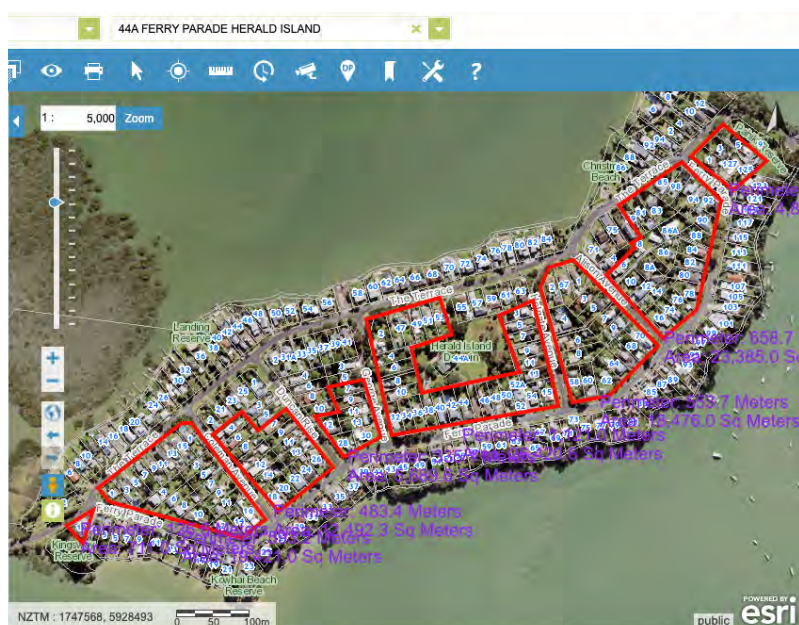


Figure 5 - Herald Island's 11 hectares of MHUZ land (outlined in red) could cause a 38% loss of tree cover

² <https://www.aucklandcouncil.govt.nz/plans-projects-policies-reports-bylaws/our-plans-strategies/Pages/te-taruke-a-tawhiri-ACP.aspx>

³ <https://www.legislation.govt.nz/act/public/2019/0061/latest/LMS183848.html#LMS183790>

If the 11 hectares of MHUZ land is fully developed this could result in a loss of 38% of the island's tree cover, bird habitat, shade and carbon sequestration. This would result in a loss of biodiversity and an increase in air temperature and carbon dioxide emissions, further exacerbating negative climate change effects. One tree can absorb up to 150 kg of carbon dioxide per year.⁴

328.5



Figure 6 - Benefits of Trees (United Nations 2018)

Not only would 38% of the island's tree cover be lost but impermeable surfaces in the MHUZ areas would increase from 35% to 50% resulting in more contaminated stormwater at greater volumes entering the Upper Waitemata Harbour.

328.6

328.7

Herald Island's current stormwater system is a mix of very basic open drains or swales on Ferry Parade some of which pipe directly into the harbour, a partial piped network in the centre of the island draining down to The Terrace, which is the lowest point because of the natural water flow and The Terrace (which has a high water table) is mostly piped with four direct outlets into the harbour, which is classified as a Significant Ecological Area Marine 2 on this side.

Without mitigation, and with climate change and sea level rise, doubling the number of Herald Island dwellings would put pressure on its existing stormwater system and reduce water quality in the Upper Waitemata Harbour, particularly the SEA Marine 2 area to the north.

⁴ <https://news.un.org/en/story/2018/03/1005561>

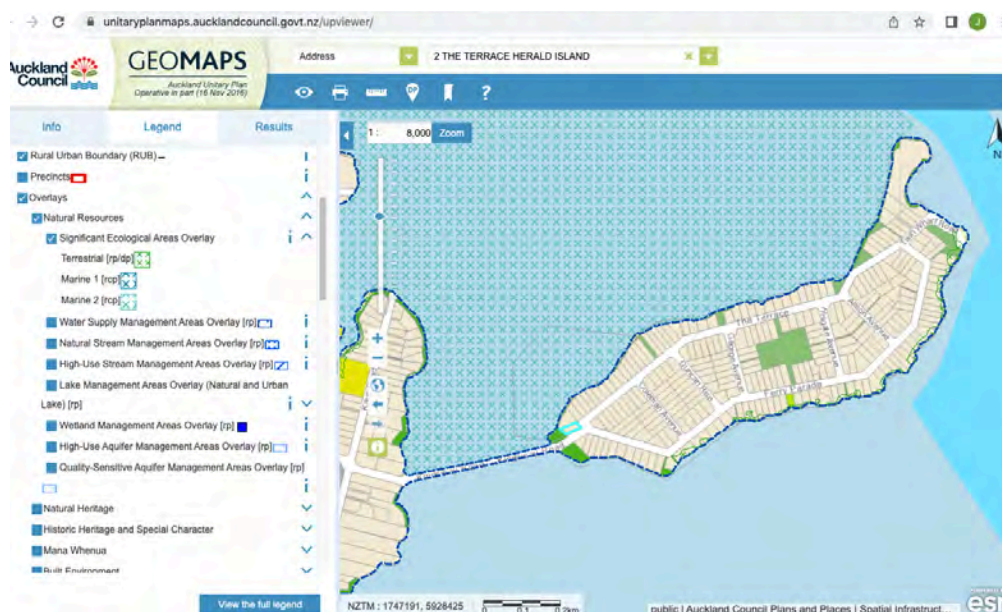


Figure 7 - Unitary Plan Map showing SEA Marine 2 area to the north

5. Transport infrastructure constraints are a qualifying matter

Kingsway Road and Kauri Road infrastructure do not support the PC78 intensification of Herald Island and Whenuapai.

There is only one access road to Herald Island, a low-lying Causeway (Kingsway Road) opened in 1958, for which coastal inundation and coastal erosion has been identified as a qualifying matter in Plan Change 78. Doubling traffic on this road along with climate change impacts would put it under considerable stress. From Kingsway Road the main access route to Brigham Creek Road is a 2.2 km winding stretch along the narrow rural 70 kph Kauri Road which may not support a marked increase in traffic as it is unstable in sections as it was made from uncompacted fill during the excavations and establishment of Whenuapai Airfield. This was clearly marked on Waitakere City Council planning maps in the 1980s and 1990s.

328.8

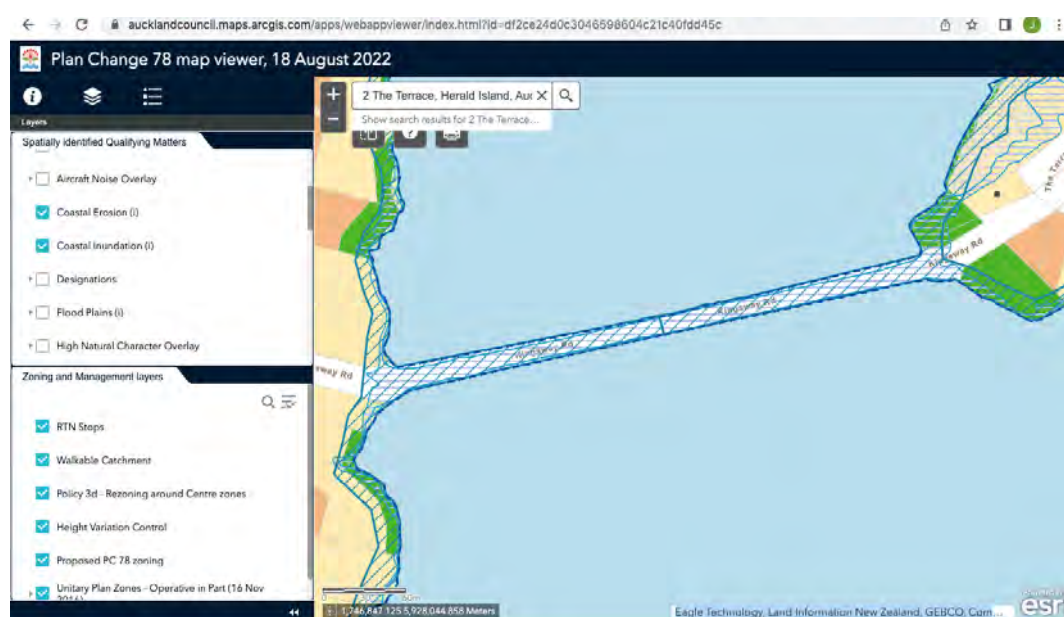


Figure 8 - Only access to Herald Island subject to coastal inundation and erosion

PC 78 intensification of Herald Island, Whenuapai, Hobsonville, Greenhithe and West Harbour would exacerbate existing traffic congestion on Hobsonville Road and Brigham Creek Road due to roading infrastructure constraints.

328.9

Brigham Creek Road, which accesses the Upper Harbour and North Western Motorways or Hobsonville Road and has become very busy at peak travel times due to housing developments in Kumeu without provision of a link to the Upper Harbour Motorway (SH 18). At peak travel times it is extremely difficult to turn right from Kauri Road into Brigham Creek Road or from Brigham Creek Road into Hobsonville Road, as these intersections are not provided with the traffic lights they need to deal with current congestion. Intensification of Herald Island, Whenuapai, Greenhithe, Hobsonville and West Harbour will only exacerbate congestion in these areas where roading infrastructure is not coping at present.

Recently Auckland Council withdrew Plan Change 5 (PC5) for 360 hectares of Whenuapai, reverting it back to Future Urban Zone (FUZ). Auckland Council made this decision as they couldn't fund the considerable infrastructure upgrades to roading etc. necessary for development⁵ which is not planned until approximately 2028 – 2032.

The intensification of Herald Island, Whenuapai, Hobsonville, Greenhithe and West Harbour permitted by Plan Change 78 will put similar pressures on a transport network that Auckland Council determined would not cope with PC5 developments and should not go ahead without the necessary transport infrastructure in place.

328.9

6. Herald Island not suitable for intensification

Herald Island has a fixed small area of about 40 hectares with a late 1920s subdivision plan. The whole of the outside of the island is subject to coastal inundation and erosion, which is why the outer and some inner island sections have been zoned LDRZ. It has narrow roads and sections and the intensification permitted by PC78 will be adhoc and not like the well planned much larger Hobsonville Point development where Hobsonville Point Road is lined with mostly 3 storey terraced houses, but the road is very wide and there is a wide tree berm and footpath on both sides and power is underground.

328.10

7. Other Environmental and Social Impacts

Central Government's imposed medium density residential standards (MDRS), if realised to full potential on Herald Island, would have serious negative environmental impacts for the island and would destroy the character and style of life on the island.

328.11

Herald Island Environmental Group members have spent thousands of hours for more than 30 years creating an environment conducive to native birds on the island, an important stepping stone in the North West Wildlink – an environmental corridor for bird life between the Hauraki Gulf and Waitakere Ranges. There is significant tree cover on the island supporting native birds such as fantail, grey warbler, kingfisher, kereru, morepork, shining cuckoo, tui and wax eye. Islanders carry out regular 5-minute bird counts and have 5 years of records of their presence. A loss of 38 % of the

⁵ <https://www.aucklandcouncil.govt.nz/UnitaryPlanDocuments/pc5-whenuapai-stage-1-technical-inputs-report.pdf>

island's tree canopy would markedly reduce bird habitat and food on the island, undoing the work of residents with the result that Herald Island is no longer a haven for native birds.

One resident wrote to me last week very discouraged:

"After the talk about intensification and ability to build three houses on one section forced on us by the government and councils planning pictures of what this could look like - my life time's environmental motivation has now gone. I feel what's the point? In those planning pictures there was no room for any green space, veggie gardens, trees and no space at all for any birds!"

People move to Herald Island for its laid back, semi-rural, coastal life style which has been reflected in previous Unitary Plans. Central Government's imposed intensive development will totally destroy the lifestyle we came here for.

It is inconceivable that a government purporting to be concerned with climate change and the environment, instead of introducing legislation to protect trees, introduces legislation that allows mass tree felling across Auckland!

Instead of spurning the work and money put into the Auckland Unitary Plan for well-planned and located intensification and replacing it with badly considered legislation for adhoc, widespread intensification away from transport hubs that will negatively affect Aucklanders, the environment and climate change - it would have been better if Central Government had built their promised KiwiBuild homes and enabled faster building for those areas already zoned for intensification.

I seek the following decision by Council:

Amend the proposed plan change/variation as below:

Apply a transport related qualifying matter to Herald Island and amend all Herald Island properties zoned Mixed Housing Urban Zone to Low Density Residential Zone

328.12

Sarah El Karamany

From: Herald Island Environmental Group <heraldislandenviro@gmail.com>
Sent: Friday, 16 September 2022 4:34 pm
To: Unitary Plan
Subject: Plan Change 78 key and Note queries

Dear Unitary Plan Team,

Sorry I have a couple more queries before I can make a submission. Have a short time frame as am going away next week.

Plan Change 78 Map key: (see image below email signature)

1. Why do both Residential - Single House Zone and Residential – Mixed Housing Suburban Zone have the note “not a relevant residential zone” – are they now obsolete?
2. Some key colours are not easy to distinguish. Can I confirm that Herald Island is (a) Low Density Residential Zone (outer island and a few inner) and (b) Mixed Housing Urban Zone (most of inner)

PC 78 document: (see image below email signature)

1. What do the following notes mean? Why does the first (purple bubble) refer to PC 78 but the second (green dots) to the Auckland Unitary Plan?

Does the purple one mean that aspects of the density standards are included in PC 78, but the green one means the new density standards have totally replaced something in the old Auckland Unitary Plan or one of its variations?

Thanks

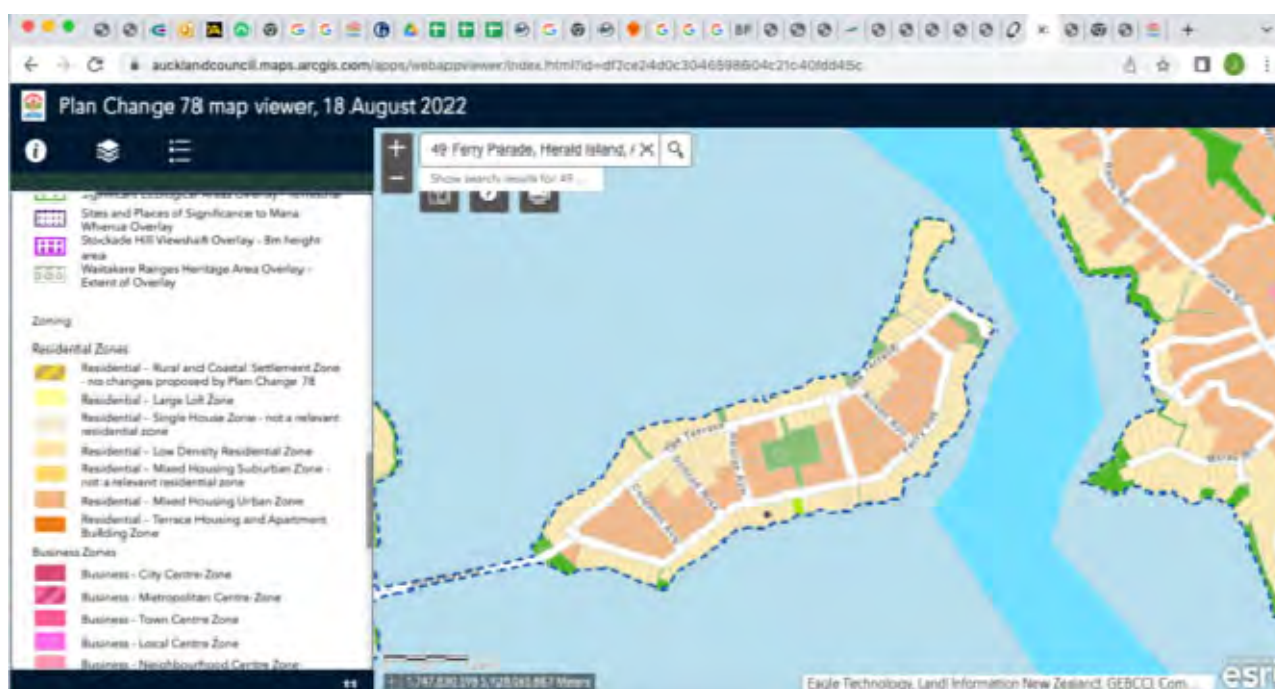
Kind regards

Jan

Jan Diprose

Herald Island Environmental Group Chair

027 687 4157



H3A Residential – Low Density Residential Zone

H3A. Residential – Low Density Residential Zone

Note: a purple bubble line shows where PC 78 incorporates the density standards in Part 2 of Schedule 3A, RMA, or the objectives and policies in clause 6 of Schedule 3A, RMA. Council is required by section 80H RMA to show this information.

Note: a green dotted line shows which provisions in the Auckland Unitary Plan, and any change or variation, are replaced in PC 78 by the density standards in Part 2 of Schedule 3A, RMA, or the objectives and policies in clause 6 of Schedule 3A, RMA. Council is required by section 80H RMA to show this information.

Ginny Taare

From: Jonathan Cutler <jcutler@planninginit.co.nz>
Sent: Friday, 16 September 2022 5:47 pm
To: Unitary Plan
Cc: Bitruf@xtra.co.nz; Gary Levert
Subject: PC78 Submission - The Puhoi Pub 2020 Limited
Attachments: PC_78_Form_5b_The Puhoi Pub 2020 Limited (Sub 1).pdf

Hello Unitary Plan Team,

Please see attached our client's submission (1) on the PC78 and the Maps Viewer.

Ngā mihi
Kind regards

Jonathan Cutler
Director | Principal Planner
Planning Initiatives Ltd

PO Box 32153, Devonport, Auckland 0744, New Zealand

E jcutler@planninginit.co.nz | **P** (09) 489 9125 | **M** 021 216 6751 | **W** www.planninginit.co.nz |  <https://nz.linkedin.com/in/jonathancutlernz>



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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 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)

The Puhoi Pub 2020 Limited

Address for service of Submitter

Planning Initiatives Ltd (Attn: Jonathan Cutler)

PO Box 32153, Devonport, Auckland 0744

Telephone:

212166751

Fax/Email:

jcutler@planninginit.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 78

Plan Change/Variation Name

Intensification

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

5 Saleyards Road, Puhoi and Lot 5 DP 23398, Pūhoi

Or

Map

Special Character Areas Overlay (Qualifying Matters)

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:

The removal of the Special Character Areas Overlay (Qualifying Matters) from the Maps as they relate to Pūhoi (and specifically 5 Saleyards Road and Lot 5 DP 23398) are supported due to the inclusion of the Pūhoi Township Historic Heritage Area in Schedule 14.1 (via Plan Change 81), which is a more appropriate planning approach for historic Pūhoi and avoids 2 cumbersome overlays of similar controls.

(continue on a separate sheet if necessary)

335.1

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 ☐

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

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 ☒

Jonathan J Cutler

09/16/2022

Signature of Submitter

Date

(or person authorised to sign on behalf of submitter)

Notes to person making submission:

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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.

Ginny Taare

From: Jonathan Cutler <jcutler@planninginit.co.nz>
Sent: Friday, 16 September 2022 5:49 pm
To: Unitary Plan
Cc: Bitruf@xtra.co.nz; Gary Levert
Subject: PC78 Submission - The Puhoi Pub 2020 Limited
Attachments: PC_78_Form_5b_The Puhoi Pub 2020 Limited (Sub 2).pdf

Hello Unitary Plan Team,

Please see attached our client's submission (2) on the PC78 Maps Viewer.

Ngā mihi
Kind regards

Jonathan Cutler
Director | Principal Planner
Planning Initiatives Ltd

PO Box 32153, Devonport, Auckland 0744, New Zealand

E jcutler@planninginit.co.nz | **P** (09) 489 9125 | **M** 021 216 6751 | **W** www.planninginit.co.nz |  <https://nz.linkedin.com/in/jonathancutlernz>



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Receipt Date:

Submitter details

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Mr/Mrs/Miss/Ms(Full
Name)

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

The Puhoi Pub 2020 Limited

Address for service of Submitter

Planning Initiatives Ltd (Attn: Jonathan Cutler)

PO Box 32153, Devonport, Auckland 0744

Telephone:

212166751

Fax/Email:

jcutler@planninginit.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 78

Plan Change/Variation Name

Intensification

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

5 Saleyards Road, Puhoi and Lot 5 DP 23398, Puhoi

Or

Map

Flood Plains and Coastal Inundation Qualifying Matters

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:

The sites and the wider area are not 'relevant residential zones' (i.e. the sites are zoned Residential - Rural and Coastal Settlement Zone and Business - Neighbourhood Centre Zone) so the maps should not be updated for these areas in respect of the above qualifying matters for the purpose of Plan Change 78 (as proposed by the maps viewer - shown on the attached map)

(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 ☐

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

Remove the qualifying matters layers from the Plan Change 78 Maps Viewer for areas that	335.2
are not 'relevant residential zones', and in particular those on 5 Saleyards Road, Puhoi	
and Lot 5 DP 23398, Puhoi	

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 ☒

Jonathan J Cutler

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

09/16/2022

Date

Notes to person making submission:

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

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



9/14/2022, 1:37:52 PM



Ginny Taare

From: claire.mckay.nz@gmail.com
Sent: Saturday, 17 September 2022 1:45 pm
To: Unitary Plan
Subject: Submission to Plan Change 78 - Chapter D18 as it relates to Devonport
Attachments: Attachment to submission to Plan Change 78 by Claire McKay, 5F Church St, Devonport.docx;
Claire McKay submission to Auckland Council re Plan Change78.pdf

Please find attachment by submission form, together with my attachment which details my views and reasoning.

With many thanks. Regards, Claire McKay

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

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



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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)

Claire McKay

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

Address for service of Submitter

5F Church St, Devonport, Auckland 0624

Telephone:

211685110

Fax/Email:

claire.mckay.nz@gmail.com

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 78

Plan Change/Variation Name

Intensification

The specific provisions that my submission relates to are:

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

Plan provision(s)

Chapter D18 Special Character Overlay Residential as the overlay relates to Devonport

Or

Property Address

your 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:

See attached 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 ☐

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

See attached 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)

09/22/2017

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.

PLAN CHANGE 78 – ATTACHMENT TO SUBMISSION BY CLAIRE MCKAY

of 5F CHURCH ST, DEVONPORT

This submission relates to Chapter D18 Special Character Overlay Residential as it relates to Devonport

1) I wish to have the specific provisions identified above amended. The reasons for my views are:

Character

Devonport is a unique area of character within the increasingly anodyne sprawl of Auckland. Its geography and history sets it apart as an area of not just local importance, but regional importance. There is no other area in Auckland that has its combination of coastline and heritage village centre, sitting between two ancient maunga.

This very human scale of Devonport and its historic ambiance as a maritime village is truly a taonga which needs to be preserved – an historic and economic asset to the current citizens and future generations of Auckland.

Value to the visitor economy for the whole of Auckland

The low-scale coherence of Devonport is one of the strongest factors in its appeal to the thousands of tourists who visit the area and contribute to the economic value not just of the North Shore but the whole of Auckland. Devonport is an economic magnet within the visitor economy of Auckland. This visitor economy is critical to the city's financial sustainability.

Intensive development of the kind proposed in Plan Change 78 will greatly impact Devonport's heritage value, disrupting and destroying the coherence of a characterful and much treasured area.

Pepper-potting areas completely unsuitable for intensification

I live at 5F Church Street, just back from the Devonport waterfront. Our home and surrounding homes have been marked as Mixed Housing Urban Zone, despite the fact we border the waterfront with its heritage importance and natural hazards of coastal inundation and flood zone. We are surrounded by some of the most historic and characterful villa homes in the area, yet our 'lane' is being earmarked for intensification.

We have issues with a narrow accessway to our homes, we are in a minor hazard zone for flooding, yet ours is a prime example of the pepper potting of homes being sacrificed to this medium density zoning simply because they are post-1936 and therefore not subject to special character status.

As a single example, amongst many homes cherry-picked for the Mixed Housing Urban Zone in our area, we are baffled at the practicality and reasoning of such zoning.

We would argue that the whole of Devonport, as a cohesive area, is of special character and seeking to disrupt this with random development zones, jeopardises the SCA as it stands.

Infrastructure

It is no secret that wastewater and power supply to the whole of the Devonport Peninsula is under considerable pressure. It was only a few years ago that residents were being offered \$2,000 cash incentive by the lines company to install solar panels as a way of taking pressure of the electricity load needed for Devonport.

Developers need no further incentive to add loading to this critical infrastructure – the intensification clearly visible along Lake Road, where every second house between Hauraki Corner and the Bayswater turn off, is being sold for townhouse development, is already stretching available capacity.

The traffic issues of Lake Road have been perennial since the 1990’s and are worsening each year. Current and planned intensification of the peninsula north of the Devonport Golf Club will pour even more traffic into this congested corridor.

2) I seek the following decision by Council: Accept the proposed plan change/variation with amendments as outlined below.

- Retain the Special Character Overlay over all of Devonport 344.1
- Keep the coherence of the special character of the Devonport area 344.2
- Do not erode or disrupt the cohesive streetscape of the wider special character area
- Delete the Mixed Housing Urban Zone altogether within the Devonport area, especially in areas adjacent to the historic waterfront of King Edward Parade and the heritage neighbourhood of Cheltenham Beach. 344.3
- Make the Victoria Road shopping area an Historic Heritage Area 344.4
- Remove Policy 3d from residential areas in Devonport 344.5

Ginny Taare

From: Unitary Plan
Sent: Monday, 19 September 2022 9:45 am
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Raj Maharjan
Attachments: PC 78 Submission_19-09-2022.pdf

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Raj Maharjan

Organisation name: iSolutions

Agent's full name:

Email address: rajm@isolutionsnz.com

Contact phone number: 02102231075

Postal address:
35 View Ridge Drive
Ranui
Auckland 0612

Submission details

This is a submission to:

Plan change number: Plan Change 78

Plan change name: PC 78: Intensification

My submission relates to

Rule or rules:
Please refer to the attached document

Property address:

Map or maps:

Other provisions:
Please refer to the attached document

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:
Please refer to the attached document

I or we seek the following decision by council: Approve the plan change with the amendments I requested

Details of amendments: Please refer to the attached document

Submission date: 19 September 2022

Supporting documents
PC 78 Submission_19-09-2022.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.



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SUBMISSION ON THE NOTIFIED PROPOSAL

FOR

THE PROPOSED PLAN CHANGE 78 INTENSIFICATION (PC 78)

TO

THE AUCKLAND COUNCIL

Submitter: Raj Maharjan

19th September, 2022

1. My name is Raj Maharjan and I am a town planner with practice experience in New Zealand since 2007. My previous experience involves being a member of the Unitary Plan team at the Auckland Council during the preparation of the Proposed Auckland Unitary Plan. Since 2017, I have been in private practice as the Director of a town planning firm, iSolutions. I am an intermediate member of the New Zealand Planning Institute. I have a Master in Planning Practice from the University of Auckland.
2. I think PC 78 is a step in the right direction to address the housing crisis of Auckland. I support the overall intent of PC 78 to enable higher density residential development across Auckland. I support the proposal of Mixed Housing Urban in the majority of suburbs and the proposal of Terrace Housing and Apartment Building around business hubs and transport nodes.
3. I oppose the following proposed infrastructure qualifying matters:
 - 3.1. Infrastructure – Water and/or Wastewater Constraints Control
 - 3.2. Infrastructure – Combined Wastewater Network Control
 - 3.3. Infrastructure – Stormwater Disposal Constraints Control
4. The reasons for my opposition outlined in paragraph 3 above are as below:
 - 4.1. Restriction of higher density development on the basis of lack of infrastructure is inappropriate. If that were the case, none of the areas would ever be urbanised. Instead of taking an approach to blatantly block development, planning for the future demand would be a more appropriate town planning approach. An evidence-based forecast of the infrastructure

351.1

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- demand, as a result of the proposed intensification, in the short, medium and long-term should be made; based on which infrastructure provisions should be planned and delivered.
- 4.2. Qualifying matters have been applied within the walking catchments over land located adjacent and closer to the train stations in Ranui, Sturges Road, Henderson, Sunnyvale and Glen Eden. Areas further out from the stations are not affected by qualifying matters. According to this proposal, land around those train stations, development would be more permissive on the fringes than those on the land located adjacent and closer to the train station. This goes against the conventional town planning wisdom of enabling higher density and compact development near the centres and transport hubs.
5. I oppose the exclusion of Auckland Light Rail Corridor from PC 78. This gives a sense of uncertainty not only to the land owners in those areas but also to the residents of the rest of Auckland. The area that has been left out is significantly large and covers strategic corridors. An approach of proposing changes now and making a variation later, once the details of the light rail are available, would have been a more appropriate approach.
6. I oppose the proposed approach of excluding the Medium Density Residential Standard (MDRS) in case of four or more dwellings in the Mixed Housing Urban and Terrace Housing and Apartment Building zones. This is an unnecessary and unwarranted distinction. It discriminates against and discourages building typologies involving four or more dwellings.

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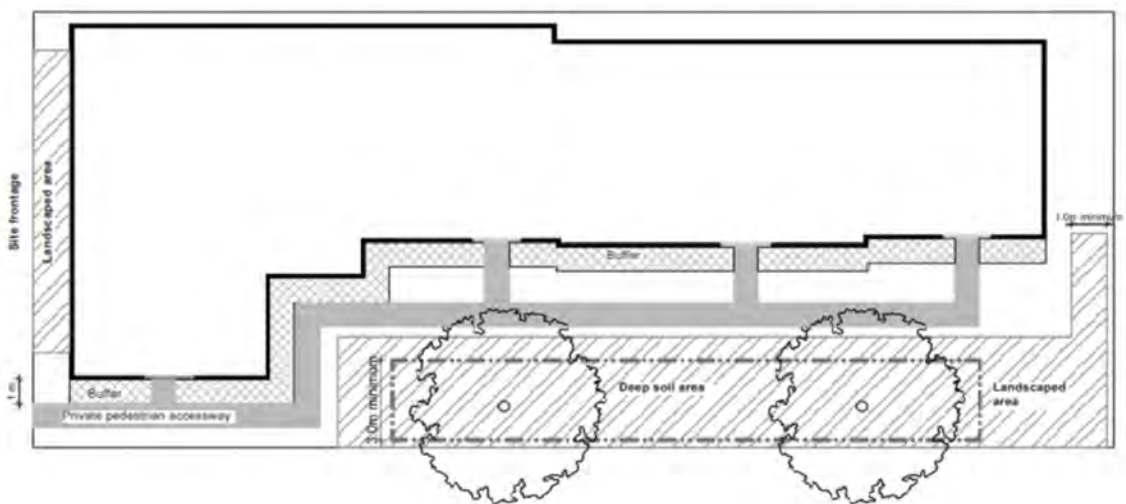
351.8

7. I oppose the following proposed standards:

7.1. 'H5.6.19 Deep soil area and canopy tree' - The standard seems to be impractical. How can a 3 meter wide area accommodate a canopy of 6 meters as outlined in Standard H5.6.19(1)(b)(i) and 'Table H5.9(3) Minimum tree canopy dimensions'? This dilemma can be viewed in Figure H5.6.19.1 (reproduced below) proposed as part of the standard where the two canopy trees are indicated.

H5 Residential – Mixed Housing Urban Zone

Figure H5.6.19.1 Example of the Deep soil area requirements and the relationship with Landscaped area and the Safety and privacy buffer



7.2. While not directly related to deep soil area, I note that part of the building footprint involves yards of less than 1m in Figure H5.6.19.1.

7.3. I also oppose the proposed standard 'H6.6.20 Deep soil area and canopy tree' in the Terrace Housing and Apartment Building Zone for the same reason outlined above under paragraph 7.1 above.

8. I am requesting for the following:

8.1. Adopt PC 78 with amendments, including those outlined in this submission.

8.2. Reject in its entirety the following proposed infrastructure qualifying matters:

8.2.1. Infrastructure – Water and/or Wastewater Constraints Control | 351.9

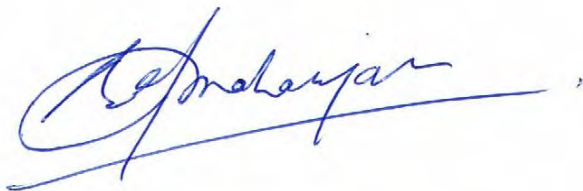
8.2.2. Infrastructure – Combined Wastewater Network Control | 351.10

8.2.3. Infrastructure – Stormwater Disposal Constraints Control | 351.11

8.3. Apply the proposed intensification changes all over Auckland, including the areas covered by the Light Rail Corridor. | 351.12

8.4. Apply the MDRS standard regardless of number of dwellings i.e. also in the case of four or more dwellings. | 351.13

8.5. Reject in its entirety the Deep soil area and canopy tree standard. | 351.14



Raj Maharjan

Auckland

19th September, 2022

Ginny Taare

From: Unitary Plan
Sent: Monday, 19 September 2022 12:15 pm
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Ivy Li
Attachments: 4 Browns Bay Road - PC 78 Submission.pdf

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Ivy Li

Organisation name:

Agent's full name: Planium Limited

Email address: gzliyalng@hotmail.com

Contact phone number: 0273333501

Postal address:
4 Browns Bay Road
Rothesay Bay
Auckland 0630

Submission details

This is a submission to:

Plan change number: Plan Change 78

Plan change name: PC 78: Intensification

My submission relates to

Rule or rules:
Please refer to attached PC 78 submission documentation.

Property address: 4 Browns Bay Road, Rothesay Bay, Auckland

Map or maps: PC 78 Zoning Map

Other provisions:
Please refer to attached PC 78 submission documentation.

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:
Please refer to attached PC 78 submission documentation.

I or we seek the following decision by council: Approve the plan change with the amendments I requested

Details of amendments: Please refer to attached PC 78 submission documentation.

Submission date: 19 September 2022

Supporting documents
4 Browns Bay Road - PC 78 Submission.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.



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AUCKLAND UNITARY PLAN: OPERATIVE IN PART

SUBMISSION FOR PLAN CHANGE 78 (PC 78) - INTENSIFICATION

Addressed to: Auckland Council
unitaryplan@aucklandcouncil.govt.nz

Name of Submitter: Ivy Li
gziyaling@hotmail.com

1.0 INTRODUCTION

1.1 This submission is made by Ivy Li (The Submitter) on Proposed Plan Change 78 (PC 78) to the Auckland Unitary Plan: Operative in Part (AUP: OIP).

1.2 Specifically, this submission relates to the property at:

- 4 Browns Bay Road, Rothesay Bay (Pt Lot 14 Blk XII DP 10801) – the ‘Subject Site’.

1.3 Under the AUP: OIP, the subject site is currently zoned as ‘Residential – Single House’.

1.4 The proposed zoning in the ‘April 2022 – Preliminary Response Planning Map’ for the subject site was identified as ‘Two–Storey Single Dwelling Residential Area’.

1.5 The proposed zoning in the ‘August 2022 – PC 78 Planning Map’ for the subject site is now identified as ‘Low Density Residential’.

1.6 Under the ‘August 2022 – PC 78 Planning Map’, the site is also subject to the following proposed provisions:

- Management Layer: Policy 3(d) – Upzoning around Town and Local Centre Zones;
- Qualifying Matter: Coastal Erosion; and
- Qualifying Matter: Coastal Inundation



Figure 1: GIS Viewer aerial of subject site and surrounding locality.



Figure 2: PC 78 Planning / Zoning Map of wider locality, with subject site 'dotted'.



Figure 3: PC 78 Coastal Erosion extent (hatched).



Figure 4: PC 78 Coastal inundation extent (hatched).

2.0 BACKGROUND CONTEXT

- 2.1 The Submitter currently owns and resides at 4 Browns Bay Road, Rothesay Bay.
- 2.2 The subject site is located approximately 100m south-east of the Browns Bay Town Centre, within direct accessible walking distance.
- 2.3 The 1,447m² site is currently occupied by a three-storey detached dwelling, on reasonably flat topography, situated in the central portion of the site.
- 2.4 The topography rises steeply in a south-easterly direction from the base of the existing dwelling, reaching to a difference of approximately 13m from its highest point.
- 2.5 In July 2015, resource consent (SA-3023321) for a four-lot subdivision of the subject site was granted by Auckland Council – as depicted in Figure 5.



Figure 5: Approved four-lot subdivision aerial layout.

- 2.6 Three of the lots are for residential purposes, while the fourth lot is to be vested to Council as an esplanade reserve. Please refer to [Appendix 1](#) for a copy of the approved resource consent decision.

- 2.7 As a Discretionary Activity application, the Council's assessment concluded that the proposal / site works will not interfere with the natural processes of coastal inundation, and results in a subdivision design / layout that takes into account the subject site's surrounding amenity character, environmental characteristics, landform and nature features, as far as is practical.
- 2.8 As of September 2022, all on-site enabling works and s244c conditions for Consent SA-3023321 have been completed, with respective titles pending to be issued. Please refer to [Appendix 2](#) for a copy of the Land Transfer Title Plan, s223 LINZ sign-off, and s224c completion certificate (CCT90101407).

354.1



Figure 6: Existing site (with upgraded accessway), as viewed from street frontage.



Figure 7: Lot 4 Esplanade Reserve area, as viewed from adjoining reserve.



Figure 8: New accessway leading to Lot 3.

- 2.9 In the context of PC 78, it is noted that the 'Coastal Erosion and Coastal Inundation Qualifying Matters' primarily cover the spatial extent of Lot 1 and Lot 4 (Esplanade Reserve) – as per Figures 3, 4 and 5 above. A small portion of Lot 2 is also covered by the Coastal Inundation overlay only, whereas Lot 3 is not affected by either.
- 2.10 As part of the existing receiving environment, it is therefore appropriate for Council to recognise the subject site as four individual sites, in light of any new planning provisions to be implemented under PC 78.

3.0 SCOPE OF THE SUBMISSION

- 3.1 The specific parts of PC 78 that this submission relates to, and the Submitter's positions on those matters are as follows:

- Under the PC 78 Planning Map, the Management Layer 'Policy 3(d) – Upzoning around Town and Local Centres Zones' proposed for the subject site is **supported** by the Submitter.
- Under the PC 78 Planning Map, the proposed zoning of the subject site as 'Low Density Residential Zone' is **opposed** by the Submitter.
- Under the PC 78 Section 32 Evaluation Report(s), the 'blanket-approach' recommendation to apply the new 'Low Density Residential Zone' to all properties currently zoned

354.2

‘Residential Single House Zone’ identified within the AUP’s coastal hazard areas that may be susceptible to risk, is **opposed** by the Submitter.

4.0 REASONS FOR THE SUBMISSION

- 4.1 This submission considers that the proposed zoning of the subject site at 4 Browns Bay Road, as ‘Low Density Residential Zone’, is not appropriate. Such an outcome would not result in the most efficient use of its available land resource, given the site’s close proximity to the Browns Bay Town Centre.
- 4.2 Under PC 78, the site is subject to ‘Policy 3(d) – Upzoning around Town and Local Centre Zones’. Policy 3(d) of the National Policy Statement on Urban Development (NPS-UD; updated May 2022) requires the Council to enable heights and densities on land within and adjacent to neighbourhood, local and town centres. This includes properties that are ‘close to’ or ‘near’ the centre – i.e. walking distances of 400m from the edge / entrance points of the Town Centre.
- 4.3 The Browns Bay Town Centre is one of the 46 qualifying local and town centres determined by Council as having a medium / high or high level of commercial activities and community services within the wider Auckland region. It is categorised by Council as a large town centre with high population and employment catchments.
- 4.4 Policy 3(d) requires the AUP to enable sites within and adjacent to these centres, to have building heights and densities of urban form, that commensurate with the town centre’s medium / high or high levels of activities and services. It is also understood that the ‘Low Density Residential Zone’ is applied for land adjacent to local and town centres, where one or more qualifying matters are present.
- 4.5 Based on relevant PC 78 Section 32 Evaluation Report findings, it is of the view that the primary reason for the proposed ‘Low Density Residential Zone’ of the subject site, is due to it currently being zoned ‘Residential Single House’ whilst simultaneously being subject to the ‘Coastal Erosion’ and ‘Coastal Inundation’ Qualifying Matters.
- 4.6 Notwithstanding the above, this approach is reflected in the following (but not limited to) nearby property examples:
 - 6A and 8 Browns Bay Road are subject to the ‘Coastal Inundation’ Qualifying Matter; however, their current ‘Terrace Housing and Apartment Building (THAB)’ Zone status remains unchanged under PC 78.

	• 34 and 34A Beechwood Road are currently zoned 'Residential Single House' but are not subject to any Qualifying Matters and have therefore been up-zoned to THAB under PC 78 in accordance with Policy 3(d).	
	• 37 Beechwood Road is currently zoned 'Residential Single House' and is subject to the 'Coastal Erosion' Qualifying Matter over a small portion of its north-eastern corner. The 'Low Density Residential' Zone has been proposed for this site due to this reason.	
4.7	This submission also believes that the interim 'blanket-approach' proposed rezoning for all existing 'Residential Single House Zone' properties (suspectable to coastal hazard risk(s) as spatially identified Qualifying Matters) into 'Low Density Residential Zone' is not appropriate.	354.3
4.8	It is noted that this topic should be given further assessment in the future Coastal Hazard plan change, including the opportunity given to property owners to prepare site-specific coastal risk assessments and provide technical evidence in relation to their respective sites.	354.4
4.9	By simultaneously applying low density residential zoning and qualifying matters together under PC 78, this raises the concern that unnecessary 'double up' in planning restrictions will be created for sites that have development potential, or are in locations suitable for intensification.	354.5
4.10	For sites (irrespective of their underlying zoning) subject to coastal hazard risks, the existing Planning provisions under Chapters E36 and E38 of the AUP trigger the need for land use consent and coastal hazard assessments (in accordance with Auckland Council's Guidance Document 2021/010 – July 2022).	
4.11	This in turn will determine the most appropriate 'site-specific' approach to avoid, mitigate, or manage potential effects associated with development (including intensity and height considerations) through the resource consent process.	354.6
4.12	It is therefore considered that such affected properties / spatial areas, should be primarily zoned in accordance with the direction of the NPS-UD (Policy 3), for which coastal related constraints will be assessed through a site-specific resource consent process and 'tailored' management / mitigation measures (e.g. raised finished floor levels, sea walls etc.) are then to be implemented accordingly.	
4.13	In the context specific to the subject site, Council assessed and approved the four-lot subdivision with no restrictive Consent Notices (e.g. limiting the number of dwellings per site) other than standard Geotechnical requirements, hence it is of the opinion that the existing Chapter E36 and E38 provisions (and other District-wide rules, as relevant) would provide sufficient scope to determine future development considerations.	

4.14 In the scenario where Lots 1, 2 and 3 were up-zoned in accordance with the NPS-UD policy direction, the presence of spatial qualifying matters (as relevant to the applicable affected spatial area for each lot) would be sufficient to ensure an appropriate resource consent process remains in place to manage potential coastal hazard risks and effects of development intensity.

4.15 It is also considered that the existing 'Low Density Residential Zone' would result in an inconsistent streetscape character with the surrounding THAB zoned residential properties, thus exposing the subject site to potential adverse residential amenity (i.e. visual dominance, shading, privacy, intensity etc.) effects from future intensification envisaged by THAB zoned sites close to the Browns Bay Town Centre.

354.7

4.16 Notwithstanding the above, the Submitter supports greater intensification within the locality, but wishes to express concerns with respect to the appropriateness of the proposed 'Low Density Residential Zone', and its consistency in residential amenity / streetscape character with adjoining THAB zoned neighbours.

4.17 As such, the proposed 'Low Density Residential Zone' for the subject site does not represent the most efficient use of the land's physical resource. It is considered to be contrary to the purpose of the Resource Management Act 1991, the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021, and the NPS-UD.

5.0 DECISION(S) SOUGHT

5.1 This submission seeks the following outcomes from Auckland Council.

5.2 That the subject site at 4 Browns Bay Road, Rothesay Bay (Pt Lot 14 Blk XII DP 10801), be re-zoned in accordance with Policy 3(d) of the NPS-UD as:

- **Lot 1:**
Residential – Mixed Housing Urban Zone (with 'Coastal Erosion' and 'Coastal Inundation' Spatially Qualifying Matters applied);
- **Lot 2:**
Terrace Housing and Apartment Building Zone (with 'Coastal Inundation' Spatially Qualifying Matter applied);
- **Lot 3:**
Terrace Housing and Apartment Building Zone (with no Spatially Qualifying Matters applied); and

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- **Lot 4:**
Open Space – Information Recreation Zone (with ‘Coastal Erosion’ and ‘Coastal Inundation’
Spatially Qualifying Matters applied)

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354.15

5.3 Any other consequential amendments that would give effect to the relief sought as part of this submission.

6.0 PROCEEDURAL MATTERS

6.1 The Submitter wishes to be heard in support of their submission for PC 78.

6.2 The Submitter wishes to be notified in relation to the future Coastal Hazards Plan Change.

6.3 If others make a similar submission, the Submitter will consider presenting a joint case with them at a hearing.

6.4 The Submitter has an interest greater than the interest of the general public, and is directly affected by the Plan Change, with respect to the subject site.

6.5 The Submitter is not a trade competitor, nor could they gain an advantage in trade completion through this submission.



John Yan

Consultant Planner

Planium Limited

For and on behalf of Ivy Li, as its duly authorized agent.

Submission date: 19th of September 2022

Address for service of Submitter:

Name: Ivy Li

C/-: Planium Limited

Attention: John Yan

Phone: 021 1388 116

Email: john@planium.co.nz

354.1

APPENDIX 1 – APPROVED RESOURCE CONSENT

Report for a discretionary resource consent application under the Resource Management Act 1991(RMA)



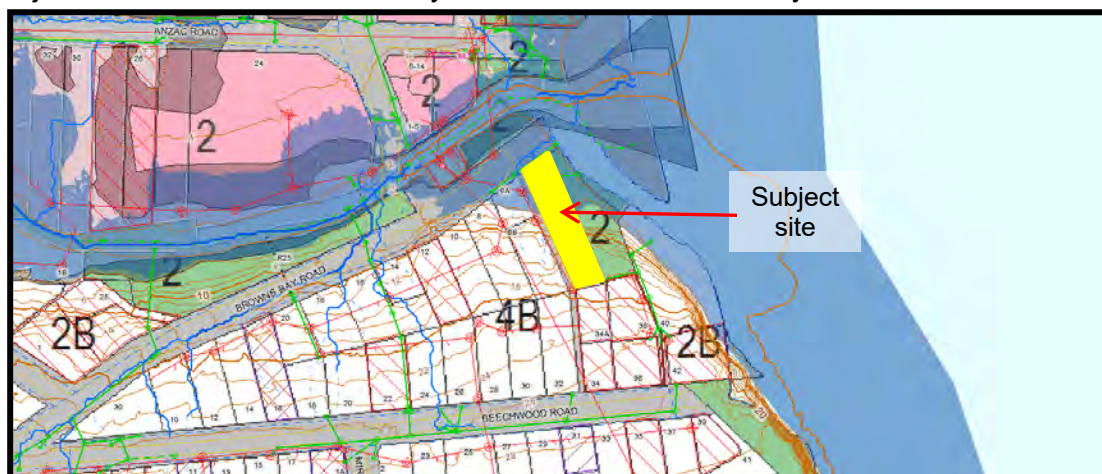
Discretionary activity under the operative plans & Restricted Discretionary under the PAUP

1. Application description

Application Number:	SA-3023321
Applicant's Name:	Tao Xu
Site Address:	4 Browns Bay Road, Rothesay Bay 0630
Legal Description:	Pt Lot 14 Blk XII DP 10801
Site Area:	1447m ²
Operative Plan:	Auckland Council District Plan (North Shore Section)
Zoning:	Residential 4B
Special Features, Overlays Etc:	Stormwater Management Area 5 Coastal Inundation Potential Overland Flow Path & Overland flow path Foreshore Yard
Proposed Plan:	Proposed Auckland Unitary Plan (PAUP)
Zoning:	Single House Zone
Special Features, Overlays Etc:	Airspace Restriction Designations - non operative Natural hazards - Coastal Inundation - 1m sea level rise & 2m sea level rise - non operative

Locality Plan

The subject site (highlighted in yellow) is a road fronted site located at the end of a Cul de Sac adjacent to the beach and Manly reserve area. Browns Bay Road is classed as a local road.



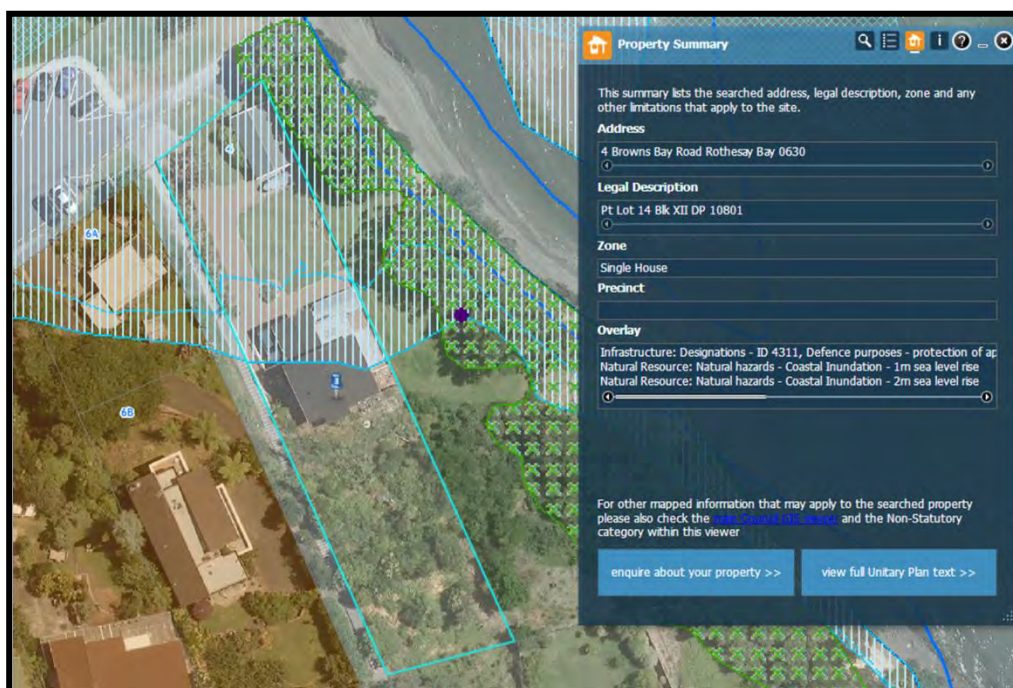
Aerial Plan

The subject site contains an existing dwelling in middle part of the site around which will be Lot 2. The garage located in the north eastern corner is proposed to be removed and a splay will be vested as reserve (Lot 4). Lot 1 will be the road fronted site while Lots 2 & 3 will be rear of the sites. The topography rises steeply in a south easterly direction from the base of the house on Lot 2.



Proposed Auckland Unitary Plan

Under the PAUP, the subject site is proposed to be situated within the Single House Zone and there are no operative overlays on the subject site.



Application Documents (Plans and Reference Documents)

The following information has been provided:

- Application Form, and Assessment of Environmental Effects prepared by Stephanie McWalter of Thurlow Consulting Engineers & Surveyors, received 19 February 2014.
- Geotechnical Investigation Report prepared by Soil And Rock Consultants LTD titled '*Geotechnical Investigation Report for Proposed Subdivision at 4 Browns Bay Road, Browns Bay for W P Donnelly*' reference N02103 dated November 2002.
- Further Information received 26 September 2014 detailing the revised proposal and the application for a reduction in width in relation to the esplanade reserve requirement.

Drawing reference #	Title	Architect / Author	Revision	Dated
SA-01	Proposed Subdivision of Pt Lot 14 Blk XII DP 10801	SMcW	2	05/2014
SA-02	Development Plan Contours, proposed drainage & Driveway	SMcW	2	05/2014
SA-03	Typical Driveway Cross Sections	SMcW	00	01/2014
SA-04	Typical Driveway Cross Sections	SMcW	00	01/2014
SA-05	Walkway Layout and silt and sediment control plan	SMcW	3	11/2014
SA-06	Walkway Long Section & Typical Cross Section Steps Detail & Cross Sections	SMcW	00	01/2014

The information has been reviewed and assessed by the following persons:

- Council Development Engineer (CDE) – Hegman Foster
- Council Traffic Engineer – Sam Shumane
- Council Parks and Open Space Team Leader – Matthew Ward
- Council Local Sports Parks North: Parks Sports and Recreation Manager – Martin Van Jaarsveld

2. The proposal, site and locality description

Proposal

Tao Xu is the applicant who has applied for resource consent to undertake a 4 lot subdivision, with 3 being residential lots, in accordance with the standards of the Residential 4B Zone where in the subject site is located. Three of the lots are for residential purposes while the fourth is to be vested to the council as an esplanade reserve.

Proposed Lot 1 is to comprise of 383m² (net site area) and will be the front vacant Lot. This net site area plus the net site area of Lot 4, 73m², brings the total net site area to 456m². This is in accordance Rule 16.6.1.15 *Sites with Land Being Acquired as Esplanade Reserve* and thus complies with the density of the zone.

Proposed Lot 2 is to be the middle rear lot comprising of approximately of 503m² (net site area) and will contain the dwelling, its associated parking and outdoor spaces that were legally established on the site in January 1979.

Proposed Lot 3 is to be the rear vacant lot comprising of 487m² (net site area).

Proposed Lot 4 is to comprising of 73m² (net site area) and is to be vested to council as Esplanade Reserve in accordance with s.236 of the RMA.

Access:

Access to the subdivision will be via the existing vehicle crossing that serves the site. Lot 1 will have direct access to the street while Lots 2 & 3 will achieve legal access via right of way easements. The legal access over Lot 1 is to be a width of 3.5m and reduces to 3.0m over Lot 2 providing the access for Lot 3. The accessway is proposed to run along the western boundary of Lot 1 and Lot 3 will achieve access over an extension to this accessway as it runs along the western side of the existing dwelling on Lot 2 before it traverses around the back of the dwelling into Lot 3. The accessway will have a total length of 70 metres with an average gradient of 18.9% (1 in 5.3) and a maximum gradient of 23% (1 in 4.3). The manoeuvring area for Lot 2 is proposed to the front of the existing dwelling.

Wastewater:

There is a public wastewater line that runs down the walkway adjacent to the western boundary of the site and the proposal will involve establishing connections to the line. Landowner's consent from Parks and Open Space; who administer the walkway, has been provided.

Storm water:

There is a public stormwater line that runs along the front of the site in the road berm and the proposal will involve establishing a new manhole in front of the northern corner of the site. It is then proposed to run a stormwater line along the eastern boundary from Lot 3 down through Lot 2, Lot 1 & Lot 4 to connect to the stormwater manhole.

Services:

Connections to telecommunications infrastructure, telephone, electricity and potable water are available to the site at present and it is proposed to establish additional connections to these services for Lots 1 and 3.

Site works:

Site works on the subject site

The site works will involve retaining works in the rear yard setback of Lot 2 relative to the western boundary and excavation works traversing through the rear of lot 2 and into lot 3 to accommodate the access way. Further excavation will be along the eastern boundary from Lot 3 down through Lot 2 to lay the storm water line which will connect to a new manhole proposed to be located in the road berm.

Site works on the public walkway

The works on the neighbouring walkway to establish wastewater connections to the new lots will involve excavation site works of the walkway. The conditions of the land owners consent from Auckland Council (Parks Sports & Recreation) ensure that the construction works will not block public access and improvements are proposed by way of raising the ground level by 0.5m and placement of steps at one point along the walkway with an associated safety handrail.

Total site works

The extent of earthworks as shown on TCES Drawing 13153 SA-02-02 covers a plan area of approximately 495m². The volume of earthworks is estimated at approximately 325m³ subject to detailed design which will be submitted at engineering approval stage.

Note:

The subject site lies within a Coastal Inundation area as shown in the locality plan and the north eastern corner lies within the Foreshore Yard which is a 9m setback from the Mean High Water Spring Mark.

1. The site works proposed within the part of the site covered by the coastal inundation overlay are:
 - the construction of the driveway (not a structure) and
 - the laying of the storm water connections (Network Utility),
 both of which are permitted activities under Rule 8.4.9.3.1 of the District Plan.
2. The site works proposed within the part of the site covered by the Foreshore Yard setback the laying of the storm water line and connections which is not anticipated to expose a surface area greater than 100m² and therefore permitted under Rule 9.4.1.1 a) vi) of the District Plan.

Background

Council has granted a subdivision Consent SUB-11148 in October 2003 for a similar version of the proposal in that it was a three lot subdivision but it did not include the vesting of an Esplanade Reserve. However, the owners did not proceed with the subdivision at that time and the consent lapsed. The property was sold and the new owners lodged an application based on the lapsed proposal in February 2014. Assessment of the application resulted in the proposal triggering s.230 of the RMA to which an agreement between Parks and Open Space and the applicant resulted in the addition of Lot 4, being an esplanade reserve, to the proposal. The property was sold again in August 2014 and the outstanding landowner's approvals from the administrators of the neighbouring walkway were submitted on the 14th of July 2015.

Site and surrounding environment description

The site and its immediate environment have been described in the applicants AEE. After visiting the site on the 26th Of February 2014, I concur with that description, and would add the following

- A public walkway and steps are located beside the west boundary and provides access from Browns Bay Road to Beechwood Road.
- The beachfront Manly esplanade reserve is located beside the eastern boundary.
- The general contour of the property is flat towards the middle of the site, beyond which the contour rises steeply to the south at a maximum gradient of approximately 1 in 2, until it becomes relatively level again.
- The surrounding area comprises predominantly of residential development of varying scale and design but similar in character to that envisaged by the proposal. The area is typically suburban in character.

3. Reasons for the application

Resource consent is needed for the following reasons:

Auckland Council District Plan (North Shore Section)

1. Rule 9.4.1.2 (e) requires **subdivision of land in residential 4 zones** which complies with the standards of sections 9, 12 & 16 be considered as a controlled activity. The proposal is able to comply with the minimum net site area requirement of this residential 4B zone with each of the proposed Lots being in excess of the minimum site size standard, thus the application is considered as a **controlled** activity.
2. Rule 9.4.1.4(m) *Site works and subdivision where the subject land has an average gradient steeper than 1:4* requires consideration as a **discretionary** activity.
3. Rule 9.4.1.4(f) **Site works not otherwise provided for**. The proposal will involve site works which will expose a surface area greater than 300m²; excavations greater than 1.5m in depth and retaining walls which raise the natural ground level more than 1.5m in a yard. Therefore these works require the application be considered as a **discretionary** activity.
4. Rule 9.8.3 a) **Reduction of the Width...of Esplanade Reserves...to Less than 20m** extending from the edge of the Mean High Water Spring Mark. The applicant is seeking a reduction of the minimum 20m requirement and this is to be considered as a **discretionary** activity.
5. Rule 8.4.9.2.2.a) **Diverting or altering any part of the overland flow paths** which in this case involves the alteration of a potential overland flow path, requires consideration as a **limited discretionary** activity.
6. Rule 16.6.1.12 b) **Fences, Boundary or Retaining Walls** is infringed as the proposal is for a combined fence and retaining wall exceeding 1.8m in height along the western boundary and requires consideration as a **limited discretionary** activity.
7. Rule 9.4.4.2 **Existing Buildings to Conform**. The retention of the existing dwelling does avail of existing use rights by its legal establishment relative to its eastern boundary. However, the creation of Lot 2 around the dwelling does result in a development control infringement which is detailed below.
8. Rule 12.4.2.6 c) i) **Design of Parking and Loading Spaces - Parking Space Dimensions**. The proposal is unable to fully accommodate the 90 percentile car tracking curve for the manoeuvring area on Lot 2 and requires consideration as a **limited discretionary** activity.
9. Rule 16.6.2.4 a) iv) vi) **Outdoor Living Space** in that the outdoor area for Lot 2 will not be conveniently accessible from the dwellings principle living room. Furthermore, after the completion of the site works, the 6m diameter circle living court will be on a gradient steeper than 1:5, and requires consideration as a **limited discretionary** activity under the control flexibility.

Note:

The position of the dwelling to be retained relative to the aforementioned Right of Way running along the western boundary of Lot 2 results in an infringement of the **Other Yards (16.6.1.5)** rule, specifically the rear yard. As the infringement is internal to the site and as the owner has provided his written approval to the subdivision and its resulting infringements, the infringement is deemed to be a **permitted** activity whereby it satisfies the requirements of Rule 16.6.1.5.b and will not be considered further in this report.

Proposed Auckland Unitary Plan (PAUP)

Under the PAUP, the subject site is proposed to be situated within the Single House Zone and there are no operative overlays over the subject site. However the earth works triggers an infringement to the following rule:

Rule H Natural Resources 4.2.1 'General Earthworks' under the activity table states: From 501m² up to 1000m² and 251m³ up to 1000m³ requires assessment as a restricted discretionary activity. The total earthworks proposed will be over a surface area of 495m² and will involve a total volume of 325m³; therefore assessment is required as a **restricted discretionary** activity.

National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health ("NES")

Not applicable in this instance.

4. Status of the application

The application for Subdivision consent is to be assessed as a **discretionary activity** whereby the council has not restricted its discretion.

5. Public notification assessment (sections 95A, 95C-95D)

Section 95A gives the Council discretion in deciding whether to publicly notify an application or not. However an application must be publicly notified if (a) the activity will have or is likely to have adverse effects on the environment that are no more than minor; (b) the applicant requests public notification of the application; or (c) a rule or national environmental standard "NES" requires public notification.

The applicant has not requested public notification.

No rules in the plan or in any NES preclude or require public notification of this application.

Adverse Effects Assessment (Section 95A and 95D)

The following assessment addresses the adverse effects of the activity on the environment. The council must decide whether the activity will have, or is likely to have, adverse effects on the environment that are more than minor.

The applicant has not requested public notification.

All further information requested (under s92) has been provided by an agreed date.

As a discretionary activity, a full range of adverse effects are considered. The District Plan and the PAUP provide guidelines as to what criteria are to be considered when assessing the environmental effects of the activities and infringements that are being applied for.

- Rule 8.4.9.10 – Assessment Criteria for Limited Discretionary Activities
- Rule 9.7.1.1 – General Assessment Criteria - Controlled Activity
- Rule 9.7.2.1 – General Assessment Criteria - Limited Discretionary Activity
- Rule 9.7.3.1 – General Assessment Criteria - Discretionary Activity
- Rule 9.7.2.1 – General Assessment Criteria - Limited Discretionary Activity
- Rule 12.5.1 – Assessment Criteria for Control Flexibility
- Rule 16.7.5 – Assessment Criteria for Limited Discretionary Activities
- Rule 9.8.4 - General Assessment Criteria for Reduction...of Esplanade Reserve Requirement

- PAUP Rule H Natural Resources 4.2.23 'General Earthworks' Assessment - Restricted discretionary activities

No rules in the plan (or in any national environmental standard "NES") preclude or require public notification of this application.

Effects that must be disregarded

Effects On Adjacent Land

Under section 95D the Council is to disregard any effects on persons who own or occupy any adjacent land. The land bordering and adjacent to the subject site is:

Table 1	
Properties to be Disregarded	Legal Description
6A Browns Bay Road Rothesay Bay 0630	Lot 1 DP 461078
6B Browns Bay Road Rothesay Bay 0630	Lot 2 DP 461078
Pedestrian Walkway administered by Parks & Open Space under Auckland Council	Lot 25 Blk XI DP 10801
34B Beechwood Road Rothesay Bay 0630	Lot 2 DP 445738
R 3 Manly Esplanade Reserve, Browns Bay 0630 administered by Parks & Open Space under Auckland Council	Lot 1 DP 96134

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

The applicant, being the owner of the subject site has provided a signed 'Written Approvals of Affected Persons' form and under section 95E of the RMA, Council can disregard the adverse effect of the activity on the persons who have given written approval to the activity.

The applicant has not provided any other signed 'Written Approvals of Affected Persons' forms from anyone in relation to either the subdivision, however:

- The applicant has secured 'Landowners Approvals' from Martin Van Jaarsveld; Manager of Local Sports Parks North – Parks Sports and Recreation acting under Auckland Council for the proposed works to establish a wastewater connection under the pedestrian walkway which is located to the west of the subject site. This approval is indicative of council's full awareness and acceptance of the effects of the implementation of the construction works in and to the public walkway alongside the construction works associated with the subdivision of the subject site.
- The applicant has negotiated a reduction in width of the esplanade reserve to vest to council with Matthew Ward; Team leader of Parks and Open Space Specialists. As Parks and Open Space are the administrators of the neighbouring Manly Esplanade Reserve, it can be construed that this agreement is indicative of council's full awareness and acceptance of the proposed subdivision of the subject site.

Under section 95E of the RMA, Council can disregard the adverse effect of the activity on the above persons who have given written approval to the activity which in this instance is the owner/applicant and Auckland Council's aforementioned Parks teams.

Effects that may be disregarded

Permitted Baseline

The Permitted baseline may be taken into account and the Council has the discretion to disregard those effects. In this case the permitted baseline is:

Existing Environment

The site and its environment have been discussed in the applicants AEE and in section 2 of this report. It must be considered a benchmark against which new adverse effects introduced by this application are to be measured.

Key features of this existing environment include a legally established dwelling with its associated outdoor spaces, access way and services on a fee simple title.

Receiving Environment

The receiving environment includes permitted activities, activities that have existing use rights, existing activities authorised by resource consent and unimplemented resource consents that are likely to be implemented. It is this environment against which the effects of the application must be assessed.

The existing dwelling has been legally established on the site and has existing use rights pursuant to section 10 of the RMA 1991.

Subdivision of land is not provided for as a permitted activity under the Operative Auckland Council District Plan (North Shore Section).

Permitted Baseline Summary

Having regard to the existing environment, the permitted baseline includes the legally established dwelling on the subject site with its associated access and outdoor spaces. However subdivision of land requires consent; therefore there is no permitted baseline useful for consideration in relation to the subdivision component.

Adverse Effects Assessment on the Environment

Having regard to the above, the following assessment addresses the adverse effects of the activity on the environment for public notification purposes. As a discretionary activity, a full range of adverse effects must be considered. The District Plan provides the following as guidelines that are relevant to assist in assessing the potential adverse environmental effects of the subdivision upon the environment.

Subdivision

- Design and Implementation of Site Works
- Layout and design of subdivision.
- Bulk, height, location, foundations, height of floor levels.
- Location and design of building platforms.
- Utility Services, Drainage, Water, Wastewater and Electricity
- Pedestrian Access, Vehicle Access, Parking Areas.
- Esplanade Reserve Reduction - Maintain and enhance water quality and habitat values - providing public access and recreational opportunities - the land will have little or no value in achieving the statutory objectives. Esplanade Reserve Reduction

Development Controls

- Gradient – suitability of site
- On-site Vehicle manoeuvrability
- Structures in overland flow paths - extent of redirection - effects of flooding on buildings on adjacent sites or subject site
- Combined Fence height - visually permeable – detracts from character of walkway - scale and form of fence relative to the walkway - relationship to existing fences.
- Outdoor Living Space – usefulness – orientation to sun – connectivity in relation to dwelling – combination of spaces

Site works and stability effects

Council Development Engineer, Mr. Hegman Foster has assessed this application and considered the proposal against the relevant sections of the District Plan and the PAUP. His assessment concluded that subject to the applicant's adherence to the geotechnical recommendations outlined in the accompanying Geotechnical Investigation Report, the site works will result in less than minor effects upon the environment. Furthermore, the adverse effects generated by the proposal in terms of run-off and sediment generation will be adequately mitigated through the site management plan submitted by the applicant, which includes silt fences in appropriate places to contain sediment and runoff on the subject site and on the pedestrian walkway. It is anticipated that the soil will be exposed for a short time frame with the sites to be re-grassed, with walkways & driveways to be sealed to council standards after the completion of the works.

Gradient Steeper than 1:4

Mr. Foster has considered the aforementioned Geotechnical Report and concurs with its recommendations. Lots 2 & 3 are considered to be suitably stable for excavation works to establish the driveway over Lot 2 and for the future construction of buildings within the identified 12 X 12 shape factor on Lot 3 as those areas are not likely to be subject to erosion, avulsion, alluvion, falling debris, inundation or slippage of land subject to the applicants adherence to the report's recommendations. Furthermore the building work will not lead to the instability, erosion etc. of the site itself nor any other property thus further ensuring any possible effects of this infringement will be internalised to the site and will have no impact beyond its external boundaries.

The works on the walkway will not result in its closure as the area is large enough to have a space for pedestrians to walk by while the works are being undertaken and it is considered that the mitigation in the form of improvements to the walkway such as increasing its height, placing steps and a galvanised handrail, will adequately compensate for any inconvenience caused to pedestrians.

Any large excavations and the construction of retaining walls will have appropriate construction methodologies detailed at engineering approval stage to ensure the stability of the subject site and surrounding sites are maintained thus ensuring less than minor adverse effects upon the environment.

Subdivision Matters

The design and layout of the subdivision has taken into account the environmental characteristics of the land and its surroundings, and has retained and protected the existing landform and other natural features as far as is practicable.

Having regard to the existing development on the site, and subject to the applicants adherence of the recommendations of the submitted geotechnical report, it is considered that any future buildings on both proposed lots will be able to comply with the relevant bulk and location controls of the District Plan which are applicable to the design of new dwellings and floor levels can be established without adversely impacting on the environment.

Having regard to the sites characteristics it is considered that any potential future buildings on Lots 1 & 3 will require that a land use consent be applied for due to Lot 1 being under 450m² and Lot 3 having an average gradient steeper than 1:4 thus ensuring that floor levels can be established without adversely impacting on the environment.

It is considered that both lots 1 & 3 are of a size and shape that would enable a complying building platform to be established in accordance with sections 8, 9, 12 and section 16 of the District Plan. No consideration of this subdivision matter is required for lot 2 as the retention of the dwelling on the lot is evidence of its ability to comply.

The proposal has demonstrated that Utility Services, Drainage, Water, Wastewater and Electricity can be accommodated on each new lot.

It is considered that the easements are appropriate in relation to the servient and dominant tenements.

Traffic and Pedestrian Safety

The Council's Traffic Engineer, Mr Sam Shumane, has assessed the proposed access and vehicle manoeuvring arrangements for the subdivision and is satisfied that the access and manoeuvring spaces proposed are acceptable for each lot subject to the applicant's implementation of his recommended conditions of consent. The effects of having to undertake an additional manoeuvres in order to exit Lot 2 is considered to be acceptable for the existing and any potential future owners of the dwelling. This is because the scale of non-compliance to the 90 percentile tracking curve is considered minimal. The effect of driving on the steep portion of the accessway to Lot 3 will fall solely upon the users of Lot 3 who will become accustomed to manoeuvring vehicles up and down to the site.

Furthermore the width of the access to lot 3 is considered to be of an acceptable width to ensure safe ingress and egress for the lots vehicle users and pedestrians. The lots are of a size shape and topography which will be able to accommodate compliant parking and manoeuvring areas.

With regards to the works on the pedestrian walkway, the landowners approval has stipulated a prestart meeting to ensure that the undertaking of the works will not present any adverse effects in terms of safety upon the use of the walkway for the public.

Overall, the proposal is considered to have less than minor adverse effects upon traffic and pedestrian safety.

Structures in overland flow paths

The applicant has stated that the diversion or alteration of the potential overland flow path that runs over part of Lots 1 & 2 will be designed in accordance with council's engineering standards to ensure flow remains contained and unimpeded.

Character, fencing, amenity and dominance effects

The proposal involves the retention of the existing dwelling on Lot 2 which has been legally established. The resulting infringement of its Outdoor Living Space will not detract from the

usefulness of the outdoor area as it is easily accessed from the rear door of the dwelling. Furthermore it will have a high quality amenity value with views over the esplanade reserve and out to sea. The space is north facing and will not be overshadowed because of its commanding height and outlook.

In terms of the level of development, the completed subdivision will not present any discernible effects upon the environment nor to any of the neighbours except for the combined retaining wall and fence beside the new walkway. This is proposed to be mitigated by the raising of the ground level of the walkway to improve vistas over Browns Bay for its users and the fencing will maintain a minimum standard of 25% in visual permeability.

The proposed combined retaining wall/fence will not be visible from the wider environment and it is not considered that it will detract from character of walkway because the scale and form of fence relative to the walkway is considered to be appropriate. Overall, the proposal is considered to have less than minor adverse effects upon the character, amenity and dominance of the wider environment.

Esplanade reserve reduction

The applicant has submitted a comprehensive assessment under observation of section 236 of the RMA which is pertinent to this application. Auckland Council's Parks and Open Space Team Leader, Matthew Ward's, assessment of the proposal resulted in parks acceptance of an additional area (73m²) proposed to be vested that essentially 'Tops-up' the neighbouring Manly Esplanade Reserve. This additional 'top up' of esplanade reserve satisfies the general assessment criteria for an application for a reduction of an esplanade reserve requirement in that it maintains and enhances the public's access to the reserve thus providing improved recreational opportunities to the area.

Special Circumstances

Despite the above, the council may publicly notify an application if special circumstances exist.

There are no special circumstances that exist for this application because the proposal is conventional in nature and represents no significant deviation from the range of effects anticipated by the Plan.

Overall, it is considered that the adverse environmental effects of the proposed activity on the wider and immediate environment will be less than minor.

Public Notification Assessment Conclusion

This application can be processed without public notification for the following reasons:

- It is considered that the adverse effects of the activity on the environment will be less than minor because:
 - The applicant has submitted a site management plan which demonstrates adequate and effective measures will be applied to contain any erosion & sediment runoff on the subject site as a result the proposed site works.

- Having regard to the sites characteristics and subject to adherence to the recommendations outlined in the accompanying Geotechnical Investigation Report prepared by Soil And Rock Consultants LTD titled '*Geotechnical Investigation Report for Proposed Subdivision at 4 Browns Bay Road, Browns Bay for W P Donnelly*' reference N02103 dated November 2002, it is considered that any potential future buildings on proposed Lots 1 & 3 will be able to comply with the relevant District Plan controls and floor levels can be established without adversely impacting on the environment.
- The design and layout of the subdivision has taken into account the environmental characteristics of the land and its surroundings, and is consistent with the neighbouring infill development that has occurred.
- The local environment is of a capacity to be able to absorb the effects of the creation of two additional residential lots without compromising the character and amenity of the residential 4B zoned area.
- It is considered that the proposal is consistent with the assessment criteria for earthworks under the Proposed Auckland Unitary Plan.
- It is considered that the diversion or alteration of the potential overland flow path that runs over part of Lots 1 & 2 will be designed in accordance with council's engineering standards to ensure flow remains contained and unimpeded.
- The proposal is conventional in nature and represents no significant deviation from the range of effects anticipated by the Plan.
- Having regard to Lots 1 & 3's particular characteristics, respective land use consents will be required to establish any potential future buildings on either lot to ensure adherence with the development controls of the District Plan.
- The consent notice conditioned for this subdivision will ensure that the future development of Lots 1 & 3 will adhere to the engineering recommendations outlined in the aforementioned geotechnical report above.
- It is considered that the proposed combined retaining wall/fence will not detract from character of neighbouring pedestrian walkway as the scale and form of fence is considered to be appropriate, thus presenting less than minor adverse effects upon the character, amenity and dominance of the wider environment.
- The effects of having to undertake an additional manoeuvres in order to exit Lot 2 is considered to be acceptable for the existing and any potential future owners of the dwelling because the scale of non-compliance to the 90 percentile tracking curve is considered minimal.
- It is considered that the mitigation in the form of improvements to the walkway such as increasing its height, placing steps and a galvanised handrail, with adequately compensate for any inconvenience caused to pedestrians during the site works on the walkway.
- It is considered that the vesting of the esplanade reserve which adjoins the neighbouring Manly Reserve will maintain and enhance the public's access to the reserve thus providing improved recreational opportunities to the area
- There are no special circumstances that would act as a basis for Council to exercise its discretion under section 95A (4).

- The applicant has not requested public notification.

In summary, it is considered that the subdivision will have no adverse effects on the environment. Thus, it is recommended that this application be processed without public notification.

6. Limited notification assessment (sections 95B, 95E-95G)

If the application is not publicly notified the council must decide if there are any affected persons, or customary rights or title groups. These persons must then be notified.

There are no rules that preclude limited notification.

In deciding if a person is affected:

- A person is affected if the adverse effects of the activity on that person are minor or more than minor (but not less than minor).
- Adverse effects permitted by a rule in a plan (the permitted baseline) may be disregarded.
- The adverse effects on those persons who have provided their written approval must be disregarded.

Adversely Affected Persons Assessment (Section 95E)

Effects on persons who are owners and occupiers of the land in, on or over which the application relates.

The applicant, being the owner of the subject site has provided a signed 'Written Approvals of Affected Persons' form and under section 95E of the RMA, Council can disregard the adverse effect of the activity on the persons who have given written approval to the activity.

Effects on persons who are owners and occupiers of the land adjacent to the land over which the application relates.

- Auckland Council, being the owners of the pedestrian walkway to the west has provided their approval to the applicants proposed site works over their land and are also the owners of the Manly Reserve to the east have accepted the applicants vesting of a 'top up' of esplanade reserve. These approvals are indicative of council's full awareness and acceptance of the proposal, and are therefore, not deemed to be an affected party to the subdivision.
- Mr Lester Wright being the recent purchaser of neighbouring 34B Beachwood Road has contacted council relaying his concerns about how the proposed subdivision of the subject site will impact their views from their property and he considers that the amount of earthworks applied for is not enough to complete the subdivision.

The consultant has since revised their earthworks calculations and applied for the necessary relevant consents. The foregoing assessment has addressed those concerns relating to the amount of earthworks concluding that the implementation of the subdivision will result at most, less than minor effects upon the environment and because the site management plan seeks to contain all erosion & sediment runoff on site ensuring there will be no effects beyond the sites external boundaries.

With regards to those matters pertaining to Mr. Lester's outlook, it is not considered that the subdivision will result in any obstruction of views from their property because no buildings are proposed on Lot 3 as part of this proposal. Furthermore, the subdivision will result in Lot 3 featuring a 1:4 gradient, therefore the future development of Lot 3 will trigger a requirement for a subsequent resource consent which will address the development controls of the District Plan which include those matters pertaining to Mr. Lester's outlook. At present there are no fences along the common boundary and either party can erect a 1.8m high fence as a permitted activity under the District Plan, thus ensuring respective privacies can be achieved. In consideration of the above, Mr. Wright being the owner of neighbouring 34B Beachwood Road is not considered to be adversely affected by the subdivision because the proposal is able to comply with the density and subdivision and the subsequent development of the subject site is to be anticipated.

- The property owners of 6A & 6B Browns Bay Road are not deemed to be affected by the subdivision as the works to construct the neighbouring walkway will have adequate and effective measures applied to contain any erosion & sediment runoff. Furthermore, there will be no increased loss of sunlight or reduction of amenity upon these sites because of the consented bulk of the dwelling to be retained will not be altered.
- The proposed safety rail atop the retaining wall/fence along the western boundary of Lot 2 will ensure that the safety of the new Lots pedestrians and the safety of incoming and exiting vehicles will be upheld and not present any adverse effects upon any neighbouring properties or walkway.
- The council development engineer has set conditions of subdivision requiring the applicants to adhere to the recommendations of the aforementioned Geotechnical Investigation Report prepared by Soil And Rock Consultants LTD reference N02103 dated November 2002, which will ensure that any works to construct a future dwelling on Lot 3 will not lead to the instability, erosion, slippage or falling debris thus ensuring the effects of this 1:4 gradient infringement will be internalised to the site and will have no impact beyond its external boundaries.

In consideration of this assessment and the intensity of the neighbouring infill development, no neighbours are considered to be adversely affected by the subdivision, because the proposal is conventional in nature and represents no deviation from the range of effects anticipated by the district plan.

Limited Notification Assessment Conclusion

This application should be processed without limited notification as:

- The owners of the subject site have provided their written approvals to the proposal and are therefore not considered to be an affected party to implementation and completion of the subdivision.
- The proposed safety rail atop the retaining wall/fence along the western boundary of Lot 2 will ensure that the safety of the new Lots pedestrians and the safety of incoming and exiting vehicles to the new lots will be upheld and not present any adverse effects upon any neighbouring properties or walkway.
- The Council considers that no other persons will be adversely affected by the granting of the resource consent for the following reasons:

- It is considered that adequate and effective measures can be employed to contain any erosion & sediment runoff on the subject site so as to ensure there will be no adverse effects upon the neighbouring properties.
- Auckland Council, being the owners of the pedestrian walkway to the west has provided their approval to the applicants proposed site works over their land and are also the owners of the Manly Reserve to the east have accepted the applicants vesting of a 'top up' of esplanade reserve. These approvals are indicative of council's full awareness and acceptance of the proposal, and are therefore, not deemed to be an affected party to the subdivision.
- Mr. Wright being the owner of neighbouring 34B Beachwood Road is not considered to be adversely affected by the subdivision because the proposal is able to comply with the density and subdivision of the subject site is to be anticipated.
- The property owners of 6A & 6B Browns Bay Road are not deemed to be affected by the subdivision as the works to construct the neighbouring walkway will have adequate and effective measures applied to contain any erosion & sediment runoff. Furthermore, there will be no increased loss of sunlight or reduction of amenity upon these sites because of the consented bulk of the dwelling to be retained will not be altered.
- A condition of subdivision consent will include a consent notice requiring the applicant to adhere to the recommendations of the Geotechnical Investigation Report prepared by Soil And Rock Consultants LTD reference N02103 dated November 2002, which will ensure that any works to construct a future dwelling on Lots 1 & 3 will not lead to the instability, erosion, slippage or falling debris thus ensuring the effects will be internalised to the site and will have no impact beyond its external boundaries.
- With two additional lots being created, the character of the Residential 4 zoned area will be retained as the layout and design of the subdivision is conventional and typical of the pattern of development within the locality.

Therefore, it is recommended that the application be processed without limited notification because there are no affected persons under s95E.

7. Notification recommendation

Non-notification

For the above reasons under section 95A these applications may be processed without public notification.

In addition under section 95B limited notification is not required.

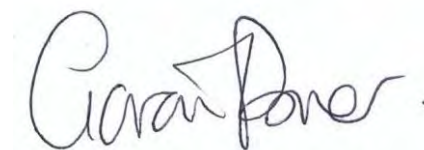
Accordingly I recommend that these applications are processed non-notified.

Name: Ciaran Power

Subdivision Advisor

Resource Consents

Date: 27 July 2015



8. Consideration of the Application

Statutory Considerations

Under s104B a consent authority may grant or refuse consent for a discretionary or non-complying activity. If it grants the application, it may impose conditions under s108 and 220 of the RMA.

Council must have regard to Part 2 of the RMA (“Purposes and Principles” – ss5 to 8), ss104, 104B, 106, 108 and 220 of the RMA. The weighing up under s104 is subject to Part 2.

Actual and potential effects on the environment

Section 104(1)(a) of the RMA requires Council to have regard to any actual and potential effects on the environment of allowing the activity. This includes both the positive and the adverse effects.

Positive Effects

It is considered that the proposed subdivision will result in a positive effect being the establishment of two additional independent lots to assist in the housing of the city’s growing population within the Metropolitan Urban Limits whilst maintaining the character and amenity values of the surrounding area.

Another positive effect is the proposals resulting improvements to the public walkway that runs alongside the subject site which contributes to the amenity of the area.

Adverse Effects

The potential adverse effects of the subdivision have already been assessed in the foregoing report, and have not been repeated here.

- The assessment and conclusion of the “permitted baseline” for the s95A adverse effects assessment are considered applicable to s104(2), and so not repeated here.
- The assessment of adverse effects done for notification identified and evaluated any potential adverse effects and these are adopted for the purposes of s104(1)(a).
- The Council Development Engineer Mr. Cedric Daniel and Council Traffic Engineer Mr. Sam Shumane have assessed the application and advise that conditions can be imposed in respect to infrastructure and traffic requirements for the subdivision.

Conclusion

It is considered that the actual and potential effects on the environment that the proposed subdivision generates are less than minor for the reasons outlined in the Notification Recommendation.

The proposal will result in positive effects being the establishment of two additional independent lots to assist in the housing of the city’s growing population and the improvements to the public walkway which contributes to the amenity of the area.

9. Relevant Statutory Instruments

National Environmental Standard – s104(1)(b)(i)

There are no National Environmental Standards in effect that apply to this application.

National Policy Statement – s104(1)(b)(iii)

There are no National Policy Statements in effect that apply to this application.

New Zealand Coastal Policy Statement (NZCPS) – s104(1)(b)(iv)

The purpose of the NZCPS is to state policies in order to achieve the purpose of the RMA in relation to the coastal environment of New Zealand.

The subject site is located to the west beyond the Coastal Marine Area (CMA) boundary and therefore the New Zealand Coastal Policy Statement is not applicable to this application.

Hauraki Gulf Marine Park Act 2000 (HGMPA) – s104(1)(b)(iv)

For the coastal environment of the Hauraki Gulf, the HGMPA requires that sections 7 and 8 of that Act must be treated as a New Zealand coastal policy statement.

The subject site is located within the catchment area of the Hauraki Gulf Marine Park. The proposed Lots are both to be served by Council's sanitary sewer and Stormwater systems. It is therefore concluded that this proposal upholds sections 7 and 8 of that Act.

Auckland Council Regional Policy Statement – s104(1)(b)(v)

The Auckland Council Regional Policy Statement ("ACRPS") sets out the strategic framework for managing the use, development and protection of the natural and physical resources of the Auckland region in an integrated and co-ordinated manner.

The relevant provisions of the Auckland Council Regional Policy Statement have been considered and it is concluded the proposal is consistent with its policy.

Part 1 of the Proposed Auckland Unitary Plan – s104(1)(b)(v)

Part 1, chapter B of the PAUP sets out the strategic RMA framework for the identified issues of significance, and resultant priorities and outcomes sought. These align with the direction contained in the Auckland Plan.

The relevant provisions of chapter B of the PAUP have been considered and it is concluded the proposal is consistent with the objectives and policies.

10. Plan or Proposed Plan – section 104(1)(b)(vi)

Auckland Council District Plan (North Shore Section)

Relevant Objectives And Policies

The relevant Objective and their supporting Policies are located in Section 8, 9, 12 and section 16 of the North Shore District Plan: These are as follows:

- Natural Hazards: Overland Flow Paths – 8.3.7.1
- Natural Hazards: Coastal Inundation Areas – 8.3.7.3
- Protection of the Environment - 9.3.1
- Well-being, Health and Safety - 9.3.2
- Servicing Development - 9.3.3
- Loading and Access - 12.3.5

- Development Controls - 16.3.3
- Residential 4 Zone - Main Residential Area - 16.4.4

Comments:

The proposed subdivision is consistent with the intent of all of the above objectives and policies in that:

- It is considered that the alteration of a potential overland flow path will result in its retention of its function and its ability to convey surface water safely to the reticulated network and to the coast.
- The proposed works in the coastal inundation area will not interfere with the natural processes of inundation and will not incur any risks to the existing dwelling to be retained on Lot 2.
- The design and layout of the subdivision has taken into account the environmental characteristics of the land and its surroundings, and has retained and protected the existing landform and other natural features as far as is practicable.
- The erosion and sediment control plan required under engineering approval will ensure that the proposed works to complete the subdivision will not present any adverse effects upon the environment and the neighbouring properties.
- The applicant's geotechnical report has demonstrated that subject to adherence of its recommendations, safe and suitable building platforms & vehicle access and manoeuvring can be established for each lot.
- The proposal will be able to provide for the well-being and safety of the subdivisions present and future owners as well as those in the community by the improvements to the public walkway.
- It is considered that the proposed connections to the existing public drainage systems are capable of providing services to the subdivision and not present any adverse effects upon the natural environment. Other utility services, such as telecommunications, electricity and water supply are readily available to subdivision.
- It is considered that the proposal enables the land to be developed for residential purposes having regard to the environmental capacity of the land.
- It is considered that safe and adequate access will be provided to the subdivision.
- The subdivisions resulting development control infringements are internal to the site no other persons are considered to be affected by the subdivision.
- The proposal can maintain a spacious style of development within the city's conventional residential areas.
- It is considered that the vesting of the esplanade reserve which adjoins the neighbouring Manly Reserve will maintain and enhance public access to this reserve and recreational opportunities and will not be contrary to the statutory objectives.

Conclusion of Relevant Objectives And Policies under the North Shore District Plan

Overall, the proposal is consistent with the relevant objectives and policies of the plan thus demonstrating the suitability of the land for a subdivision. This report has demonstrated that the proposal will have less than minor adverse effects upon the environment and will not be contrary to the relevant objectives and policies.

Relevant Assessment Criteria

The relevant assessment criteria are located in Sections 8, 9, 12 and 16 of the North Shore District Plan.

The application is to be assessed as a discretionary activity against those assessment criteria listed in section 5 of the foregoing report. The subsequent adverse effects assessment undertaken for the purposes of notification under S.95 of the R.M.A. identified, evaluated and considered these effects.

In conclusion, It is considered that the proposal satisfies the requirements of the assessment criteria and that the adverse environmental effects of the proposed activity will be less than minor and are adopted for the purposes of s104(1)(a).

Conclusion of Relevant Assessment Criteria under the North Shore District Plan

Overall, the proposal satisfies the relevant objectives and policies of the Auckland Council District Plan (North Shore) and satisfies the relevant assessment criteria for subdivision, within a Residential 4 zone.

Proposed Auckland Unitary Plan

Relevant Objectives and Policies

Despite the little weighting afforded to the PAUP, an assessment must be undertaken against the relevant objectives and policies of the Proposed Plan. As such, the following objectives and policies have been identified and discussed below:

- Earthworks – C.5.2
- Subdivision - C.6
- General Objectives and Policies for the Residential Zones - D.1.1
- Single House Zone - D.1.4

Comments:

The proposal has been assessed against similar objectives and policies contained within the Operative District Plan above, and it is not considered necessary to duplicate the assessment already made. For the reasons outlined under the Operative District Plan assessment, it is considered that the proposed development is consistent with the objectives and policies as they relate to the above sections of PAUP.

Conclusion of Relevant Objectives And Policies under the PAUP

The PAUP has just recently been notified and the provisions have not yet been tested via submissions and the statutory process. Plan provisions at this stage in the process have potential for change and are generally afforded very little weight.

Overall, the proposal satisfies the relevant objectives and policies of the PAUP yet, a greater weight to the provisions of the Auckland Council District Plan (North Shore Section) has been given when undertaking the assessment of this application.

11. Summary of assessment of Relevant Statutory Instruments

Based on the above assessment of the relevant statutory instruments including both the operative Auckland Council District Plan (North Shore Section) and Proposed Auckland Unitary Plan, it is considered that the effects of the proposed subdivision will be less than minor and will not be contrary to the relevant statutory instruments.

12. Any other matters – s104(1)(c)

There are neither other matters to be considered nor necessary to determine, relevant to the proposed subdivision.

13. Other relevant RMA sections

Matters relevant to subdivision consents – s106

There are neither other matters to be considered nor necessary to determine, relevant to the proposed subdivision.

Part 2 (Purpose and Principles)

Section 5 sets out the purpose of the RMA, and requires a broad judgement as to whether a proposal would promote the sustainable management of natural and physical resources. This exercise of this judgement is informed by the principles in sections 6 to 8, and considered in light of the particular circumstances of each application.

In this case the proposed subdivision is consistent with the principles in sections 6 in that the proposal falls in line with the goals of the North Shore and its urban growth strategy. With regards to Section 7 and section 8, there are no matters considered relevant to this proposal.

14. Conclusion

Overall, the proposal satisfies the relevant provisions of the North Shore City District Plan and the PAUP satisfying the relevant Statutory Instruments, objectives and policies, and assessment criteria for subdivision within the Residential 4 zone.

15. Recommendation

Under sections 104, & 104B of the RMA, I recommend that this non-notified discretionary Activity application is **granted** for the following reasons:

- The proposal will not compromise the provisions of the relevant statutory instruments, including both the Auckland Council District Plan (North Shore Section) and the Proposed Auckland Unitary Plan and Council considers the land to be suitable for subdivision in the proposed manner.
- The design and layout of the subdivision has taken into account the environmental characteristics of the land and its surroundings, and has retained and protected the existing landform and other natural features as far as is practicable.
- The council is satisfied that safe and suitable building platforms can be provided for each lot in accordance with councils requirements subject to the developers adherence to the recommendations outlined in the Geotechnical Investigation Report prepared by Soil And Rock Consultants LTD titled '*Geotechnical Investigation Report for Proposed Subdivision at 4 Browns Bay Road, Browns Bay for W P Donnelly*' reference N02103 dated November 2002.
- It is considered that safe and adequate access will be provided to the subdivision which will not result in any cumulative effects upon traffic, cyclist and pedestrians and the proposal will provide for the safe ingress and egress of vehicles to the proposed Lots.

- The proposed connections to the utility services and the existing public drainage systems are capable of absorbing the creation of two additional lots and will not present any adverse effects upon the natural environment.
- The applicant has provided his written approval to the proposal and has approvals from the Parks and Open Space department of council for the construction works within the neighbouring public walkway.
- Adequate and effective measures can be employed to minimise the effects of any earthworks required to construct the subdivision and the upgrading of the public walkway.
- It is considered that the diversion or alteration of the potential overland flow path that runs over part of Lots 1 & 2 will be designed in accordance with council's engineering standards to ensure flow remains contained and unimpeded.
- It is considered that the proposal enables the land to be developed for residential purposes having regard to the environmental capacity of the land.
- With two additional residential lots being created, the layout and design of the subdivision is conventional and typical of the pattern of development within the locality.
- The proposal can maintain a spacious style of development within the city's conventional residential areas.
- The vesting of the 73m² esplanade reserve which adjoins the neighbouring Manly Reserve will maintain and enhance the public's access to the reserve thus providing improved recreational opportunities to the area.
- The proposal satisfies the relevant assessment criteria for subdivision within the Residential 4B Zone as set down in Section 9 of the District Plan.
- In accordance with an assessment under s104(1)(b) of the Resource Management Act the proposal will be consistent with the relevant statutory documents.
- In accordance with an assessment under s104(1)(c) of the Resource Management Act no other matters are considered relevant.
- This application is considered to be consistent with the relevant provisions of Part 2 of the RMA as the proposal achieves the purpose of the RMA being sustainable management of natural and physical resources.

The Council Development Engineer and the Council Traffic Engineer have assessed the application and advise that conditions can be imposed in respect to infrastructure requirements for the subdivision.

These conditions along with the reasons above for this decision are included in the attached draft decision letter accompanying this report.

This report and recommendation was prepared by:

A handwritten signature in blue ink that reads "Ciaran Power". The signature is written in a cursive style with a large initial 'C' and a distinct 'P'.

Date

27 July 2015

Ciaran Power, Planner, Resource Consents

Decision on Application for Resource Consent under the Resource Management Act 1991



Application Number: SA-3023321
Applicant's Name: Tao Xu
Site Address: 4 Browns Bay Road, Rothesay Bay 0630
Legal Description: Pt Lot 14 Blk XII DP 10801

Proposal: The applicant is seeking resource consent to undertake a 4 lot subdivision in accordance with the standards of the Residential 4B Zone where in the subject site is located. Three of the lots are for residential purposes and the fourth is to be vested to the council as an esplanade reserve. Lot 2 is to contain the legally established dwelling and the proposal also involves works within the neighbouring public walkway which will result in its improvement and enhancement.

This matter requires resource consent for the following reasons:

Operative Plan – Auckland Council District Plan (North Shore Section)

- Rule 9.4.1.2 (e) subdivision of land in residential 4 zones - **controlled** activity.
- Rule 9.4.1.4(m) Site works and subdivision where the subject land has an average gradient steeper than 1:4 - **discretionary** activity.
- Rule 9.4.1.4(f) Site works not otherwise provided for - **discretionary** activity.
- Rule 9.8.3 a) Reduction of the Width...of Esplanade Reserves...to Less than 20m - **discretionary** activity.
- Rule 8.4.9.2.2.a) Diverting or altering any part of the overland flow paths - **limited discretionary** activity.
- Rule 12.4.2.6 c) i) Design of Parking and Loading Spaces - Parking Space Dimensions - **limited discretionary** activity
- Rule 16.6.1.12 b) Fences, Boundary or Retaining Walls exceeding 1.8m in height - **limited discretionary** activity.
- Rule 9.4.4.2 Existing Buildings to Conform:
 - Rule 16.6.2.4 a) iv) vi) Outdoor Living Space - outdoor area for Lot 2 not conveniently accessible from the dwellings principle living room - 6m diameter circle living court will be on a gradient steeper than 1:5 - **limited discretionary** activity.

Proposed Auckland Unitary Plan

- Rule H Natural Resources 4.2.1 'General Earthworks' - total volume of 325m³ - restricted discretionary activity.

National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (“NES”)

- Not applicable

I have read the application, supporting documents, and the report and recommendations on the consent application. I am satisfied that I have sufficient information to consider the matters required by the Resource Management Act 1991 (RMA) and make a decision under delegated authority on the application.

Acting under delegated authority, under sections 104, & 104B the application is **GRANTED**.

1. Reasons

Under section 113 of the RMA the reasons for this recommendation are:

- The proposal will not compromise the provisions of the relevant statutory instruments, including both the Auckland Council District Plan (North Shore Section) and the Proposed Auckland Unitary Plan and Council considers the land to be suitable for subdivision in the proposed manner.
- The design and layout of the subdivision has taken into account the environmental characteristics of the land and its surroundings, and has retained and protected the existing landform and other natural features as far as is practicable.
- The council is satisfied that safe and suitable building platforms can be provided for each lot in accordance with councils requirements subject to the developers adherence to the recommendations outlined in the Geotechnical Investigation Report prepared by Soil And Rock Consultants LTD titled ‘*Geotechnical Investigation Report for Proposed Subdivision at 4 Browns Bay Road, Browns Bay for W P Donnelly*’ reference N02103 dated November 2002.
- It is considered that safe and adequate access will be provided to the subdivision which will not result in any cumulative effects upon traffic, cyclist and pedestrians and the proposal will provide for the safe ingress and egress of vehicles to the proposed Lots.
- The proposed connections to the utility services and the existing public drainage systems are capable of absorbing the creation of two additional lots and will not present any adverse effects upon the natural environment.
- The applicant has provided his written approval to the proposal and has approvals from the Parks and Open Space department of council for the construction works within the neighbouring public walkway.
- Adequate and effective measures can be employed to minimise the effects of any earthworks required to construct the subdivision and the upgrading of the public walkway.
- It is considered that the diversion or alteration of the potential overland flow path that runs over part of Lots 1 & 2 will be designed in accordance with council’s engineering standards to ensure flow remains contained and unimpeded.
- It is considered that the proposal enables the land to be developed for residential purposes having regard to the environmental capacity of the land.

- With two additional lots being created, the layout and design of the subdivision is conventional and typical of the pattern of development within the locality.
- The proposal can maintain a spacious style of development within the city's conventional residential areas.
- The vesting of the 73m² esplanade reserve which adjoins the neighbouring Manly Reserve will maintain and enhance the public's access to the reserve thus providing improved recreational opportunities to the area.
- The proposal satisfies the relevant assessment criteria for subdivision within the Residential 4 Zone as set down in Section 9 of the District Plan.
- In accordance with an assessment under s104(1)(b) of the Resource Management Act the proposal will be consistent with the relevant statutory documents.
- In accordance with an assessment under s104(1)(c) of the Resource Management Act no other matters are considered relevant.
- This application is considered to be consistent with the relevant provisions of Part 2 of the RMA as the proposal achieves the purpose of the RMA being sustainable management of natural and physical resources.

2. Conditions

Under section 108 of the RMA, this consent is subject to the following conditions:

General Conditions

This consent is subject to compliance with the following conditions prior to the issuing of a certificate in terms of Section 224(c) of the said Act.

1. The Subdivision activity shall be carried out in accordance with the plans and all information submitted with the application, detailed below, and all referenced by the council as consent number SA-3023321.
 - Application Form, and Assessment of Environmental Effects prepared by Stephanie McWalter of Thurlow Consulting Engineers & Surveyors, received 19 February 2014.
 - Geotechnical Investigation Report prepared by Soil And Rock Consultants LTD titled '*Geotechnical Investigation Report for Proposed Subdivision at 4 Browns Bay Road, Browns Bay for W P Donnelly*' reference N02103 dated November 2002.
 - Further Information received 26 September 2014 detailing the revised proposal and the application for a reduction in width in relation to the esplanade reserve requirement.

Drawing reference #	Title	Architect / Author	Rev.	Dated
SA-01	Proposed Subdivision of Pt Lot 14 Blk XII DP 10801	SMcW	2	05/2014
SA-02	Development Plan Contours, proposed drainage & Driveway	SMcW	2	05/2014
SA-03	Typical Driveway Cross Sections	SMcW	00	01/2014
SA-04	Typical Driveway Cross Sections	SMcW	00	01/2014

SA-05	Walkway Layout and silt and sediment control plan	SMcW	3	11/2014
SA-06	Walkway Long Section & Typical Cross Section Steps Detail & Cross Sections	SMcW	00	01/2014

Design Drawings

2. The consent holder shall ensure complete engineering drawings, accompanied with a design certificate in the form of Schedule 1A of NZS 4404:2010, detailing all proposed construction works including details of proposed silt detention and erosion control measures, are prepared in accordance with the Auckland Council's Code of Practice (C of P) for Land Development and Subdivision, and the legacy North Shore City Council "Infrastructure Design Standards" manual Issue 10, January 2009 (IDS) and are submitted for assessment and written approval by the Development Engineer before the commencement of any works unless otherwise specified within this consent.

Advice Notes:

- a) Construction works that require a building consent should be included in the engineering drawings.
 - b) The Auckland Council Code of Practice for Land Development and Subdivision includes the following Sections which generally supersede the IDS:
 - Section 2 Earthworks and Geotechnical Requirements September 2013 (supersedes IDS Section 2)
 - Section 3 Auckland Transport Code of Practice September 2013 (supersedes IDS Section 3 except for private assets such as shared access ways)
 - Chapter 4 – Stormwater Version 1 October 2013 (supersedes IDS Section 4 although IDS 4.17 gives guidance for drafting operation and maintenance manuals)
 - Sections 5 & 6 Water and Wastewater Code of Practice for Land Development and Subdivision Version 1.6 September 2013 (supersedes respectively IDS Sections 6 & 5) September 2013.
 - c) Construction works that require a building consent should be included in the engineering drawings.
3. The consent holder shall arrange for inspections in accordance with Auckland Council's Development Engineering Quality Assurance Manual Version 1.0, April 2012("QAM") to be carried out by a suitably qualified person during construction of all works on the site to ensure that those works are constructed in accordance with the approved engineering drawings or any approved amendments to those drawings, Council's standard requirements for the construction of subdivisional engineering works, and sound engineering practice.
4. The consent holder shall ensure that inspections undertaken in accordance with condition 2 above are recorded in the "QAM". The manual, including the Statement of Certification (Appendix A, of Development Engineering As-built requirements, Version 1.2, September 2012 (DEAR), is to be completed and forwarded to the Development Engineer at the completion of construction of all works. If a public service is to become operational prior to the completion of all works then a Statement of Certification for that service must be completed and forwarded to the Development Engineer dealing with the consent prior to that public service becoming operational.

Advice Note:

The pdf copy of the full Manual is available on request. It gives guidance on the scope of completion documentation required, which as well as as-built plans may include operation and maintenance manuals, relevant project reports and also digital images of works in progress.

5. Accurate as-built plans must be submitted for contours of final topography at 0.5m intervals where bulk earthworks are undertaken and all Public Services, including underground services showing every lot connection including any portion of the reticulation downstream of the lot connection which may be of private status, roading, street lighting and landscaping, in accordance with the Development Engineering As-Built requirements Version 1.2 September 2012. The as-built plans must be confirmed by the Development Engineer as compliant prior to the Public Service becoming operational or the issue of a Section 224(c) Certificate under the Resource Management Act 1991, whichever is the earlier.

Advice Note:

The Water and Wastewater Code of Practice for Land Development and Subdivision refers to the "lot connection" as "Point of Supply"

Earthworks

6. The consent holder must ensure site works, including any earthworks, are carried out in accordance with the approved earthworks plan and approved engineering drawings and in accordance with Section 9 of the Auckland Council (North Shore section) Operative District Plan and the requirements of the Auckland Council's Code of Practice Section 2.

Earthworks design shall provide for all building platforms and access to those platforms within the proposed private lots to be at a grade not exceeding 1 vertical to 5 horizontal.

Advice Notes:

- i) If earthworks are to be carried out on land not forming part of the subdivision then such earthworks cannot commence until written permission has been obtained from all affected landowners.
- ii) Structures supporting the completed land form of lots to vest or palisade walls to protect the land are required to have a design service life exceeding 100 years.

Erosion and Sediment Control

7. The consent holder must provide an Erosion & Sediment Control Plan for approval of Council prior to commencement of earthworks. The consent holder must ensure all necessary measures proposed in the Plan approved by Council have been implemented and provide a certificate of establishment to Council prior to the commencement of any construction works including any excavation, earthworks or other site works. All earthworks shall be carried out to the satisfaction of the Council's Development Engineer.

Any erosion and sediment control shall be designed and maintained having regard to Technical Publication TP90 of the legacy Auckland Regional Council.

Geotechnical Requirements

8. The consent holder must ensure all earthworks are carried out in such a manner as to protect land not forming part of the subdivision against erosion, subsidence and slippage arising or likely to arise as a result of the subdivision and in accordance with the report prepared by Soil And

Rock Consultants LTD titled 'Geotechnical Investigation Report for Proposed Subdivision at 4 Browns Bay Road, Browns Bay for W P Donnelly' reference N02103 dated November 2002.

Archaeological Features

9. Where the earthworks result in archaeological features being uncovered, all works on the subject site shall cease unless in the opinion of the Development Engineer (in the first instance), the works can continue subject to restrictions on works within a 10 metre radius of the archaeological find. A suitable temporary barrier and signage restricting access shall be erected immediately, and the New Zealand Historic Places Trust (NZHPT) shall be contacted immediately so that appropriate action can be taken..

Advice Note:

'Archaeological features' may in practice include shell middens, hangi or ovens, pit depressions, defensive ditches, artefacts, or koiwi tangata (human skeletal remains). If any archaeological features are uncovered on the site, NZHPT can be contacted on 09 307 9920. It is also recommended that you contact the local Iwi immediately.

Vibration Control

10. Where earthworks on the site are creating vibrations, that in the opinion of the Development Engineer, constitute an unreasonable disturbance beyond the boundaries of the subject site, the consent holder shall cease works until a suitably qualified expert has been engaged to undertake monitoring and provide confirmation that peak particle velocities measured on any foundation or uppermost full storey of any building not located on the subject site, do not exceed the limits set out in Table 1 of German Standard DIN 4150 Part 3:1986 "Structural Vibration in Buildings – Effects on Structures."

Access Driveways

11. The consent holder must form practical access way to subgrade level and vehicle manoeuvring area into the body of Lot 2 including construction of required retaining walls and safety barriers to the Council's standards making adequate provision for the drainage of surface water at Chainages 42 and 63 in accordance with the *Thurlow drawings SA-03 & SA-04*. Works shall include the provision of any ducts required for power and communications and water main.

Sams below

12. The pavement surfacing of the driveway from Chainage 40 to the end (at least) shall be of high friction material; exposed aggregate concrete is considered acceptable in this case
13. Safety barriers shall be installed on top of the lower retaining wall between Chainages 44 and 65 as detailed in the *Thurlow drawings SA-03 & SA-04*. The design of the barrier should factor in the additional building code requirement for a pedestrian safety barrier. The barriers shall be designed to resist the impact of a rolling vehicle. Barriers shall be designed by an appropriately qualified structural engineer who shall also be required to provide a PS4 following construction.
14. Vehicular access to Lot 1 shall be gained from Easement A. the existing vehicle crossing to Browns Bay Road shall be removed and berm area reinstated to acceptable standards at the applicant's cost.
15. The second (external) space provided for the existing dwelling on Lot 2 shall be reoriented to be perpendicular to the garaged space.

Wastewater

16. The consent holder must provide and install a wastewater connection to serve Lots 1,2 & 3 to the Council's standards.
17. The consent holder must provide and install a wastewater connections to serve Lots 1 to the Council's standards.

Advice Note

- (i) New lot connections (Point of supply, Watercare definition) shall be shown on the engineering design drawings submitted for Engineering Approval (EA). Fees payments would be part of subdivision invoicing and not required at the time of EA application.
- (ii) A building consent will be required if a 100mm NB line from the Point of supply (refer Watercare definition) exceeds 6m on private land. Building consent invoices are dealt with separately from subdivision processes.

Stormwater

18. The consent holder must provide and install a stormwater connection to serve Lots 1, 2 & 3 to the council's standards for public drainage. Easements shall be created and granted or reserved over any private drains traversing lots other than those being served unless written advice to the contrary is received from the Development Engineer.

Advice Note

- (i) New lot connections shall be shown on the engineering design drawings submitted for Engineering Approval (EA). Fees payments would be part of subdivision invoicing and not required at the time of EA application. The DE would advise of any portion of the works requiring a building consent application.
- (ii) A building consent will be required before works commence. Where required by Council a drainage easement shall be created.

Water Supply

19. The consent holder must provide and install a complete water supply reticulation system to the satisfaction of the Council.

Advice Note:

The complete system will include all portions of public water supply reticulation and any parts of the private system which are within a private access lot. The subdivisional works will exclude any water meter and exclude any Watercare connection fees or Infrastructure Growth Charges; these exclusions will be addressed at the time of any building consent application on the lots associated with the construction of a dwelling or commercial building and do not form part of the subdivisional works.

Certification

20. The consent holder must ensure wastewater drainage, stormwater drainage and water supply systems are made fully operative before a section 224(c) Certificate will be issued by Council. The chartered engineer acting for the consent holder is to sign the final CCTV logs, confirming that the CCTV video has been viewed and that the pipelines meet the standards of Council, and forward the DVD and logs to the Development Engineer.

Telecommunication and Power

21. The consent holder must provide and install telecommunication and electric power services (including ducts where required) to service Lots 1, 2 & 3 to the satisfaction of the appropriate network utility operators and the Council. "Clearance Certificates" shall be provided by the utility operators to satisfy the Council that future standard residential connections can be made to the services provided for each Lot.

Advice Note:

Network utility operators are responsible to specify the capacity of new works or upgrading works necessary to serve the subdivision. Council is not responsible for the business decisions of any network utility operator nor require that any particular level of service is available.

Existing Services

22. The consent holder must locate all existing services within Lot 2 and shall satisfy the Council that they are suitably located; otherwise the consent holder must notify the appropriate network utility operators and, if necessary, relocate any such services to the Council's satisfaction and to the satisfaction of the network utility operator responsible for that service. Easements shall be created and granted or reserved over any private drains traversing lots other than those being served.

Existing Structure

23. The consent holder must remove the existing garage on Lot 4 in compliance with the requirements of the District Plan.

Advice Note:

The consent holder is advised that building consents and resource consents may need to be obtained from the Council prior to undertaking either removal or relocation of the existing structure.

Legalities

24. Lot 4 must vest in the council as Local Purpose (Esplanade) Reserve.
25. Lot 4 shall be reinstated to grass in general accordance with the Auckland Council Planting and Lawn Specifications v8 2012.
26. Any fencing along boundaries or within 2m of boundaries of open spaces (the esplanade reserve and pedestrian walkway) must be either low height (1.2m) or at least 25% visually permeable (max height 1.8m). Landscape planting may be implemented on either side of the fence and must be maintained to ensure 25% visual permeability.
27. The rights-of-way and services easements over parts of Lots 1, 2 & 3 must be included in a memorandum of easements endorsed on the Survey Plan and shall be granted or reserved. For the purposes hereof the rights of way are hereby approved pursuant to section 348 of the Local Government Act 1974.

Survey Plan

28. The consent holder may submit a survey plan generally in accordance with the application plan provided that the Council is satisfied that any changes are minor and will have no effect on

compliance with the District Plan or other parties adjoining the subdivision. The surveyor is to certify that all private drains are contained within the easements shown on the survey plan.

Consent Notice

29. Pursuant to Section 221 of the Resource Management Act, the consent holder shall cause to have registered on the Certificates of Titles to be issued for Lots 1, 2 & 3 consent notices containing the following text:
- a) 'All lot development including any redevelopment and any temporary works must take full account of the recommendations and limitations set out in the report prepared by Soil And Rock Consultants LTD titled '*Geotechnical Investigation Report for Proposed Subdivision at 4 Browns Bay Road, Browns Bay for W P Donnelly*' reference N02103 dated November 2002.'
 - b) All fencing on the common boundaries shared with the esplanade reserve and the pedestrian walkway are to be to a maximum height of 1.2m if visually impermeable and to a maximum height of 1.8m if the fences maintain a minimum 25% visual permeability.

Charges

30. The consent holder must, pursuant to section 36 of the Resource Management Act 1991, pay all administrative charges, being the Council's actual and reasonable costs incurred in processing this application, to be charged as follows:
- a) The consent holder must pay to the Council an administrative charge for the carrying out by the Council of its functions in relation to receiving, processing and granting this subdivision consent.
 - b) The consent holder must pay to the Council administrative charges for the carrying out by the Council of its functions in relation to the administration, monitoring and supervision of this consent.
 - c) The charges payable under (a) and (b) of this Condition must be paid upon receipt of invoice or interim invoice or before any request for a certificate under section 224(c) of the Resource Management Act.

Advice Note:

The consent holder is advised that under section 134 of the Resource Management Act 1991 that where the land changes ownership the consent holder will continue to be responsible for processing costs until such time as written notice of authority is given to the Council.

3. Advice notes

1. This resource consent will expire five years after the date of commencement of consent unless:
- a) A Survey Plan is presented to Council for approval under Section 223 of the Resource Management Act 1991 and that plan is deposited within three years of the approval date, or
 - b) Upon an application made prior to the expiry of consent period, the statutory considerations which apply to extensions are set out in Section 125(1)(b) of the Resource Management Act 1991.

2. If the applicant disagrees with any of the conditions of consent, or with any charges relating to the processing of the application (excluding development contributions), there is a right of objection pursuant to Section 357 of the Resource Management Act 1991, which shall be made in writing to Council within 15 working days of notification of the decision.
3. In accordance with Auckland Council's adopted development contributions policy you have been assessed for development contributions. An assessment summary and invoice will be forwarded to you shortly.

Development contributions levied under the Local Government Act 2002 may be payable in relation to this application. The consent holder will be advised of the development contributions payable separately from this resource consent decision. Further information about development contributions may be found on the Auckland Council website at www.aucklandcouncil.govt.nz.

Delegated decision maker:

Name: 

Title: Team Leader, Resource Consents

Signed: 

Date: ~~June~~ 2015

30th JULY

APPENDIX 2 – APPROVED SUBDIVISION DOCUMENTATION



Title Plan - LT 541838

354.1

Survey Number LT 541838
Surveyor Reference 13153 - 4 Browns Bay Road, Browns Bay
Surveyor Joseph William Fletcher
Survey Firm Thurlow Consulting Engineers & Surveyors Limited
Surveyor Declaration

Survey Details

Dataset Description Lots 1 - 4 being a subdivision of Part Lot 14 Block XI DP 10801
Status Initiated
Land District North Auckland
Submitted Date
Survey Class Class A
Survey Approval Date
Deposit Date

Territorial Authorities

Auckland Council

Comprised In

RT NA412/283

Created Parcels

Parcels	Parcel Intent	Area	RT Reference
Area A Deposited Plan 541838	Easement		
Area B Deposited Plan 541838	Easement		
Lot 1 Deposited Plan 541838	Fee Simple Title	0.0384 Ha	911094
Lot 2 Deposited Plan 541838	Fee Simple Title	0.0503 Ha	911095
Lot 3 Deposited Plan 541838	Fee Simple Title	0.0487 Ha	911096
Lot 4 Deposited Plan 541838	Vesting on Deposit for Local Purpose Reserve	0.0072 Ha	911097
Total Area		0.1446 Ha	

Land Registration District

North Auckland

Survey Number

LT 541838

Territorial Authority (the Council)

Auckland Council**Memorandum of Easements**

Last Edited: 22 Apr 2020 10:42:01

<u>Purpose</u>	<u>Shown</u>	<u>Servient Tenement (Burdened Land)</u>	<u>Dominant Tenement (Benefited Land)</u>
Right of Way	A	Lot 1	Lot 2, Lot 3
	B	Lot 2	Lot 3
Right to drain water	A	Lot 1	Lot 2, Lot 3
	B	Lot 2	Lot 3
Right to convey water, telecommunications, electricity, gas	A	Lot 1	Lot 2, Lot 3
	B	Lot 2	Lot 3

Schedule of Easements In Gross

Last Edited: 04 May 2020 11:22:38

<u>Purpose</u>	<u>Shown</u>	<u>Servient Tenement (Burdened Land)</u>	<u>Grantee</u>
Right to convey telecommunications	A	Lot 1	Chorus New Zealand Ltd
	B	Lot 2	Chorus New Zealand Ltd



T 1/1

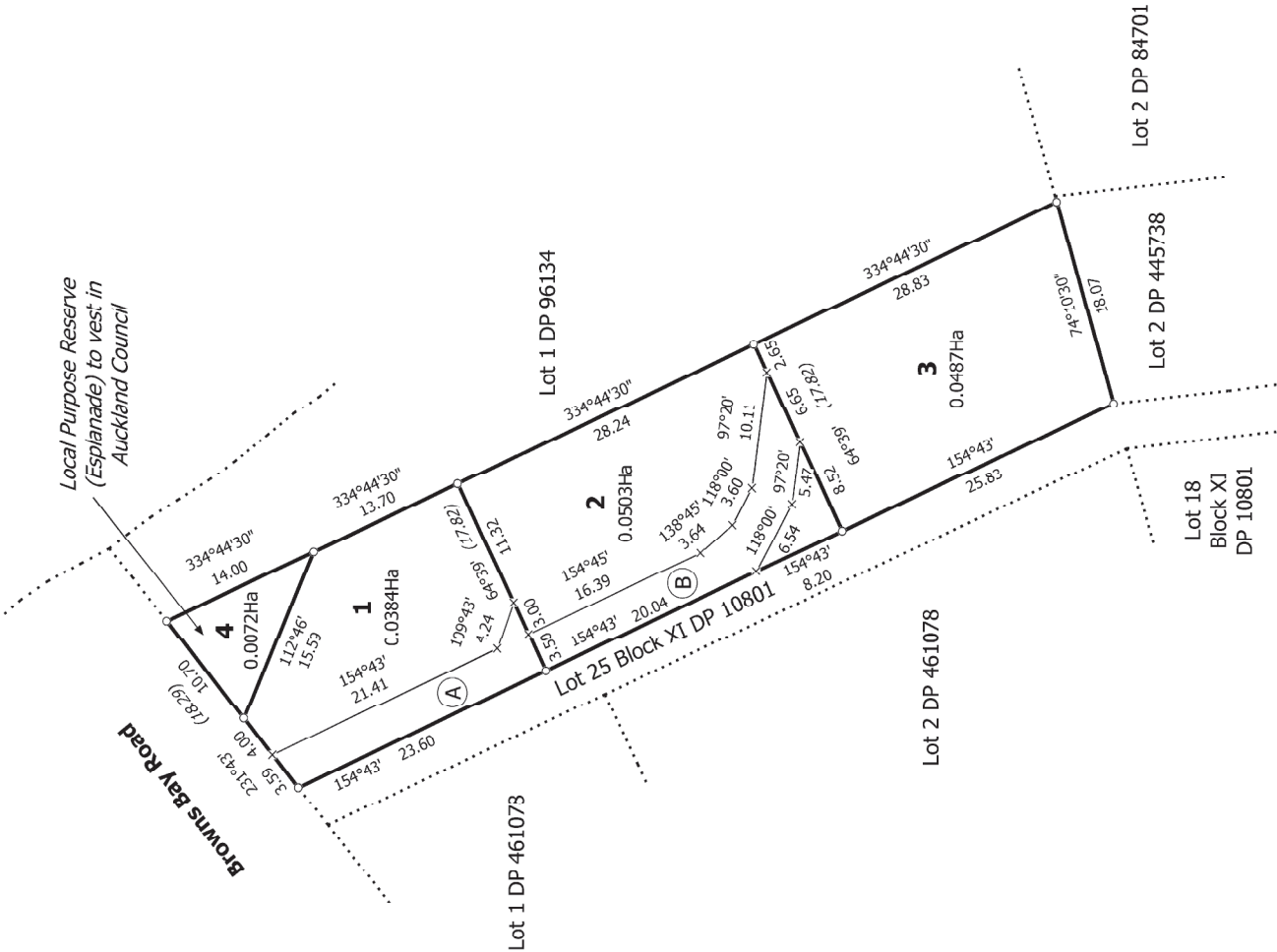
Title Plan
LT 541838
DRAFT

Surveyor: Joseph William Fletcher
Firm: Thurlow Consulting Engineers & Sun

Lots 1 - 4 being a subdivision of Part Lot 14 Block XI DP 10801

Land District: North Auckland
Digitally Generated Plan
Generated on: 04/05/2020 11:35am Page 3 of 3

(CLIENT REF: 13153)





06 May 2020

Joe Fletcher
Thurlow Consulting Engineers & Surveyors Limited
PO Box 35405
Browns Bay
Auckland 0753

Survey Ref: 13153 - 4 Browns Bay Road, Browns Bay

Territorial Authority Ref: SA-3023321

A Certification is complete LT 541838 North Auckland Land District

The Territorial Authority Auckland Council TA Certification Division has completed a certification for Cadastral Survey Dataset LT 541838. Further certifications may be forthcoming. To view this Certificate see the supporting document attached to the Cadastral Survey Dataset.

Group Manager Survey

Hamilton Office, Land Information NZ
65 Bryce Street
Private Bag 3028
Waikato Mail Centre
Hamilton 3204
New Zealand
Tel 0800 ONLINE (665463)
Fax 64-7-858 5488
Internet <http://www.linz.govt.nz>

7548171
TACS
15:38:54

Our Ref; CCT90101407, SUB60032249 & SA-3023321
Your Ref; 13153L15



12 September 2022

Horizon Surveying & Land Development Ltd
P O Box 35 405
Browns Bay
AUCKLAND 0632

Attention Joe Fletcher

Dear Joe,

**S224C COMPLETION CERTIFICATE - CONSENT NOTICE, (1), FOR A
THREE LOT RESIDENTIAL SUBDIVISION AT 4 BROWNS BAY ROAD,
BROWNS BAY**

Please find attached a copy of the S224c Completion Certificate - Consent Notice, (1), pertaining to the above subdivision.

The S224c Completion Certificate has been issued in Landonline.

Yours faithfully



John Benefield
**SENIOR SUBDIVISION ADVISER
OREWA SERVICE CENTRE**



TA Approvals

Territorial Authority	Auckland Council TA Certification Division	TA Reference	SA-3023321
Survey Number	LT 541838	Survey Purpose	LT Subdivision
Surveyor Reference	13153 - 4 Browns Bay Road, Browns Bay	Land District	North Auckland
Surveyor	Joseph William Fletcher		
Surveyor Firm	Horizon Surveying and Land Development Limited		
Dataset Description	Lots 1 - 4 being a subdivision of Part Lot 14 Block XI DP 10801		

TA Certificates

Pursuant to Section 224(c) Resource Management Act 1991 I hereby certify that some of the conditions of the subdivision consent have been complied with to the satisfaction of the Auckland Council TA Certification Division and that a consent notice has been issued in respect of those conditions that have not been complied with. Dated this 12th day of September 2022.



Signature

Signed by Jonathan David Benefield, Authorised Officer, on 12/09/2022 12:42 PM

*** End of Report ***

AUCKLAND COUNCIL

In the matter of the
Resource
Management Act
1991 (The Act)

In the matter of a
subdivision of land in
the North Auckland
Land Registration
District shown on DP
541838.

CONSENT NOTICE

(Pursuant to Section 221 of the Act)

Pursuant to section 221 of the Act, **AUCKLAND COUNCIL HEREBY GIVES NOTICE** as the authority of the district within which the land described in the First Schedule below ("**Land**") is located, that it has consented to the subdivision of the Land as shown in the Plan on 4 August 2015 subject to the conditions of the Second Schedule below ("**Conditions**") to be complied with on a continuing basis by the Owner (as defined in the Act).

FIRST SCHEDULE

(Land)

ALL of the land legally described as Lots 1 - 3 DP 541838 and presently contained in Records of Title 911094 - 911096, (North Auckland Registry).

SECOND SCHEDULE

(Conditions)

- a) All lot development including any redevelopment and any temporary works must take full account of the recommendations and limitations set out in the report prepared by Soil And Rock Consultants Ltd titled '*Geotechnical Investigation Report for Proposed Subdivision at 4 Browns Bay Road, Browns Bay for W P Donnelly*', Ref No N02103 dated 19 November 2002, their subsequent report titled "*Geotechnical Review of Site Stability & Recommended Buttress Drains For Residential Development At 4 Browns Bay Road, Browns Bay*", Ref No 19612 dated 19 June 2020 and their inspection record relating to Building Consent No BCO10295911 titled "*Record of Geotechnical Observations / Testing 4 Browns Bay Road, Browns Bay, Auckland*", Ref No 19612, dated 18 March 2021.

- b) All fencing on the common boundaries shared with the esplanade reserve to the east and the pedestrian walkway to the west is to be to a maximum height of 1.2m if visually impermeable and to a maximum height of 1.8m if the fences maintain a minimum 25% visual permeability.

Dated this 12th day of September 2022.

A handwritten signature in blue ink, appearing to read 'John Benefield', with a stylized flourish at the end.

Signed by John Benefield Senior
Subdivision Adviser of the Auckland
Council Orewa Service Centre on
behalf of and by the authority of the
said Council.

Ginny Taare

From: Unitary Plan
Sent: Monday, 19 September 2022 2:30 pm
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Ryan James Bull

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Ryan James Bull

Organisation name:

Agent's full name:

Email address: ryanbull266@gmail.com

Contact phone number: 02102668439

Postal address:
73 Hill Road
Manurewa
auckland 2102

Submission details

This is a submission to:

Plan change number: Plan Change 78

Plan change name: PC 78: Intensification

My submission relates to

Rule or rules:

Support Auckland Council's proposal to recognise the Hillpark Special Character Area Overlay as a Qualifying Matter.

- The Hillpark Special Character Area is one of the only Special Character Area's in the wider Sth Auckland area.
- The Hillpark Special Character Area is the only Special Character Area that is a purpose-designed garden suburb with a high number of mid-century homes (many by prominent architects of the time).
- The Hillpark Special Character Area recognises the pattern of subdivision – the unique combination of natural and built environments. A subdivision was designed around the trees.

Property address:

Map or maps:

Other provisions:

Propose that the wider Hillpark suburbs significant natural environment be recognised as a Qualifying Matter

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:

Within Hillpark there is a high number of scheduled Notable Trees and several Significant Ecological Areas, as well as

permanent and intermittent streams. That said, the natural environment in Hillpark is under-recognised / under-protected, with significant stands of mature native trees potentially worthy of having Significant Ecological Area overlays applied, and some streams not yet identified on Unitary Plan maps.

- Hillpark's mature native bush supports an abundance of flora and fauna. Most noticeable are the native birds supported by Hillpark's bush including Kereru, Tui, Kotare (Kingfisher), Piwakawaka (Fantail), Ruru (Morepork), and Kaka are also seen from time to time.

- Hillpark is part of a wider ecological corridor that stretches from Great Barrier Island in the east, through the Hunua Ranges, Totara Park and Murphy's Bush to the Waitakere Ranges in the west. This corridor is largely broken with large areas clear-felled in the past, so it is important to maintain what we have left while other initiatives are undertaken to improve the corridor, such as regeneration of the Puhinui Stream and the South-East Wildlink Project (by Forest and Bird).

- Maintaining the health of Hillpark's streams, which generally coincide with stands of native bush, helps to maintain the health of the Puhinui Stream and Manukau Harbour.

- We suggest that Council undertake a thorough investigation of Hillpark's natural environment and apply additional protections where required, such as additional and / or extended Significant Ecological Area Overlays and improved identification and classification of streams where appropriate.

I or we seek the following decision by council: Approve the plan change with the amendments I requested

Details of amendments: Propose that the wider Hillpark suburbs significant natural environment be recognised as a Qualifying Matter. 357.1

Submission date: 19 September 2022

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.



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Ginny Taare

From: Unitary Plan
Sent: Monday, 19 September 2022 6:30 pm
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Songfeng Liu

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Songfeng Liu

Organisation name:

Agent's full name: Songfeng Liu

Email address: alanliu930@gmail.com

Contact phone number:

Postal address:
 alanliu930@gmail.com
 Auckland
 Auckland 0620

Submission details**This is a submission to:**

Plan change number: Plan Change 78

Plan change name: PC 78: Intensification

My submission relates to

Rule or rules:
 Regional Maunga Viewshafts and Height and Building Sensitive Areas Overlay

Property address: 198 Clovelly Road, Bucklands Beach, Auckland, 2012

Map or maps: Regional Maunga Viewshafts and Height and Building Sensitive Areas Overlay

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? No

The reason for my or our views are:
 Reduce the coverage to 35% is not fair

I or we seek the following decision by council: Approve the plan change with the amendments I requested

Details of amendments: Reduce the coverage to 35% is not fair

Submission date: 19 September 2022

368.1

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? Yes

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.



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Ginny Taare

From: Unitary Plan
Sent: Wednesday, 21 September 2022 4:16 pm
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Songfeng Liu

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Songfeng Liu

Organisation name:

Agent's full name: Songfeng Liu

Email address: alanliu930@gmail.com

Contact phone number:

Postal address:
 alanliu930@gmail.com
 Auckland
 Auckland 0620

Submission details

This is a submission to:

Plan change number: Plan Change 78

Plan change name: PC 78: Intensification

My submission relates to

Rule or rules:
 PC78

Property address: 2/11 the parade, St heliers, Auckland

Map or maps: Flood Plains (i) - Coastal Inundation (i)

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:
 We have engineers and Health water confirmed, this address do not have Flood Plains (i)
 - Coastal Inundation (i) issue

I or we seek the following decision by council: Approve the plan change with the amendments I requested	368.2
Details of amendments: Remove the quilty matter about Flood Plains (i) - Coastal Inundation (i)	368.3

Submission date: 21 September 2022

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? Yes

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.



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Ginny Taare

From: Unitary Plan
Sent: Wednesday, 21 September 2022 4:31 pm
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Songfeng Liu

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Songfeng Liu

Organisation name:

Agent's full name: Songfeng Liu

Email address: alanliu930@gmail.com

Contact phone number:

Postal address:
 alanliu930@gmail.com
 Auckland
 Auckland 0620

Submission details**This is a submission to:**

Plan change number: Plan Change 78

Plan change name: PC 78: Intensification

My submission relates to

Rule or rules:
 PC78

Property address: 22 & 24 Lowtherhurst Road Massey Auckland 0614

Map or maps: Coastal Inundation (i)

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:
 Spoken with Civil engineers that we dont have issue with Coastal Erosion

I or we seek the following decision by council: Approve the plan change with the amendments I requested

Details of amendments: Remove the quilty matter about Coastal Inundation (i)

Submission date: 21 September 2022

368.4

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? Yes

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.



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Ginny Taare

From: Unitary Plan
Sent: Tuesday, 20 September 2022 12:01 pm
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Bryan Evans and Sharon Evans
Attachments: Plan Change 78 Reasons FINAL.pdf; Plan Change 78 Environment Court Consent Order.pdf; Plan Change 78 Whangaparaoa Natural Areas Survey 2007.pdf

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Bryan Evans and Sharon Evans

Organisation name:

Agent's full name: Bryan

Email address: bryanevans46@gmail.com

Contact phone number: 09 4245501

Postal address:
 3 South Avenue
 Little Manly
 Whangaparaoa
 Auckland 0930

Submission details**This is a submission to:**

Plan change number: Plan Change 78

Plan change name: PC 78: Intensification

My submission relates to

Rule or rules:

1. Proposed Rules and Policies to increase residential intensification on the Whangaparaoa Peninsula and in particular the proposed rules which appear to ignore The Environment Consent Order sealed on 10 January 2010 and reaffirmed by Auckland Council in the Auckland Unitary Plan which became Operative on 29 November 2016. The Consent order created a Zone along much of the Coastal Area of the Eastern Peninsula where the net minimum building site size is 700m2 Copy of the Consent Order and Map is attached.

383.1

2 The Proposed Rules appear to have ignored the Significant Ecological Area Designation as it relates to Little Manly and specifically to the 9 properties contained within the boundaries of Whangaparaoa Road, Tiri Road, and South Avenue. Existing boundaries are shown on the attached maps contained in a letter to us from Peter Vari who was at the time Manager, Environmental Policy and Planning. Copy of existing boundaries boundaries attached.

383.2

Property address: All properties on the Peninsula and specifically those 9 properties within the boundaries of Whangaparaoa Road, Tiri Road and South Avenue

Map or maps: Copy of map attached could not be downloaded but it relates to the same area from Plan Change 78 map viewer as described above.

Other provisions:

Please see the attached document titled

Reasons for Opposition to Plan Change 78 as it relates to Residential Intensification on the Whangaparaoa Peninsula

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:

Reasons are detailed in the attached document referred to above

I or we seek the following decision by council: Decline the plan change

Submission date: 20 September 2022

Supporting documents

Plan Change 78 Reasons FINAL.pdf

Plan Change 78 Environment Court Consent Order.pdf

Plan Change 78 Whangaparaoa Natural Areas Survey 2007.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.



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Reasons For Opposition to Plan Change 78 as it relates to Residential Intensification On The Whangaparaoa Peninsula

Summary and Conclusions

1. Plan Change 78 does not recognise the infrastructure constraints on Rooding, Water, Wastewater and Sewerage.
2. Plan Change 78 does not recognise the totally inadequate transportation constraints on the Peninsula.
3. Plan Change 78 ignores the effects on existing residents that infill housing creates
4. Plan Change 78 ignores a 2010 Environment Court Consent Order which was reviewed and upheld in the operative Auckland Unitary Plan in 2016.
5. Plan Change 78 would appear to ignore or disestablish altogether the Significant Ecological Area at Little Manly established in October 2007.
6. Plan Change 78 tramples all over the reasonable expectations of existing owners
7. This intensification proposal under Plan Change 78 flies in the face of all Council Policy (both Rodney District Council and Auckland Council) over the past 20 years. Residents in established residential zones have made major economic decisions based on these policies and controls and have expectations which are not unreasonable that future development controls will permit the continued enjoyment of those expectations.
8. These Council Policies and Decisions include but are not limited to
 - Rodney District Plan Review No. 2 in 1993
 - Plan Change 26 in 1996
 - Revised Proposed Plan Change in 1999
 - RDC Hearing 23 April 2003 Proposed District Plan 2000 and confirmation that the 700m² minimum site size would be retained through Variation 11.
 - RDC adoption of Significant Ecological Areas October 2007
 - Incorporation of Environment Court Consent Order 2010 into District Plan
 - Confirmation in 2014 by Auckland Council (John Duguid, manager Unitary Plan)) that the Unitary Plan Committee would recommend the 700m² minimum contained within the Consent Order would be retained in the Unitary Plan. This was confirmed when the Auckland Unitary Plan became Operative on 29 November 2016

Further residential intensification on the Peninsula is not only impractical but will not achieve the stated desirable outcomes of the policy which purports to provide more affordable housing with ready access to transportation corridors.

Consequently we oppose all parts of Plan Change 78 or any other Policy or Rules which will increase residential intensification on the Whangaparaoa Peninsula in general and specifically in the Residential Areas covered by the Environment Consent Order sealed on 21 January 2010 and subsequently incorporated firstly into District Plan 2000 and then into the Auckland Unitary Plan in 2016

Infrastructure Constraints Roding

1. Whangaparaoa Peninsula is a narrow 15km strip of land which at present has essentially a single access at its western end. In practical terms it is essentially an island.
2. Access is primarily by Whangaparaoa Road which from Red Beach to Army Bay is a single lane in each direction. Due to topography and existing development the scope for increasing the existing capacity on Whangaparaoa Road is minimal.
3. Existing bottlenecks on Whangaparaoa Road already mean that a 30 minute commute from Gulf Harbour to Orewa is becoming the norm.
4. Cars queued from the traffic lights at Whangaparaoa Town Centre down to Little Manly have become the norm during the morning peak
5. Penlink while potentially easing congestion around Silverdale Hill will do nothing to ease congestion on Whangaparaoa Road from Stanmore Bay eastward. In fact there are very logical arguments that Penlink will exacerbate congestion on Whangaparaoa Road.
6. As permanent residents on the Peninsula for 50 years we have noticed in recent years a pronounced increase in traffic along peripheral roads such as Lawrence Street and Moreton Road in Manly, Brightside Road and Viponds Road in Stanmore Bay. These roads were not designed for such usage and consequently are potentially more dangerous.
7. Existing building rules, increased intensification due to previous council Policy and increased vehicle ownership have contributed to an exponential growth in street parking.
8. The intensification on the Peninsula proposed by Plan Change 78 will further exacerbate an already unsatisfactory situation.

383.3

Infrastructure Constraints Water, Wastewater and Sewerage

9. We understand that Water Care has identified almost all of the Whangaparaoa Peninsula as having limitations in water and wastewater infrastructure which makes increasing density there inappropriate. Further Watercare's head of Strategy and Planning, Priyan Perera states that if intensification was to occur in the areas identified as having infrastructure constraints communities would be faced with more wastewater overflows or a less reliable water supply. He further states "we need to do everything we can do to avoid that happening"

383.4

Transportation Constraints

10. Public transport on the Peninsula is totally inadequate and consists of a limited ferry service from Gulf Harbour and a totally inadequate bus service for local travel.
11. Taxi service on the Peninsula is virtually non existent

Constraints over Enjoyment of Amenities

12. Whangaparaoa Peninsula is blessed with a number of beaches but with the exception of Shakespear Regional Park many of the Peninsula's smaller local beaches are already suffering from overcrowding in the summer season. Parking is limited at beaches such as Arkles Bay, Little Manly, Matakaitia, Manly and Red Beach.
13. This proposal will have serious adverse effects on the enjoyment of these amenities for everybody residents and visitors alike.
14. The proposal undermines the very essence of the Peninsula and the reasons people want to live here and to visit here.

Infill Development Issues

15. The intensification proposal does not appear to recognise the difference between infill development in long established residential areas and the new green fields areas for development.
16. High density housing can work when purpose designed in new developments. However infill housing overlaid with existing long established housing areas creates negative outcomes for the amenity, character, and desirability of the neighbourhoods.
17. The undesirable effects include privacy issues, loss of sunlight, noise, increased vehicle movements and negative effects on property values when higher density housing is built next door.
18. There is absolutely no evidence that the proposed policy will result in lower cost housing. There will be short term financial gains by existing owners subdividing existing properties but these gains will ultimately come at the expense of the neighbouring properties.
19. There is no practical or logical reason to increase residential density on the Peninsula as apart from the reasons already stated there is a vast

supply of vacant land to the west of Whangaparaoa with far greater access to the motorway including Dairy Flat. One needs to look no further than the developments at Millwater and Milldale over the past few years.

Expectations of Existing Owners

20. Over the past 30 odd years Rodney Council and then Auckland Council through a myriad of Plan Changes have changed or attempted to change the zonings including minimum building site size throughout the Whangaparaoa Peninsula.
21. We can speak with some authority how these policies have affected our property at 3 South Avenue, Little Manly. When we purchased our property in 1987 it was 1011m² and sat between 2 properties of 1206m² and 1391m². In 1987 our property was zoned Residential 3F minimum site size for these properties was 715m².
22. At that stage there were 6 residential zonings on the Peninsula 3A through 3F ranging in minimum sizes from 500m² to 715m².
23. The Rodney District Plan Review No. 2 1993 confirmed these minimum site areas and further stated on page 19 under the heading Strategy, Hibiscus Coast.
24. **“Extensive infill housing and high rise density development is not compatible with the topographical circumstances or the expectations of inhabitants, and will not, in general be allowed.”**
25. The 1993 Review further states under the heading Residential 3 (Hibiscus Coast Medium Intensity) Zone 3A-3F (ref 3.1.4 page37)

“The intention of this series of zones is to permit residential development at an intensity which allows this distinctive physical character to remain relatively unchanged by urban development. The provisions are intended to result in residential areas with an open spacious feel with ample space available for landscaping and outdoor living. The ratio of green space to buildings is intended to be relatively high. To achieve this objective residential development in these zones is generally limited to a single household unit per site.”

26. Fast forward to Proposed Plan Change 26 in 1996 which stated on p 1

“At the broadest level the issues facing the Hibiscus Coast are providing for residential growth in a manner which protects the very factors that make the area attractive and providing for growth in a manner which allows services such as roading, sewerage, and water supply to be provided and upgraded at an affordable cost and in a way which protects the natural and physical resources of the environment”. In response to these issues the Council’s strategy is to provide for continued residential development, with an emphasis on growth in the west (i.e. to the non urban area west of Orewa and north of Silverdale) rather than growth on the Whangaparaoa Peninsula”

27. Plan Change 26 established and identified an **“East Peninsula”** policy area on that part of the Whangaparaoa Peninsula between the Whangaparaoa Town Centre and the eastern end of Tindalls Beach in order to implement a component of the adopted Hibiscus Coast Urban Development Strategy. The strategy provides for the retention of the residential density provisions existing in 1992 in this area

28. On page 15 of Plan Change 26 in 1996 Rodney Council stated under the heading Development Controls, Policies.

“Recognise that in Established residential areas residents have made major economic decisions based on the development controls in place at the time of development, and that they have expectations based on these controls which need to be protected as far as possible in the specification of development controls for such areas”

29. Plan Change 26 provided for a minimum site size of 700m² in the East Peninsula Policy Area and 600m² for the Medium Intensity Residential Zone.
30. At this stage we were reasonably confident that the proposed minimum site sizes would be adopted. After all we’d been subjected to 3 separate reviews in the 1990’s which were consistent in policies advocated in respect to residential densities on the Peninsula

*** Rodney District Plan Review No 2 in 1993**
***Proposed Plan Change 26 in 1996 and**
***Revised Proposed Plan Change in 1999**

31. However along comes **Proposed District Plan 2000** which renames the East Peninsula Policy Area to East Peninsula Residential Zone. Page 24 of the Proposed Plan still differentiates between Eastern Peninsula Residential and Medium Intensity Residential and recognizes the constraints to intensive development on the eastern part of the Whangaparaoa Peninsula.
32. The Proposed Plan even states:
“... to this end policies strengthening the need for a maximum of one household unit per site apply to this zone”
33. However without any explanation and despite the policy outlined on page 24 that the East Peninsula has developmental constraints which differentiate it from Medium Intensity the minimum site size for the East Peninsula **has been reduced from 700m² to 600m²**. (Rule 8.15.2.4). The only reason Council could give for this change was for “administrative expediency”.
34. Hearings on the matter were not held until 2003. We made a written and oral presentation to the full Rodney District Council including the Mayor and Deputy Mayor on 23 April 2003.
35. Council agreed with us but due to legalities the change back to 700m² would need to be done through the mechanism of a variation in this case Variation 11.
36. Council initiated Variation 11 but it was not publicly notified until 16 September 2004 some 18 months after the hearing.
37. Despite several written requests to expedite the matter Council continued to delay and reschedule the Hearing
38. Finally we received notification that the Hearing into Variation 11 was to be held on 11 June 2008 some 5 years after the original Hearing in April 2003. Subsequently changed to 20 August 2008.
39. The letter advising the 11 June 2008 Hearing also contained a planning report authored by Ryan Bradley which recommended Variation 11 be rejected by Council.
40. The Hearing was held on 20 August 2008 before a 4 person committee of new Councillors none of which had been part of the original 2003 Hearing before the full Council. The Committee accepted the Bradley Report and their decision was to reject Variation 11.

41. **So after 6 separate planning documents all in agreement, the novice Committee decided to throw out 16 years of policy and planning relating to the East Peninsula on the basis of the Ryan Bradley Planning Report.**
42. The report was subsequently found to be flawed. Mr. Bradley himself who after the decision is on record as having agreed with us and that Variation 11 should have been approved.
43. We believe that Council intentionally delayed the release of the Variation 11 decision until February 2009 some 6 months after the Hearing in order to restrict our chances of successfully challenging its decision at the Environment Court.
44. We subsequently appealed against the decision and were further subjected to written pressure from Council's solicitors to withdraw our appeal. We declined to withdraw.
45. The Mediation for the appeal was held on 13 October 2009. It was eventually agreed that Rule 8.15.2.4 of the Proposed District Plan would be amended to include under subparagraph (e) that a minimum site size of 700m² would apply to sites located on Appendix 8A and shown on attached map RDC20561
46. The criteria for determining the sites located in Appendix 8 was based on the following criteria contained in a letter dated 29 October 2009 from Councils solicitors Simpson Grierson to our solicitor David Kirkpatrick.

50 metres of mean high water mark or within 20 metres of a watercourse or within the Natural Area shown Appendix X based on the Whangaparaoa Natural Survey Area

47. The Consent Order incorporating the above was sealed by Environment Judge J A Smith on 21 January 2010
48. So after more than a decade we finally thought the matter had been settled. In 2010 we commenced renovations to our property which included new decks, new driveway, the addition of a conservatory and extensive joinery replacement.
49. Enter the Auckland Unitary Plan for consultation in 2013. The Unitary Plan again proposed to reverse the agreement in the Consent Order and to revert to a 600m² minimum site for those areas with a 700m² minimum.

50. We sought and had a meeting with John Duguid, Manager Unitary Plan and Peter Vari on 29 November 2013.
51. As a result of that meeting Mr. Duguid emailed us on 09 December 2013 advising that he would be recommending to the Unitary Plan Committee that the 700m² size be retained
52. On 4 February 2014 we also submitted a submission in support of retaining the 700m² minimum site size.
53. Subsequently the minimum site size of 700m² was retained and incorporated into the Auckland Unitary Plan which became Operative on 29 November 2016
54. Now 6 years later we have yet another Plan Change 78 which now seeks to remove the existing 700m² by way of ignoring the Environment Consent Order and appearing to remove altogether the designation of Significant Ecological Areas contained in the Whangaparaoa Natural Areas Survey (RDC 17707Ver 3) as it applies to Little Manly.
55. **We are disappointed at Council's apparent response to a Central Government edict which is ill conceived, short sighted and takes no account of existing and for that matter future residents.**
56. **Further we believe Auckland Council could have and should have communicated to existing residents the effects these proposed changes could have on their properties. Asking ill informed residents to make submissions on a matter this important is careless at best and asking them to do this in the middle of Local Body elections is even more puzzling.**
57. **Finally we are opposed to any policy or rule change which will increase residential intensification on Whangaparaoa Peninsula as enunciated in our Summary on page 1.**

**Bryan & Sharon Evans
3 South Avenue
Whangaparaoa 0930**

20 September 2022

IN THE MATTER of the Resource Management
Act 1991

AND

IN THE MATTER of an appeal under clause 14
of the First Schedule to the Act

BETWEEN BTE & SR EVANS

ENV-2009-AKL-00167

Appellants

AND RODNEY DISTRICT
COUNCIL

Respondent

BEFORE THE ENVIRONMENT COURT

Environment Judge J A Smith sitting alone under section 279 of the Act

IN CHAMBERS at Auckland.

CONSENT ORDER

Introduction

1. The Court has read and considered the appeal, the respondent's reply, and the memorandum of the parties dated 18 January 2010.
2. C & C Cuff have given notice of an intention to become parties under section 274 and have signed the memorandum setting out the relief sought.
3. No other person has given notice of an intention to become a party under section 274.

The Court is making this order under section 279(1)(b) of the Act, such order being by consent, rather than representing a decision or determination on the merits pursuant to section 279. The Court understands for present purposes that:



- (a) All parties to the proceedings have executed the memorandum requesting this order;
- (b) All parties are satisfied that all matters proposed for the Court's endorsement fall within the Court's jurisdiction, and conform to relevant requirements and objectives of the Resource Management Act, including in particular Part 2.

Order

5. Therefore the Court orders, by consent, that the respondent is to:

- (a) amend Rule 8.15.2.4 of the partly operative Proposed District Plan 2000 as follows:

Medium Intensity Residential Zone and East Peninsula Zone

- (a) *Minimum area of 1,500m² capable of containing a square for building purposes measuring 15 metres x 15 metres where the **site is not served** by a reticulated sewerage system and the site is able to accommodate on site sewage collection, treatment and disposal.*
- (b) *A minimum net site area of 600m² capable of containing a square for building purposes measuring 15 metres x 15 metres where the site **is served** by a reticulated sewerage system and where the site **is not** located within the Township Policy Area.*
- (c) *There is no minimum site size where the subdivision is part of an integrated residential development that has been granted resource consent.*
- (d) *A minimum net site area of 800m² capable of containing a square for building purposes measuring 15 metres x 15 metres where the site **is served** by reticulated sewerage system and where the site **is** located within the Township Policy Area.*
- (e) *A minimum net site area of 700m² capable of containing a square for building purposes measuring 15 metres x 15 metres where the site **is served** by a reticulated sewerage system and where the site*



is not located within the Township Policy Area but is identified on Appendix 8A.

- (b) introduce a new Appendix 8A to identify the sites subject to Rule 8.15.2.4(e), as shown on the **attached** map.
6. The appeal is otherwise dismissed.
7. There is no order as to costs.

DATED at Auckland this

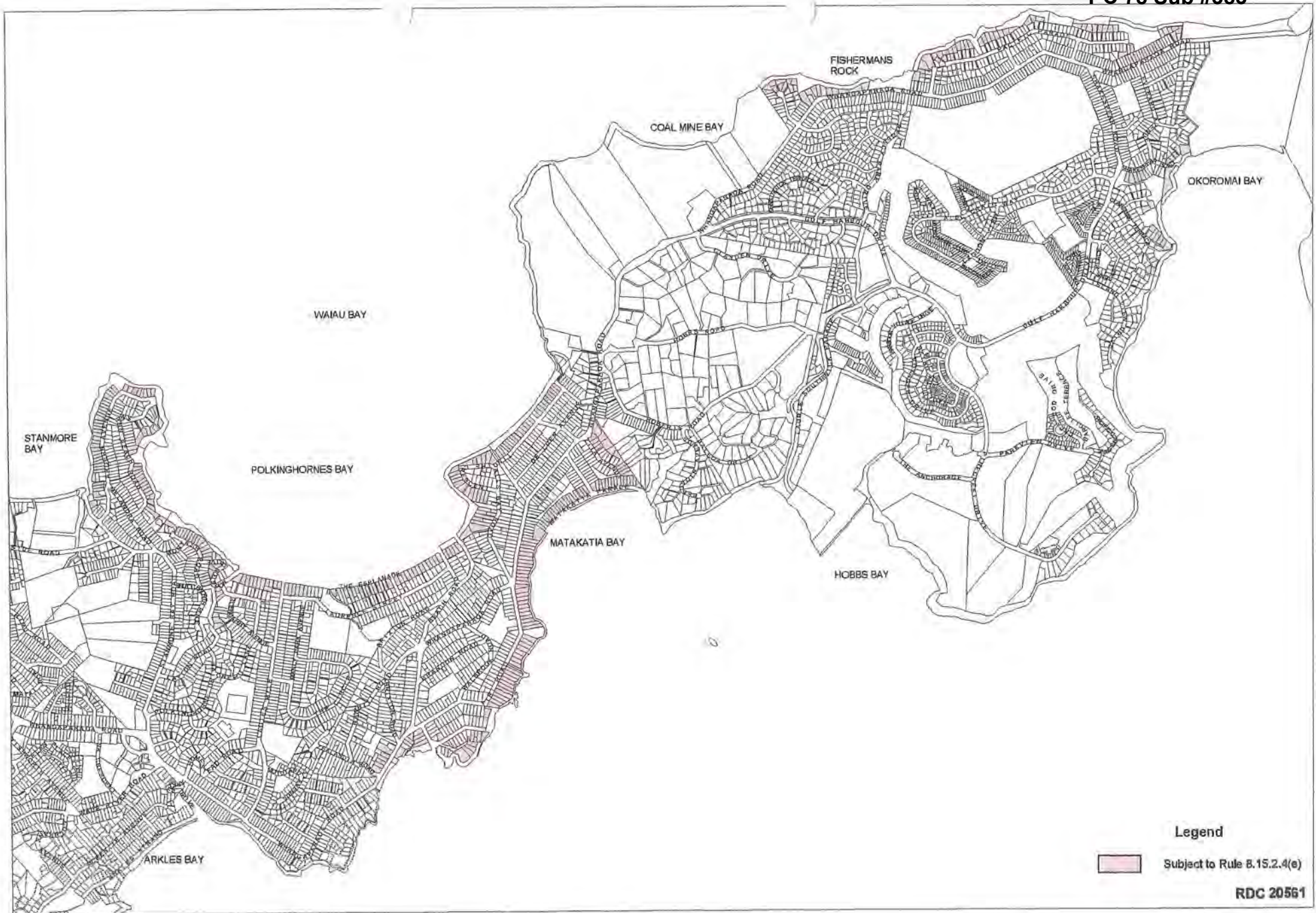
21ST day of

January

2010

J A Smith
Environment Judge





18 October 2007

Ref: TD/1/1

Bryan Trevor Evans
Sharon Ruth Evans
3 South Avenue
Manly
Whangaparaoa 1463

RE: WHANGAPARAOA NATURAL AREAS SURVEY

I am writing to inform you of Council's recently commissioned survey of significant remnant areas of vegetation /trees on the Whangaparaoa Peninsula. The survey, entitled 'Whangaparaoa Natural Areas Survey, 2006/2007' (WNA survey) identifies 69 remnant areas of vegetation/trees, providing a brief description of the vegetation and in some cases comments on management issues such as the presence of animal or plant pests. You may already be aware of the WNA survey as its progress and completion has been reported in several local newspaper articles in relation to discussions about the general protection and enhancement of areas of trees and vegetation in Whangaparaoa.

The complete WNA survey can be viewed at Council's head office in Orewa and at the Orewa and Whangaparaoa Libraries. The survey can also be viewed online at www.rodney.govt.nz.

Council is contacting all land owners whose property coincides with an area identified in the WNA survey, to increase general awareness of the relevant provisions for tree and vegetation protection contained in the Proposed District Plan 2000 and to encourage applications to Councils Natural Heritage Fund. Accordingly we have written to you.

Your property includes an area identified in the WNA survey. Attached to this letter is the relevant section of the WNA survey showing the location and extent of the WNA area, together with its vegetation description.

Tree/vegetation protection and the District Plan

Because the areas identified in the WNA survey represent the remaining remnants of vegetation/trees on the Whangaparaoa Peninsula **Council would like to raise landowner's general awareness of the trees/vegetation protection provisions of the Proposed District Plan 2000 (PDP2000)**. The PDP2000 provisions for tree protection (in urban areas) are contained in Chapter 18 *Urban Land Modification and Vegetation Protection*. The provisions have been amended by decisions made by the Council in December 2006, so in order to see how these provisions may affect your site you should view the amended version available on the Council website www.rodney.govt.nz.

If you are unsure about what protection is afforded to vegetation/trees on your property please call Council at 0800 426 5169 and ask to speak to the Duty Planner.

PTO...

Natural Heritage Fund

The remnant areas of vegetation/trees identified in the WNA survey represent important habitat for the peninsula's flora and fauna. The enhancement of these areas would positively contribute to sustaining the peninsula's native biodiversity. On this note, Council would like to take the opportunity to advise you of its new Natural Heritage Fund. This fund seeks to support community initiatives to better manage, protect and enhance biodiversity and natural habitats.

If you have a project in mind please consider making an application to the Natural Heritage Fund. A Natural Heritage Fund Information and Application Booklet is available from council on request. Further information about the Natural Heritage Fund can also be viewed online at www.rodney.govt.nz.

Questions?

If you have any queries concerning the information provided please contact Alison Pye, Policy Planner at 0800 426 5169.

Yours faithfully

P. Vari

Peter Vari
MANAGER, ENVIRONMENTAL POLICY AND PLANNING

(Area S cont.)

Location:	Little Manly Beach				
Zoning:	Residential EP Open Space 3		NZMS 260 Grid Reference R10 683057		
Bushlot:	No	SNA:	No	Reserve:	Yes, in part; also land in council ownership but not vested as reserve.
Type:	Coastal fringe forest				
Quality:	Moderate to high quality				
Description: There are a number of substantial headlands supporting pohutukawa dominated coastal forest at the northeastern end of Little Manly Beach. Out on the main point at this end of the beach there was a large stand of pines*, but these have been felled. There is a range of understorey species present in the area. Along the beach front there is a good amount of karo, some coastal astelia, shore primrose, houpapa, shining spleenwort, and flax. On the headlands, the main native understorey species is houpapa, with some akepiro and <i>Isolepis nodosa</i>. A small stream runs down to the beach through the coastal forest. This is predominantly pohutukawa, with quite a bit of coastal astelia. <i>Gahnia lacera</i>, houpapa, karamu, ponga and karo are also present, along with shining spleenwort, kawakawa, mapou and hangehange.					
Management issues and actions: The steep cliffs in the area where the pines were felled are vulnerable to erosion and should be planted with pohutukawa. These should be placed sufficiently far back from the edge that they are able to develop a good root system before the cliff erodes back to them. The pohutukawa-clad headlands could be underplanted with native coastal fringe species, as could the row of pohutukawa along the beach front, using the native understorey species present beneath the pohutukawa in this area. Weeds are present amongst the pohutukawa. Along the beach front, agapanthus* is abundant and there is a little bit of fairy crassula*. There is some honeysuckle*, nasturtium* and onion weed* in the cleared areas. On the headlands there is quite a bit of wild sweet pea shrub*, some gorse* and, again, lots of agapanthus*.					
Visited:	October 2006 by Dr Andrea Julian, Natural Heritage Consulting Ltd and Alison Pye, Rodney District Council				

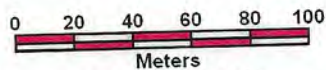


Head Office: 50 Centreway Road, Orewa
Private Bag 500, Orewa 1461, New Zealand
Tel: 0800 4265169, Fax (09) 4267280
Email: info@rodney.govt.nz

Legend

- | | | | |
|--|---------------|--|-----------------|
| | bushlot_shape | | reserves |
| | sna_hierarchy | | Survey Area - S |

Whangaparaoa Bush Survey 2006
Dr. Andrea Julian / Alison Pye



SCALE: 1:2500 @ A4



This plan is for information purposes only, and best produced in colour. Its content is NOT to be considered of survey grade, and should be verified prior to design or construction while Council endeavours to provide accurate data, no guarantee as to the completeness and accuracy of the data shown can be given. Council accepts no liability for any error or omission whatsoever.
Cadastral information derived from LINZ's LandOnLine database. Crown Copyright Reserved

DATE: 20 November 2006
RDC 17707 Ver 3

80

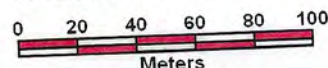


Head Office: 50 Centreway Road, Orewa
Private Bag 500, Orewa 1461, New Zealand
Tel: 0800 4265169, Fax (09) 4267280
Email: info@rodney.govt.nz

Legend

- Survey Area -S
- Open Space 1
- Open Space 3
- Residential High Intensity
- Residential Medium Intensity
- Residential Eastern Peninsula

Whangaparaoa Bush Survey 2006
Dr. Andrea Julian / Alison Pye



SCALE: 1:2500 @ A4



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Cadastral information derived from LINZ's LandOnline database. Crown Copyright Reserved

DATE: 20 November 2006
RDC 17707 Ver 3

Ginny Taare

From: Unitary Plan
Sent: Tuesday, 20 September 2022 12:01 pm
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Roger Williams

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Roger Williams

Organisation name:

Agent's full name:

Email address: ropeworth@gmail.com

Contact phone number: 09 4259127

Postal address:
M502 Warkworth Oaks
9 Queens st
Warkworth
Auckland 0910

Submission details

This is a submission to:

Plan change number: Plan Change 78

Plan change name: PC 78: Intensification

My submission relates to

Rule or rules:
Qualifying Matters

Property address: Warkworth

Map or maps:

Other provisions:
Qualifying matters
1. Transport
2. Provision of walkways and cycleways

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:

1. Transport - There is no public transport within Warkworth. Same qualifying matters as Beachlands should apply to Warkworth.
2. Walkways and cycleways are limited. The terrain of Warkworth is steep and cycling is generally impractical.

Roading, walking and cycling improvements need to be made before land that use Sandspit Road, Matakana Road Mckinney Road are intensified

3. The rules re heights need to take ground terrain into consideration.

4. Applying intensification within the existing residential areas need to be subject to consideration of the effect on neighbors.

I or we seek the following decision by council: Approve the plan change with the amendments I requested

384.1

Details of amendments: Include Warkworth with same provisions as Beachlands

Submission date: 20 September 2022

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.



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Ginny Taare

From: Stephen Curham <stephen.curham@gmail.com>
Sent: Tuesday, 20 September 2022 2:50 pm
To: Unitary Plan
Subject: PC 78 submission attn Planning Technician
Attachments: pc-78-form-5-stephen curham.pdf; Plan Change 78 Submission Stephen Curham.pdf

Dear Planning Technician,
please find attached my submission. As your form 6 had insufficient space I provide the following extra information.

I am opposed to the planning maps that show the rezoning of houses that are currently in the single house zone. I am opposed to the following parts of the plan change and the alterations I seek are given in the attached submission (Plan Change 78 Submission: Stephen Curham) :-

H5. Residential – Mixed Housing Urban Zone

Table H5.4.1 Activity table

Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards; Standard H5.6.9 Maximum impervious areas; Standard H5.6.10 Building coverage; Standard H5.6.11 Landscaped area; Standard H5.6.12 Outlook space; Standard H5.6.13 Daylight; Standard H5.6.14 Outdoor living space;

and

H6. Residential – Mixed Housing Urban Zone

Table H6.4.1 Activity table

Standard H6.6.4 Building height; Standard H6.6.5 Height in relation to boundary; Standard H6.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H6.6.8 Yards; Standard H6.6.9 Maximum impervious areas; Standard H6.6.10 Building coverage; Standard H6.6.11 Landscaped area; Standard H6.6.12 Outlook space; Standard H6.6.13 Daylight; Standard H6.6.14 Outdoor living space;

Could you please confirm that you have this, and the attachments.

Kind Regards
Stephen Curham

Before you fill out the attached submission form, you should know:

You need to include your full name, an email address, or an alternative postal address for your submission to be valid. Also provide a contact phone number so we can contact you for hearing schedules (where requested).

By taking part in this public submission process your submission will be made public. The information requested on this form is required by the Resource Management Act 1991 as any further submission supporting or opposing this submission is required to be forwarded to you as well as Auckland Council. Your name, address, telephone number, email address, signature (if applicable) and the content of your submission will be made publicly available in Auckland Council documents and on our website. These details are collected to better inform the public about all consents which have been issued through the Council.

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least one of the following applies to the submission (or part of the submission):

- It is frivolous or vexatious.
- It discloses no reasonable or relevant case.
- It would be an abuse of the hearing process to allow the submission (or the part) to be taken further.
- It contains offensive language.
- It is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

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 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)

Stephen Curham

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

None

Address for service of Submitter

5a Faulder Avenue Westmere

Telephone:

212438978

Fax/Email:

stephen.curham@gmail.com

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 78

Plan Change/Variation Name

Intensification

The specific provisions that my submission relates to are:

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

Plan provision(s)

H5. Residential – Mixed Housing Urban Zone Table H5.4.1 Activity table Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards; Sta

Or

Property Address

Or

Map

Or

Other (specify)

The I do not support the rezoning of houses that are in special character areas, until a better quality survey is completed.

The I do not support the rezoning of houses that are in special character areas, until a better quality survey is completed.

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:

Given in 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 ☒

Decline the proposed plan change / variation ☐

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

Carry out a better quality survey of character before altering zonings that apply, as submitted.

Increase the amenity of the proposed development in the mixed housing urban zone. and in the thab zone. The scope of my submission applies to both zones.

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)

09/20/2022

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.

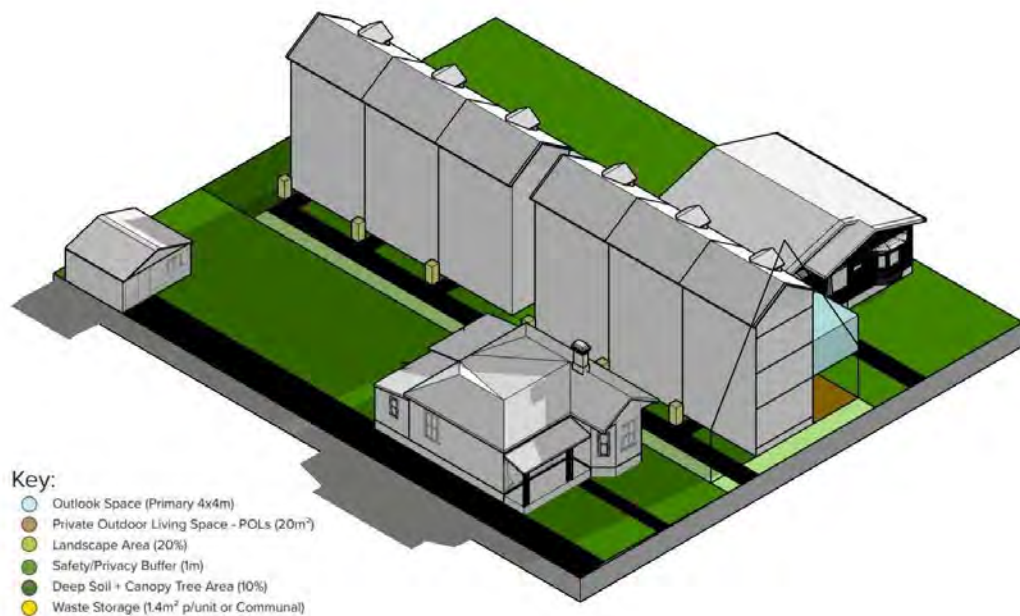
If you could gain an advantage in trade competition through this submission please complete the following:

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.

Plan Change 78 Submission: Stephen Curham



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Plan Change 78 Submission

Introduction

This submission is in two parts. The first part addresses the development controls that will apply to the mixed housing urban zone and the thab zone. The second part will address the qualifying matter of historic heritage and special character. This submission was prepared by Stephen Curham. Stephen is a person who is independent and who does have sufficient specialised knowledge and skill to give expert advice on the matters raised in the plan change.

Part 1 Amenity

The plan change supporting documentation provides a rose linted view of the likely outcomes.



Key:

- Outlook Space (Primary 4x4m)
- Private Outdoor Living Space - POLs (20m²)
- Landscape Area (20%)
- Safety/Privacy Buffer (1m)
- Deep Soil + Canopy Tree Area (10%)
- Waste Storage (1.4m² p/unit or Communal)

In

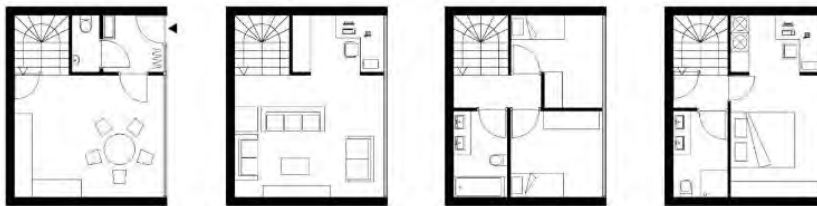
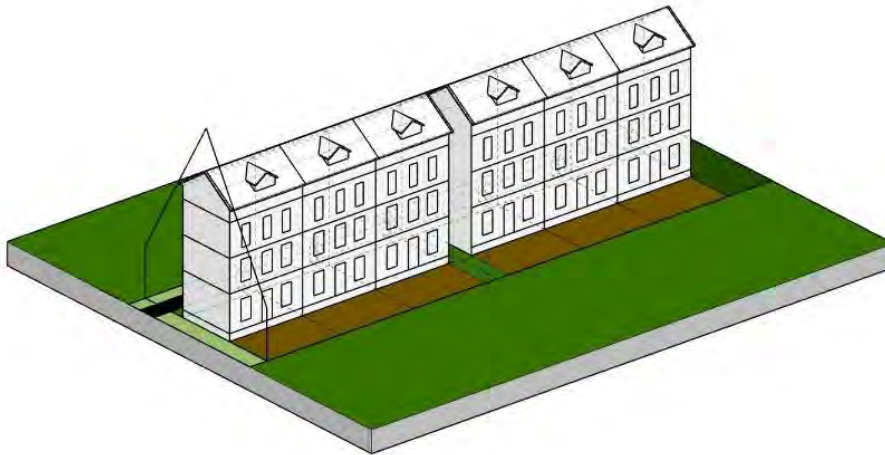
Auckland we already have some experience of intense development outside of our leafy suburbs, in the Thab zone. Development in this zone is largely a matter of a race to the bottom, with many developments that are by poorly trained designers, and so are poorly designed. These seek to maximise returns to investors who do not live in the locality of these developments, at the expense of amenity for occupants and those who live in the locality. This race to the bottom is typical of unplanned cities world wide.



The image is an example close to my workplace. A situation where a developer has built and sold units with an outlook at A and then taken that profit and removed all amenity from the block at A with the subsequent development at B is shown.

I have prepared a model formatted similarly to the council presentation model. This shows a maximised development in the mixed housing urban zone on a standard suburban lot. Parking is omitted and the proposed development controls of 4m and 60 degrees, with a three storey block and room in the roof space (12 meter height limit) are applied.

A plan based on a floorplate size of 5.5mx6 m is adopted. A building of this type provides a reasonable comfortable house. If well built and placed in a location with good aspect and sufficient out door living space to maintain amenity it is potentially a reasonable intensification solution.

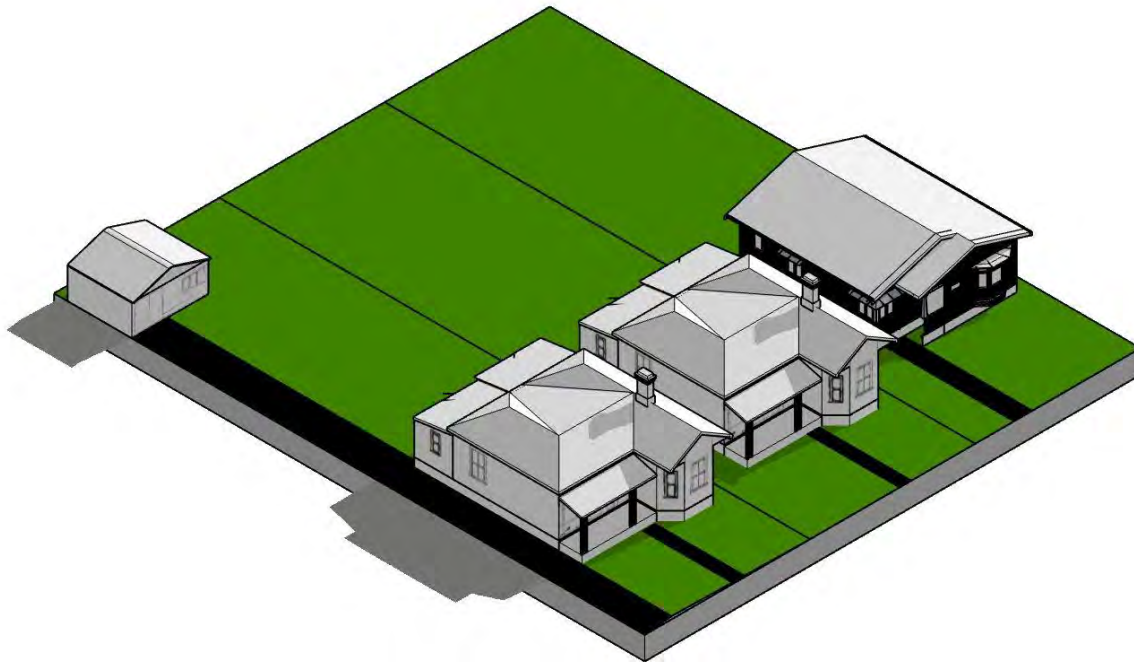


A maximized development on a 600m² suburban block, ignoring context.

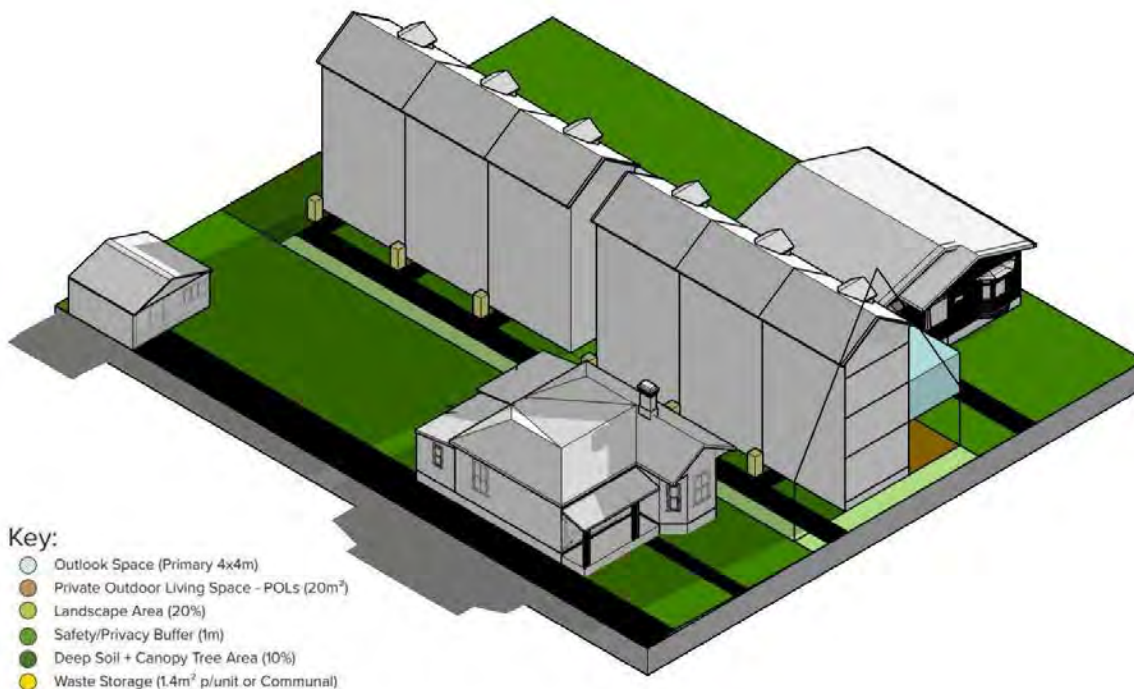
Issues arise when such a development is placed on an existing suburban site in a context. A development of this scale will remove all amenity from neighboring houses, as illustrated.

The rules allow for developments of this type to be built neighboring each other. When this occurs the second block will remove all amenity from the first. The illustrations assume that developers will manipulate the rules so that the four metre outlook yard applies, and will stage subdivision and sales to avoid the height to boundary constraint between units.

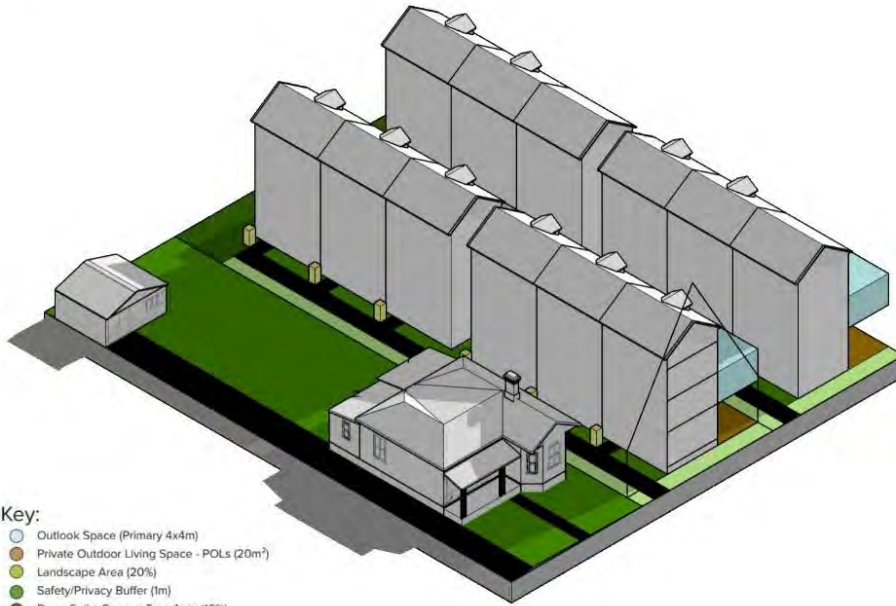
The minimal requirements for yards and outlook (for three unit developments) in plan change 78 allow this outcome.



A context, prior to development.



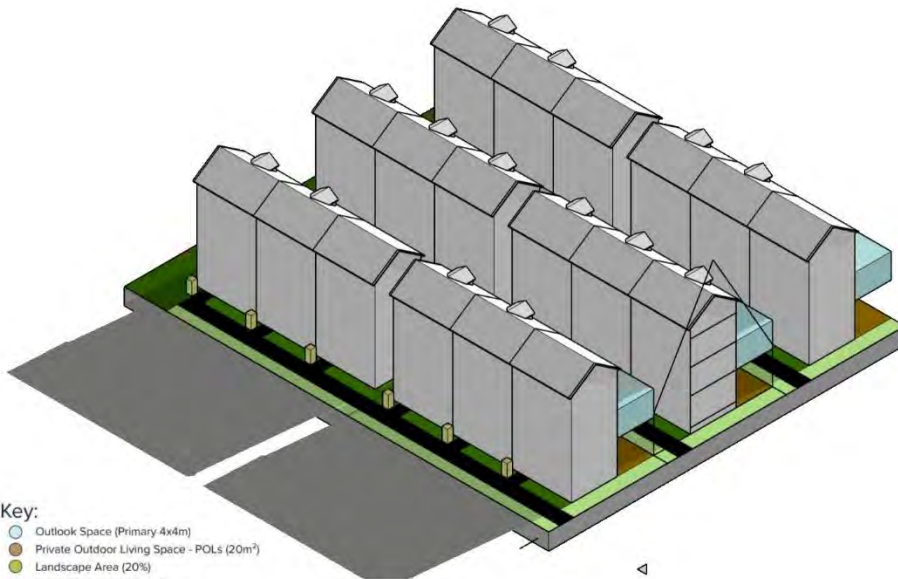
One site, maximised. The house to the south does not get winter sun now. There is no privacy in the backyard of the house to the north.



Key:

- Outlook Space (Primary 4x4m)
- Private Outdoor Living Space - POLs (20m²)
- Landscape Area (20%)
- Safety/Privacy Buffer (1m)
- Deep Soil + Canopy Tree Area (10%)
- Waste Storage (1.4m² p/unit or Communal)

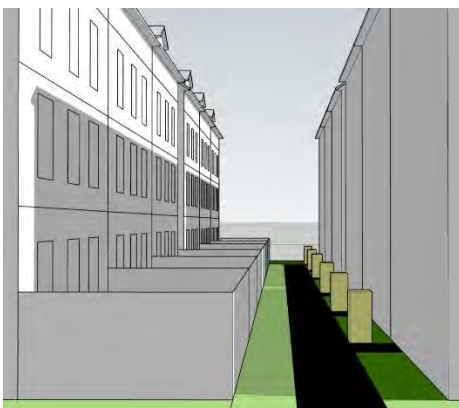
Two sites, maximised. The six units to the south do not get winter sun now and have limited outlook.



Key:

- Outlook Space (Primary 4x4m)
- Private Outdoor Living Space - POLs (20m²)
- Landscape Area (20%)
- Safety/Privacy Buffer (1m)
- Deep Soil + Canopy Tree Area (10%)
- Waste Storage (1.4m² p/unit or Communal)

All sites maximised.



Mid winter mid day shading. Living spaces in these units get no winter sun, and views are to the back wall of the adjacent block.

The models are prepared in sketchup and the shading is based on the long dimension of the buildings running east west. The sun position is at midday in mid winter, in Auckland.

Suggestions for improvement of the plan change - amenity

Plan change 78 measures that might prevent "race to the bottom" developments might include:-

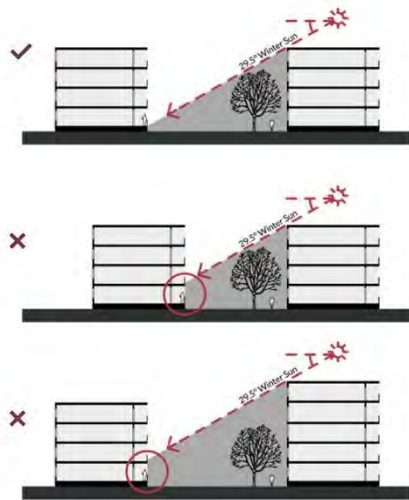
- A minimum requirement for lot width.
- Enhanced requirements for outdoor living including requirements for sun to reach a ground floor yard for at least an hour a day at mid winter.
- There is a more reasonable requirement given in the plan change for outlook and daylight in livable rooms as development size increases in the plan change as proposed. I suggest that those requirements for living spaces be further enhanced and made to apply to all developments. The plan change suggestion of 4m is insufficient. A minimum of 12 metres of separation is suggested for all cases, and assessment should be based on a maximised development on the adjacent property. This minimum is less than is suggested by good urban design practice.

389.1

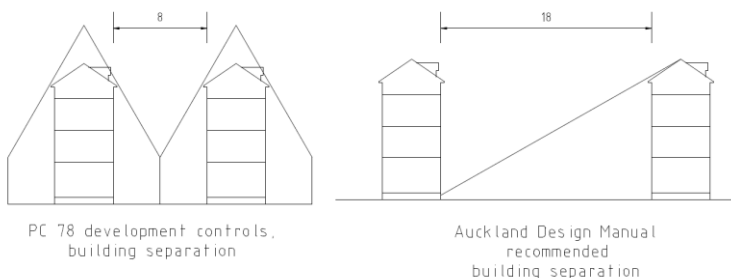
389.2

If the enhanced requirement for outlook, light and air access can't be met then an application for resource consent should be required, with status discretionary. A design review process that is centered around qualitative issues should then be required in order to satisfy the matters of discretion.

The aim of such plan measures would be to achieve development that meets the recommendations of the Auckland Council Urban Design Group, given [here](#). Where the controls can't be met then a design review process led by the Urban Design Group should apply.



Auckland Council
recommendations for
building separation, good
urban design practice.
Auckland Design Manual.



Comparison PC78 v
Auckland Design Manual.

Housing as nationally significant infrastructure

It is suggested that council frame these enhanced requirements for outlook, light and air access as addressing a qualifying matter (d) in section 77I (e) of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021.

389.3

Section 77I (e) follows.

a matter required for the purpose of ensuring the safe or efficient operation of nationally significant infrastructure:

Housing is clearly nationally significant infrastructure. Provision of poor amenity in such infrastructure is not efficient or safe. Experience of poorly planned environments is that they do not enhance the values of a civil society. Poor living conditions and poverty tend to drive high crime rates. Intense poor quality housing is difficult to police and many who live there may struggle to participate in society in a productive way.

Such infrastructure is not safe or efficient. Evidence of this is in several overseas examples of housing infrastructure that has had to be demolished early because of the social problems it was causing. An example of a situation where the unintended consequences of a scheme that was prepared with good intentions, and where urban intensification, public-policy planning, and public housing concerns overlapped is Pruitt-Igoue in St. Louis, Missouri, United States. This was a large development built in 1954, and demolition commenced in 1972.



Part 2 - qualifying matters historic heritage and special character

I do not accept that a reduction in the overall numbers of heritage and special character houses that have unitary plan protections addresses this qualifying matter sufficiently. I agree that it is appropriate to remove some of the special character areas where they are of low quality. For example the removal of parts St Marys Bay and some others is supported.

389.4

However, the methodology that established the character areas was flawed, and the methodology of the resurvey was also flawed. As an example the early survey work was random and inaccurate in result, and

389.5

there are streets that sit adjacent each other, across the inner city, where the houses are identical, in style and use. One street has the special character controls, but the other does not.

Grey Lynn provides an example of this.



Planning map, near intersection of Richmond Rd and Surrey Crescent. The blue dotted areas are the unitary plan character overlay.



Zooming in on Baildon Rd. As the roof forms illustrate the houses of this street are equivalent in terms of character. Most do not have special character protection.

Suggestions for improvement of the character overlay survey.

Streets where there is a predominance of pre 1940 houses that were not included in the plan change 78 survey should be included, and a resurvey undertaken. If this work is undertaken carefully it is likely that new streets will meet the inclusion threshold, and that the overall numbers of heritage and special character houses that have unitary plan protection will remain the same.



These houses do not have character protection. They are clearly of similar quality to others (houses and streetscapes) identified in the qualifying matters survey as meriting heritage status. The image is taken from a Ray White real estate marketing campaign.

Sarah El Karamany

From: Unitary Plan
Sent: Tuesday, 20 September 2022 9:16 pm
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Martin Eichenberg
Attachments: 58 Kelvin Rd.pdf

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Martin Eichenberg

Organisation name:

Agent's full name:

Email address: m@rtineichenberg.nz

Contact phone number: 0278397063

Postal address:
 56a Kelvin Rd
 Remuera
 Auckland 1050

Submission details**This is a submission to:**

Plan change number: Plan Change 78

Plan change name: PC 78: Intensification

My submission relates to

Rule or rules:

- * rezoning of Special Character Areas Overlay – Residential : Isthmus B – Remuera / Meadowbank.
- * removal of Low Density Residential Zone in the Kelvin Rd Cut-de-sac area.

Property address: 58 Kelvin Rd, Remuera, Auckland

Map or maps:

Other provisions:

The property of 58 Kelvin Rd is surrounded by Low Density Residential Zone properties and is part of the flood plains (qualifying matter). It should also be zoned as Low Density Residential.

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 property of 58 Kelvin Rd should qualify as Low Density Residential Zone just as all surrounding properties. The qualifying matter is "Flood plains". The section borders a flood plain (can be seen on the Unitary plan) and I would argue that the flood plain as outlined is not complete.

397.1
 397.2

This needs to be sighted by human eye and not by a computer model.

The cul-de-sac area here at Kelvin Rd has been part of the Special Character Areas Overlay – Residential : Isthmus B – Remuera / Meadowbank for a very good reason. The vast majority of the properties here are almost 100 years old and surround a significant part of the Orakei Basin and border the Kelvin Rd Reserve. I argue that this special character overlay should stay in place - at least for the properties north of Meadowbank School!

397.3

This needs to be sighted by human eye and not by a computer model.

I or we seek the following decision by council: Decline the plan change, but if approved, make the amendments I requested

Details of amendments: 1) zone 58 Klevin Rd as as Low Density Residential Zone (qualifying matter: flood plains) 2) re-instate Special Character Area for the Kelvin Rd cul-de-sac area north of Meadowbank School

Submission date: 20 September 2022

Supporting documents
58 Kelvin Rd.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:

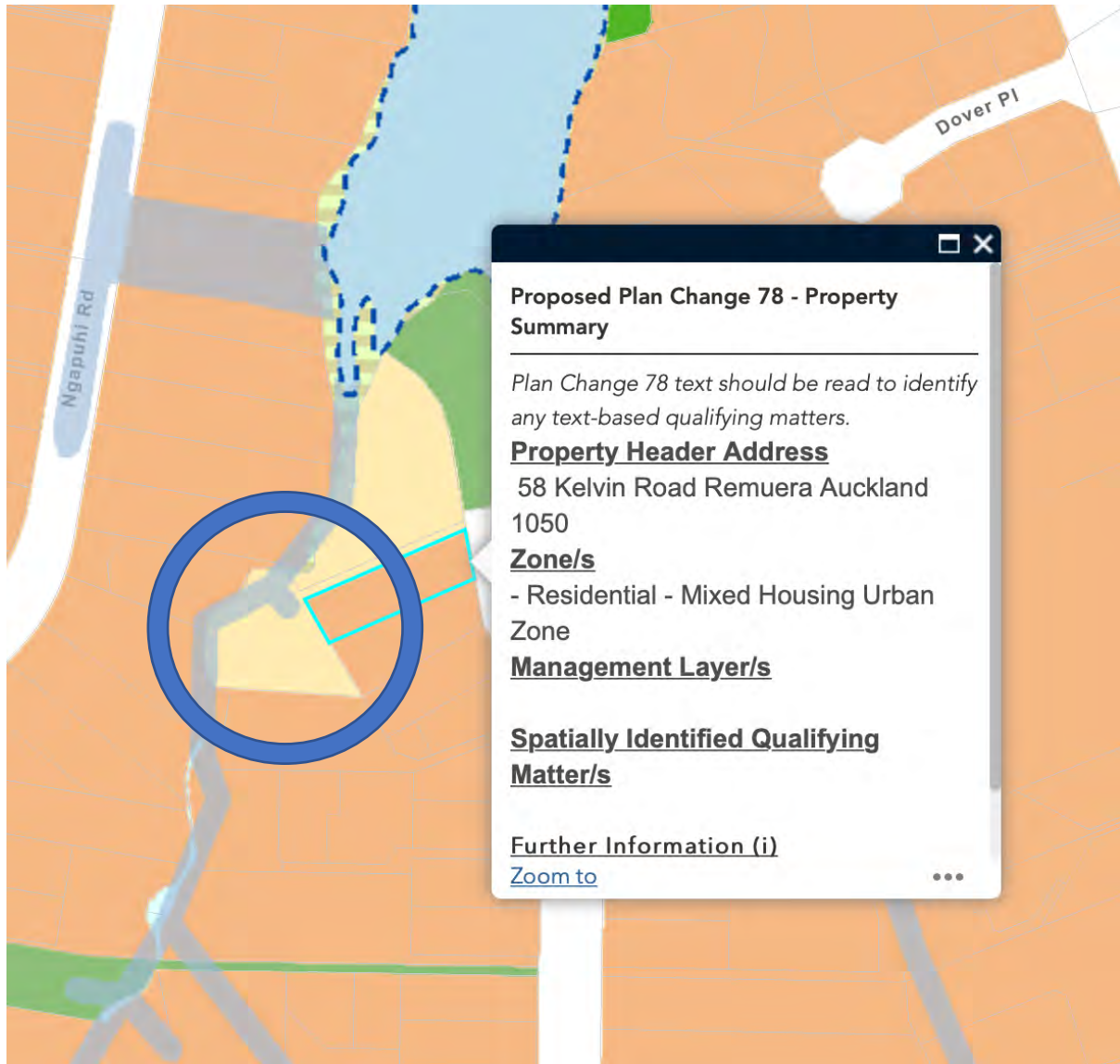
- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

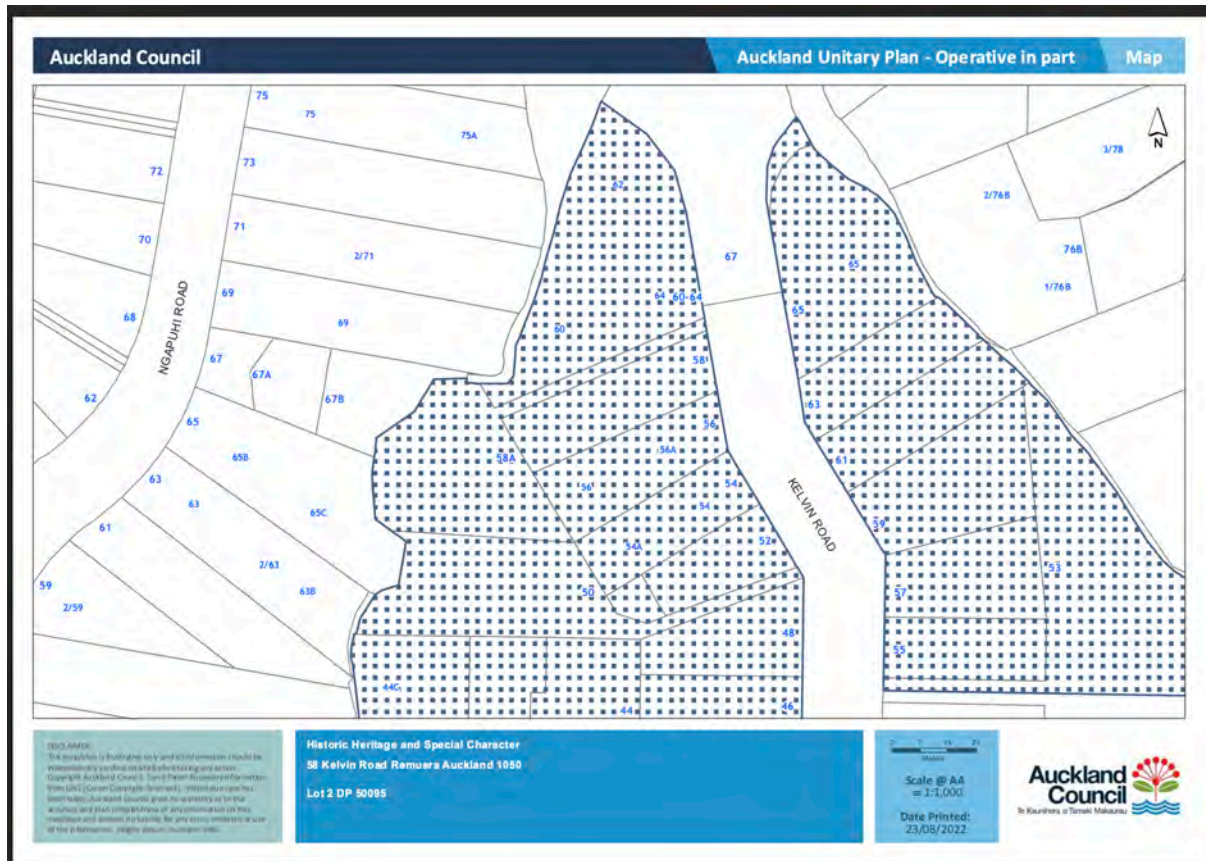
I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.



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Flood plains in the gully area!



Former Special Character Area as per Unitary Plan.

Sarah El Karamany

From: Unitary Plan
Sent: Wednesday, 21 September 2022 10:31 am
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Kate Horn

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Kate Horn

Organisation name:

Agent's full name: Kate Horn

Email address: kate.osbaldiston@hotmail.com

Contact phone number:

Postal address:

Narrow Neck
Auckland 0624

Submission details

This is a submission to:

Plan change number: Plan Change 78

Plan change name: PC 78: Intensification

My submission relates to

Rule or rules:
Chapter D18 Special Character Overlay Residential as it relates to Devonport

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:
Devonport is a lovely seaside village. It is an important historical area in Auckland and a valuable tourism area. Intensive development would destroy the character of this area it needs to be protected.

I or we seek the following decision by council: Decline the plan change, but if approved, make the amendments I requested

Details of amendments: Retain the Special Character Overlay all over Devonport. Delete the Mixed Housing Urban zone for Devonport and Narrow Neck. Remove policy 3d from residential areas in Devonport - no 5 storey buildings.

Submission date: 21 September 2022

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.



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Sarah El Karamany

From: Unitary Plan
Sent: Wednesday, 21 September 2022 10:31 am
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Munish Bhatt

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Munish Bhatt

Organisation name: MBSB Investments Ltd

Agent's full name: Munish Bhatt

Email address: munish2000@hotmail.com

Contact phone number: 0220686474

Postal address:
38 Helianthus Ave Flat Bush
Auckland
Auckland 2016

Submission details

This is a submission to:

Plan change number: Plan Change 78

Plan change name: PC 78: Intensification

My submission relates to

Rule or rules:
MANA overlay

Property address: 15 Sidey Avenue Clover Park

Map or maps:

Other provisions:
Auckland Airport requires a minimum net site area of 400sqm for infill subdivision

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 MANA overlay is not the right way of determining housing density and amenity. On one hand we are allowing big Developers to build town-houses / multi-stories and on the other hand we are stopping mom/dad investors to sub-divide.
Auckland Airport's influence on density should be limited to acoustic and ventilation standards. They should not be allowed to set up a 400sqm per site for subdivision. What is the use of it ?? and why 400 sqm why not 600 sqm or 300 sqm ? what is the logic behind it.

Auckland Airport is stopping the redevelopment of large lands which are very well located in terms of all amenities and a great link to public transport.

Most houses are 40-50 years old with low quality of living standards. Redevelopment of these areas into medium-density housing will help replace the poor quality housing stock with better new housing and provide affordable new homes for first home buyers.

I or we seek the following decision by council: Approve the plan change with the amendments I requested

Details of amendments: Auckland Council to treat applications for properties under MANA overlay on a case by case basis under the provisions of the Unitary Plan and not apply the blanket density rule imposed by Auckland Airport

409.1

Submission date: 21 September 2022

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.



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Sarah El Karamany

From: Unitary Plan
Sent: Tuesday, 20 September 2022 4:01 pm
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 80 - Jane Neill

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Jane Neill

Organisation name:

Agent's full name: Jane Neill

Email address: janeneill@xtra.co.nz

Contact phone number:

Postal address:
janeneill@xtra.co.nz
Birkenhead
Auckland
Birkenhead
Auckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 80

Plan change name: PC 80: RPS Well-Functioning Urban Environment, Resilience to the Effects of Climate Change and Qualifying Matters

My submission relates to

Rule or rules:

Character/heritage housing areas must be protected by being a Qualifying matter.

Auckland must retain its special character areas, it must stand up to the Government and not allow apartments and terrace housing to be built within our character/heritage housing areas.

Property address:

Map or maps:

Other provisions:

What I support is the Council saying no to the Government's housing changes plan because they will destroy Auckland's character/heritage housing areas. The Council needs to save the whole area e.g. Birkenhead Point, and not allow sections to be turned into apartments, as this will ruin few historical areas we have.

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:

In the past Auckland has not been good at protecting its history, and now the Council is going to let more character/heritage buildings be lost. As soon as the Council allows three or six story buildings in those character areas they will be ruined for ever. We need to protect the little character areas we have remaining for Aucklanders, and tourists to the city. Heritage areas often have narrow streets and poor infrastructure, and they certainly will not cope with intensification. We will also lose the large old trees in those areas. Auckland Council had a Unitary Plan of where to build and it should stick to it and not let our history suffer.

I or we seek the following decision by council: Decline the plan change, but if approved, make the amendments I requested

Details of amendments: Save the total areas with heritage and character housing.

410.1

410.2

Submission date: 20 September 2022

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.



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Sarah El Karamany

From: Unitary Plan
Sent: Tuesday, 20 September 2022 4:46 pm
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Michael Charles Weston

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Michael Charles Weston

Organisation name:

Agent's full name:

Email address: manddweston@gmail.com

Contact phone number:

Postal address:
 27 Alec Craig Way
 Whangaparaoa
 Auckland 0930

Submission details

This is a submission to:

Plan change number: Plan Change 78

Plan change name: PC 78: Intensification

My submission relates to

Rule or rules:
 Intensification

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:

Intensification should be allowed in already dense areas but not allowed in already built up mature suburbs, which would be significantly degraded environmentally by intensification. eg: Whangaparaoa Peninsula, North Shore etc. Compare the Whangaparaoa Peninsula now to 50 years ago (When it was denuded/unproductive farmland). We now have a better amount of mature trees and vegetation with 600-1400m2 properties which are being compromised by intensification with a huge impact on already struggling infrastructure. We need to think about how best to proceed rather than engage blanket policies to intensify the whole of Auckland.

417.1

I or we seek the following decision by council: Decline the plan change, but if approved, make the amendments I requested

Details of amendments: As above

Submission date: 20 September 2022

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.

Yes

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



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Sarah El Karamany

From: Unitary Plan
Sent: Wednesday, 21 September 2022 3:31 pm
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Glyn Evan Williams
Attachments: Submission to MDRS 21 Sept 2022_20220921152208.819.pdf

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Glyn Evan Williams

Organisation name: N/A

Agent's full name: N/A

Email address: kiwiboyo1109@gmail.com

Contact phone number:

Postal address:
Villa 186
31 Mansel Drive
Warkworth
Auckland 0910

Submission details

This is a submission to:

Plan change number: Plan Change 78

Plan change name: PC 78: Intensification

My submission relates to

Rule or rules:
MDRS Qualifying Matters - Intensification

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 reasons for my views are:

1) Transport: Warkworth lacks a sufficiently developed public transport system to support even the higher density imposed by the AUP requiring WW population to grow from 4500 to 25,000 by 2035 let alone allowing three dwellings per property which will force more cars to be added to local roads many of which are narrow and steep with incomplete footpath networks. A concomitant concern is that insufficient on-site parking will result in more cars being

parked on narrow streets, berms, and blocking footpaths placing pedestrians and cyclists at risk. Further, more parked vehicles will pose an access problem for emergency vehicles and other service vehicles (eg rubbish collections, couriers, etc. The accelerated move to EV's will also impose vehicle charging issues with increased kerbside parking.

2) Wastewater Infrastructure: It is a fact that significant investment has already been and continues to be made into Warkworth's wastewater infrastructure however Watercare has stated that the planned life of the current upgrade is 35 years to meet current AUP growth demands – calculated before the MDRS standards came into effect. Watercare forecasts that the MDRS could add 5,000 additional dwellings to Warkworth, vastly shortening the planned life of the current upgrade. Many Private Plan Changes in Warkworth's Future Urban zoned areas are already underway resulting in rapidly accelerating growth ahead of initial the sequencing initially planned.

I or we seek the following decision by council: Decline the plan change, but if approved, make the amendments I requested

Details of amendments: My submission to Plan Change 78 requests that both Transport and Wastewater infrastructure be added as Qualifying Matters for Warkworth's Single House zone – to remove or reduce the building heights and densities enabled by the MDRS for this area.

422.1
422.2

Submission date: 21 September 2022

Supporting documents

Submission to MDRS 21 Sept 2022_20220921152208.819.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.



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The reasons for my views are:

- 1) **Transport:** Warkworth lacks a sufficiently developed public transport system to support even the higher density imposed by the AUP requiring WW population to grow from 4500 to 25,000 by 2035 let alone allowing three dwellings per property which will force more cars to be added to local roads many of which are narrow and steep with incomplete footpath networks. A concomitant concern is that insufficient on-site parking will result in more cars being parked on narrow streets, berms, and blocking footpaths placing pedestrians and cyclists at risk. Further, more parked vehicles will pose an access problem for emergency vehicles and other service vehicles (eg rubbish collections, couriers, etc. The accelerated move to EV's will also impose vehicle charging issues with increased kerbside parking.
- 2) **Wastewater Infrastructure:** It is a fact that significant investment has already been and continues to be made into Warkworth's wastewater infrastructure however Watercare has stated that the planned life of the current upgrade is 35 years to meet current AUP growth demands – calculated **before** the MDRS standards came into effect. Watercare forecasts that the MDRS could add 5,000 additional dwellings to Warkworth, vastly shortening the planned life of the current upgrade. Many Private Plan Changes in Warkworth's Future Urban zoned areas are already underway resulting in rapidly accelerating growth ahead of initial the sequencing initially planned.

My submission to Plan Change 78 requests that both **Transport** and **Wastewater infrastructure** be added as **Qualifying Matters** for Warkworth's Single House zone – to remove or reduce the building heights and densities enabled by the MDRS for this area.

Ginny Taare

From: arwatson@xtra.co.nz
Sent: Wednesday, 21 September 2022 5:30 pm
To: Unitary Plan
Subject: Submission to PC78
Attachments: CCF21092022.pdf; CCF21092022_0001.pdf

Please find **attached** submission.

Cheers, Alan
027 4997266

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 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)

Alan Roy WATSON

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

N/A

Address for service of Submitter

72 Onetaunga Road, Birkenhead, Auckland

Telephone:

274997266

Fax/Email:

arwatson@xtra.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 78

Plan Change/Variation Name

Intensification

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

Area of Chatswood, Birkenhead

Or

Map

Or

Other (specify)

Area of Chatswood, Birkenhead

Area of Chatswood, Birkenhead

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:

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 ☒

Decline the proposed plan change / variation ☐

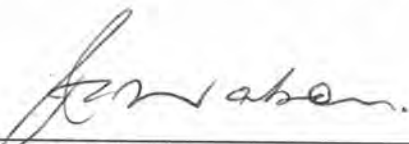
If the proposed plan change / variation is not declined, then amend it as outlined below. ☐

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)

09/21/2022

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 TO AUCKLAND COUNCIL

SUBMISSION TO PROPOSED PLAN CHANGE 78 TO THE AUCKLAND UNITARY PLAN

I acknowledge the Council's proposals in PC78 that arise out of the National Policy Statement on Urban Development 2020 (NPS-UD) and the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021. The manner in which the Council seeks to apply these to Auckland is opposed, to the extent that I seek some change, as per the below.

Firstly, I should say I am concerned that the proposals for change are "driven" by national Government directives. Such planning considerations are most effectively left to the Auckland Council and indeed, to properly follow on from the earlier Auckland Unitary Plan process. I acknowledge the plan change process could be seen to indicate that the proposals (as in PC78) derive from the Council's views on what could be done by way of changes.

However, that aside, this submission relates to the need, as part of the wide-ranging provisions that are now proposed, to retain recognition of the special qualities and characteristics applying to the Chatswood area of Birkenhead.

Chatswood can be described as the area generally bounded by Colonial Road – the rear of properties fronting Mokoia Road - Balmain Road - Onetaunga Road (both sides, with the exception of the Defence Force base). This area has special qualities and a special character that, since its subdivision and development in the 1970's, has been recognised with special planning provisions that distinguish it from the standard range of zonings that apply to other areas. It has qualities and characteristics that I consider allow the Council to modify or reduce the building height and density provisions that are proposed to apply to it in PC78.

This has earlier been reflected in the Unitary Plan where the special qualities of the area are recognised despite that Plan reasonably seeking to achieve additional intensification of the residential areas. Accordingly, the area was zoned Residential - Single House as part of the Unitary Plan process when other residential areas were rezoned for greater intensification.

Chatswood is a specially designed subdivision and area and has long been recognised as such in planning documents, particularly the relatively recent (2016) Unitary Plan, that having followed a process of close scrutiny of areas and appropriate zonings.

The special qualities or special character is contributed to by:

- The spacious sites, resulting from limiting development to one house per site and the coastal setting, with views to the central city, to the harbour and to the islands, particularly Rangitoto Island. For example, the controls that have applied in Onetaunga Road have required building on the coastal side of the road to be set back with a 10m front yard (a significant setback) to provide for views from the street and from the houses opposite towards the central city and the harbour. The area is popular for recreational walking along the footpaths and grass berms where public views to the central city and harbour can be enjoyed. The limitation on built development is essential to maintain that public amenity.

- The retention of vegetation through the lower - lying parts of the area providing a link for birdlife from the vegetated grounds of the Chelsea Sugar Refinery, westward through Chatswood to the coast and further west across the harbour.
- The area not being a through route meaning less traffic and accordingly, a better residential amenity.
- It providing access to the coastal reserve areas between the Sugar Refinery and the Defence Force base which are enjoyed by many, both local residents and the public from further afield. Onetaunga Road for example, frequently has cars parked along the roadside by folk accessing the reserve areas to use the walkways and the beach at Kendalls Bay. Indeed, I observe people stopping in parts of Onetaunga Road to take photos of the view towards the central city. I add, in this respect, that I would not want to see any relaxations in required car parking given the need to have on-street public parking available for visitors.
- All these features provide a unique neighbourhood character that should be retained. Indeed, it is essential to retain this character which could so easily be eroded by not recognising its special qualities and the contribution it makes to the urban fabric of Auckland.

427.1

These qualities or characteristics are not recognised in PC78. These are qualities or characteristics that are relevant and important to Aucklanders. These could be recognised as another "qualifying matter", for example as part of a "Local Public Views Overlay" or similar, that including views for the public that contribute to neighbourhood character. The qualities and characteristics certainly warrant limiting building heights and residential densities to those which apply now.

427.2

427.3

The PC78 documents show Chatswood largely included in the Residential - Mixed Housing Urban zone. Some small parts that are close to the coast are zoned Residential - Large Lot zone. The provisions for the Residential - Mixed Housing Urban zone are not appropriate given the special qualities and characteristics of the Chatswood area. Those provisions would permit a form of development with greater building height and density that was inconsistent with the special qualities or special character of the area. It is a locality where intensification is not appropriate.

I do not agree with what is proposed by PC78 and, staying within the reasonable bounds of what is sought by PC78, seek that the zoning in the Unitary Plan be retained or that all, or the larger part, of Chatswood be included in the Residential – Low Density Residential zone

427.4

or

More particularly, I seek by this submission that all the area of Chatswood proposed for greater intensification be retained as is in the Unitary Plan, which is done, in terms of PC78, by zoning the area Residential – Low Density Residential and/or identifying it as being within a Special Character Areas Overlay Residential

427.5

or

I seek the above request apply to the sites at 8 to 142 Onetaunga Road and 225 Chelsea View Drive and 71 to 139 Onetaunga Road and 2 to 12 Bragato Place and 1 to 9 Bragato Place

or

I seek the above request apply to the sites at 52 to 112 Onetaunga Road and 225 Chelsea View Drive and 71 to 117 Onetaunga Road and 2 to 12 Bragato Place and 1 to 9 Bragato Place

or

I seek similar relief that meets the above submission and its intent.

It will be recognised that the above alternatives progressively refine or reduce the area sought to be included in the Residential – Mixed Housing Urban zone. Any of the alternatives are within the reasonable bounds of PC78 and would not conflict with the reasons for the proposals that PC78 includes.

I am happy to be contacted to discuss any of the above and to present at any hearings the Council may arrange.



Regards, Alan Watson

72 Onetaunga Road, Chatswood

027 4997266, arwatson@xtra.co.nz

21 September 2022

Ginny Taare

From: Unitary Plan
Sent: Wednesday, 21 September 2022 4:16 pm
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Jeff Watkins

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Jeff Watkins

Organisation name: Brandmedia

Agent's full name: Jeff Watkins

Email address: jeff@brandmedia.nz

Contact phone number:

Postal address:
 3A Cornwall Park Ave
 Epsom
 Auckland 1051

Submission details**This is a submission to:**

Plan change number: Plan Change 78

Plan change name: PC 78: Intensification

My submission relates to

Rule or rules:

Property address: 3A Cornwall Park Avenue, Epsom, Auckland

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:
 The destruction of community values and character built homes

440.1
 440.2

I or we seek the following decision by council: Decline the plan change

Submission date: 21 September 2022

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.

Yes

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



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Ginny Taare

From: Unitary Plan
Sent: Wednesday, 21 September 2022 9:31 pm
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Peter George WATTS and Stephanie Joyce LEES
Attachments: Watts Lees Submission Sept 2022.pdf

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Peter George WATTS and Stephanie Joyce LEES

Organisation name:

Agent's full name:

Email address: peter@peterwattsqc.com

Contact phone number: 021491531

Postal address:
9 Cameron St
St Mary's Bay
Auckland 1011

Submission details

This is a submission to:

Plan change number: Plan Change 78

Plan change name: PC 78: Intensification

My submission relates to

Rule or rules:

Plan Changes 78 to 83 and their application in St Mary's Bay, and the proposed intensification. Identification of a Ponsonby Town Centre and walkable catchment therefrom. See uploaded submission.

Property address: 9 Cameron St, St Mary's Bay, but St Mary's Bay in general also

Map or maps:

Other provisions:

See uploaded detailed submission

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 uploaded detailed submission.

I or we seek the following decision by council: Decline the plan change, but if approved, make the amendments I requested

Details of amendments: See uploaded detailed submission

Submission date: 21 September 2022

Supporting documents
Watts Lees Submission Sept 2022.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? 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.



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Submission in relation to Plan Changes 78 to 83 of STEPHANIE JOYCE LEES and PETER GEORGE WATTS, 9 Cameron St, St Mary's Bay 1011

Summary

1. In response to notified Plan Changes 78 to 83, we seek that:
 - 1.1 The whole of the Selby Square area and Cameron St either remain in the Special Character Zone overlay or be designated with a Historic Heritage overlay; 443.1
 - 1.2 Alternatively, in relation to any individual house currently or later designated as within Historic Heritage that the surrounding area (within 50 metres from the perimeter of the property) be zoned with Two Storey Single Dwelling Residential status (or at least restricted to 3 storeys of standard height) on the immediate north, east and west; 443.2
 - 1.3 The idea that there is a Ponsonby Town Centre be abandoned, since there is no such thing; 443.3
 - 1.4 Westwood Terrace be returned to Mixed Housing Suburban zoning; 443.4
 - 1.5 Greater protection be given under Plan Change 78 to mature trees in St Mary's Bay; 443.5
 - 1.6 To the extent that the Submission of the St Mary's Bay Association ("SMBA") is not inconsistent with the submissions herein, we support the SMBA Submission. 443.6
2. It is submitted that the criteria applied by Plan Change 78 to the Special Character Areas are inappropriate and have otherwise been applied too rigidly, especially in relation to the western end of St Mary's Bay, and to Selby Square and Cameron St, in particular.
3. It is also submitted that the Historic Heritage Policies have not been applied, or have been applied inappropriately, in relation to Selby Square and Cameron St. We submit, in particular, that the process undertaken in Plan Change 82 is totally inadequate to protect the historic heritage of St Mary's Bay. Indeed, Plan Change 82 gives no consideration whatsoever to St Mary's Bay.
4. We seek to be heard at the hearings relating to Plan Changes 78 to 83, hereafter together referred to simply as "Plan Change 78".

Super-intensification of St Mary's Bay

1. For most of St Mary's Bay, the intensification proposed by Auckland Council under Plan Change 78 (applying the NPS-UD) is what can only be called "**super-intensification**". Unlike with most suburbs in the Auckland isthmus, what is proposed in most parts of St Mary's Bay is 6-storey intensification, not 3-storey intensification.
2. While we recognise that 6-storey intensification is the product of the NPS-UD and MDRS , and is not directly open to review in the current process, it is relevant background to point out that the disruption imposed by super-intensification is in a different league from that suffered under 3-storey intensification. Opposing super-intensification does not involve NIMBYism, because that phenomenon presupposes that owners stay in their property and retain reasonable enjoyment of it, but do not like amenity being eroded in any way. Super-intensification, in contrast, will entail 6-storey buildings that so overshadow and invade neighbouring single-storey or 2-storey houses that in most cases the people living in them will have to sell up and move; they lose their "back yard".

3. What is involved with super-intensification, therefore, is a conscious decision that it is OK to drive people from their homes. Advocates of intensification have denied this, but it is simply incontrovertible that Plan Change 78 will involve a very substantial number of involuntary displacements. This is especially the case in most of the special character areas, such as St Mary's Bay, where houses are already closely placed. So, for people such as us (we have put our life's work into our 1864 home and garden) cruelty is involved.
For population densities by Auckland suburb (but not house-number density) see <https://www.citypopulation.de/en/newzealand/auckland/>
4. Information Sheet #3, which accompanied the Preliminary Response that foreshadowed Plan Change 78, spoke of the Council's proposals for intensification as "ensuring onsite amenity for residents", and providing "people with a great place to live in walkable catchments" that "protect[ing] their privacy, access to daylight, outlook spaces and outdoor living areas." In relation to super-intensification, these are absolutely hollow promises for existing home owners.
5. The key question becomes, is the Council required by the NPS-UD and MDRS to implement this disruption in St Mary's Bay? In our view the answer is "no". The properties in St Mary's Bay may largely be in private hands (with the important exception of Selby Square) but most of the suburb by reason of its geography in relation to the harbour and its collection of pre-1945 houses is a taonga of Auckland and maintaining it as a Special Character Area is a public good.
6. Every member of the public has access to Selby Square and one only has to stand there looking down to and across the harbour to see that from the public point of view St Mary's Bay is worth preserving from super-intensification. Preserved, as it should be, St Mary's Bay can be regarded as providing the necessary relief from intensification in the same way as a public park, or the Orakei Basin is. Population growth has to, and will, accommodate itself to the available space, otherwise we would be building on public parks and over water.
7. The NPS-UD and MDRS do not require the Council to sacrifice our area to super-intensification, and it is respectfully submitted that this hearing panel should not endorse the Council's proposals.

Historical background to Selby Square and Cameron St, with particular reference to 9 Cameron St

8. The information in the following paragraphs has largely been compiled from photocopies of Land Transfer Registry and other historical materials that we have in our possession, and including early photocopies of the deeds register in relation to 9 Cameron St. If requested we can make these materials available to the Panel.
9. The original Crown grants of the western end of St Mary's Bay were made on 21 December 1844. The fourth owner, as from 11 April 1853, was John Gouthwaite Brooke, who farmed it from then until he commenced subdividing it from the mid-1850s. In 1862, Mr Brooke started to subdivide the area in earnest as part of a publicly advertised project. Part of that scheme involved creating an English-style square, which was formally dedicated by Mr Brooke to "the Public" on 23 October 1862. It was originally called Brooke Square, and is now called Selby Square.
10. Selby square and its immediate surrounds is virtually unique to inner Auckland, and is a very important historic feature of inner-suburban Auckland. At 7 Selby Square is, we understand,

the site of the original Brooke farm homestead. The house standing there may be the second home on the site. It is said to date from the 1870s but we believe it to be older. 7 Selby Square is in fact subject to an Historic Heritage Extent of Place Overlay. But it is only part of the context to Selby Square.

11. The subdivision of Brooke farm extended to Cameron St that runs off Selby Square. The sites that are now numbered 3, 7 and 9 Cameron St (Lots 27 and 28 in the Brooke subdivision) were conveyed (as two transfers) by Mr Brooke to new owners, brothers George and Charles Garlick, on 18 April 1863. Within a year, George Garlick died (possibly drowned) in Sydney, in August 1863. A year later, Charles Garlick sold separately but on the same date (24 September 1864) both his half of the property (Lot 27 and part Lot 28), to a Mr Tunks, and his brother's half (part Lot 28) to a Mr Owen Jones.
 12. We believe it likely that between the purchase in early 1863 and the sales in late 1864, and possibly following his brother's death, Charles Garlick had completed the construction of two near-identical houses on the land now comprising 3-9 Cameron St. No 9, our home, still stands. No 3 was removed from its site in April 1985. There are local newspaper items about the removal of No 3, of which we have copies. In 1912, part of No 9 was carved off and the house that now stands at No 7 was built.
 13. An alternative possibility to the houses being built for the Garlick brothers is that Mr Tunks, built the house at No 9 shortly after he acquired what are now Nos 7 and 9 Cameron St (he took out a mortgage on the property on 29 March 1865) and Mr Jones built an identical house at No 3, next door. But that theory requires two different owners to have built identical houses. For this reason we think it much more likely that the houses were built across 1863-1864 for the Garlick brothers.
 14. Mr Tunks, and then his widow, owned 9 Cameron St all the way through to 28 January 1874, when it was sold to a Captain John Fairchild. Captain Fairchild (1835–1898) was a famous New Zealand master mariner who arrived in New Zealand in the 1860s. He successively was the captain of government steamships: *Prince Alfred*, *Sturt*, *Luna*, *Stella*, *Hinemoa*, and *Tutanekai*. It appears that he moved to Wellington when appointed to command the *Hinemoa* in 1877. He died in 1898 as a result of an accident on board his vessel. It is recorded that "the Premier [Richard Seddon] and a large number of members of Parliament were present, and the Governor sent representatives. The flags of the shipping and public buildings were flown at half-mast, and the Government Offices were closed."
- See <https://freepages.rootsweb.com/~nzbound/genealogy/fairchild.htm>
15. In 1879 Captain Fairchild sold the house to Minna Pirie (originally from Guernsey, wife of Lt Colonel James Pirie (Volunteer Defence), who had retired as Major in the Royal Guernsey Militia in 1878 before coming to New Zealand in 1879).
 16. In December 1883, the house was sold to Mr Whitelaw, the father of the first principal of Auckland Girls' Grammar School, Miss Annie Whitelaw. The Whitelaw family owned the house until 1910, when it was bought by Margaret Rubina Stein. The Stein family (a member of which was a longstanding teacher at Auckland Boys' Grammar) then owned the house through until 1992, when we bought it. Some journalistic writing suggests that it was the Whitelaw family who gave the name "Rosenheim" to our house.

17. Shortly after we bought 9 Cameron St in 1992, a professional historian in local-history and the heritage architect Jeremy Salmond assessed the historicity of our property. Their combined assessments largely affirmed the foregoing background information.
18. 9 Cameron St, therefore, is one of Auckland's most significant and historic surviving houses built before 1870. Not only is 9 Cameron St still standing, but from the street it is untouched since it was built (photo attached), and it is largely original from all external angles, and inside as well. The original 1860s gig-house and outside toilet are also still intact.
19. Yet the Council's assessment for Plan Change 78 says of 9 Cameron St that it is "Not a Qualifying Matter" and there is no Historic Heritage categorisation at all. It appears that the Council personnel did score No 9 as 5/6 for special character (see the composition of the criteria below), but those same personnel gave the bay villa of standard pattern across the street 6/6. This is simple ignorance on the part of the personnel preparing Plan Change 78. It also, we believe, evidences a doctrinaire approach of treating pattern-book houses as more important than uniqueness. More on that below.
20. We also point out that at No 10 Cameron St, stands the historic manse to the historic St Stephen's Presbyterian Church (fronting onto Jervois Road), built in the first decade of the 20th century. Now in private hands, the manse too is largely unaltered externally (photo attached). Yet it also has been given no Historic Heritage categorisation or Special Character overlay recognition under the Plan Change 78 proposals.
21. We now turn to make more particular submissions about each of Selby Square and Cameron St.

Submissions on Selby Square

22. Selby Square, the park, is now owned by Auckland Council. The Square is categorised in Plan Change 78 as Open Space—Informal Recreation Zone. It is an important historic public place. It also meets the special character criteria, albeit that it is publicly owned. Yet Plan Change 78 contains no recognition of the Square as worthy of protection from development of the surrounding houses to 6 storeys.
23. As for the properties that front onto the Square, only No 7, referred to above, has any individual protection. We believe that 9 out of 13 houses that front to the square (11 out of 15 if one takes the houses on Seymour St on the diagonal from the corner of Selby Square) were built before 1945. The western side, in particular, is formed entirely of villas, which we believe all date from the period 1880–1910. The four more modern houses around the Square have been built to scale and create a harmonious whole with the older houses.
24. In order properly to protect Selby Square itself, it is necessary to treat all the houses surrounding it as within the Special Character Area-Qualifying Matter criteria. It would be quite wrong, and unnecessary, to permit 6-storey buildings to be built around the small historic square. Doing so, would completely ruin the Square, both culturally and as a result of shading. One only has to stand in the Square to see this. The unique vista to the Waitematā Harbour from there will be lost to the public.
25. In terms of the Policies in B5.2.2 of the Auckland Unitary Plan, Regional Policy Statement (AUP B5), it is submitted that the historicity of Selby Square extends to its surrounds, including the size and design of the houses that front on to it. Importantly, even the current modern houses

on the Square, in our submission, form part of a single Historic Heritage place within AUP B(5). Alternatively, all the houses retain their special character status, and should, therefore, be included in the Special Character Area-Qualifying Matter category. These modern houses, and any older houses that have had alterations, have all been built to comply with the special character rules for the area, when the property owners could have done something totally different without the rules. Yet, having been so constrained, they are now being told they do not contribute to the special character of the area. This is a contradiction.

26. Policy (4)(d) of B5.2.2 recognises areas as being historic even if parts of the area contain modern elements. Policies (6), (7) and (8) of B5.2.2 recognise that Historic Heritage Places need holistic protection, which can impact on the classification of surrounding property, even modern properties. The body of these policies is as follows:

(6) Avoid significant adverse effects on the primary features of significant historic heritage places which have outstanding significance well beyond their immediate environs

(7) Avoid where practicable significant adverse effects on significant historic heritage places. Where significant adverse effects cannot be avoided, they should be remedied or mitigated so that they no longer constitute a significant adverse effect.

(8) Encourage new development to have regard to the protection and conservation of the historic heritage values of any adjacent significant historic heritage places.

27. Policy 8 is particularly applicable, since 6-storey buildings would certainly be a “new development”.

28. At the least, policies (6) to (8) justify giving the houses fronting onto Selby Square Two-Storey Single Dwelling Residential status. But, as submitted, Special Character zoning for all the houses surrounding Square should be conferred. Selby Square proper is a place of historic importance and special character, the protection of which must extend to the houses surrounding it. Those houses themselves have sufficient special character to warrant retention of special character status.

29. In the next section of this submission, we criticise the rigidity of the application of special character criteria in Plan Change 78, particularly the rule that requires in areas such as St Mary’s Bay 75% of individual houses in street to meet the special character criteria. Those criticisms apply just as strongly to the treatment of the houses in Selby Square, and should be read as if repeated in this section.

30. In summary, we submit that Plan Change 78 should be amended to: (a) accord the Square itself as having historic significance; (b) protect the pre-1945 houses that surround the Square; and (c) prohibit the erection of any buildings over two storeys fronting onto the Square.

443.7

443.8

443.9

Cameron St

31. If one counts the houses that are on the corners of Cameron St and Shelly Beach Road and the corners of Cameron St and Seymour St (as one should, since they form part of the streetscape of Cameron St; it is rational to double-count corner houses for the purpose of a survey such as has occurred here), 11 out of 16 houses in Cameron St were, we believe, built before 1945. It is more impactful, perhaps, to say that only 5 were built after 1945. Some of the pre-1945 houses have been modified, but they retain their villa and bungalow form. These properties strongly contribute to the special character values of the area, as referred to in

Information Sheet #9 published with the plans that accompanied the Preliminary Response documents.

32. Cameron St is outside the walkable catchment area and hence at 11/16 meets the 66% threshold of pre-1945 houses. If the Council considers that the 75% threshold applies because of the Ponsonby Town Centre then we have three responses. First, there should not be a Ponsonby Town Centre. Secondly, the 66% threshold and not the 75% threshold should be applied to town centres. Thirdly, the doctrinaire 75% and 66% thresholds should not be applied mechanistically, in any event, but only as a starting point followed by a holistic assessment. We submit that on a holistic assessment Cameron St should be retained in the special character zone. We make more detailed submissions on the thresholds below.
33. The large Edwardian house at No 11 Shelly Beach Road, on the north-western end of Cameron St, is already categorised as having Historic Heritage Extent of Place protection. The manse at No 10 Cameron St and the house at No 9 Cameron St should, in principle also be so categorised. However, simply categorising Nos 9 and 10 Cameron St as meeting Historic Heritage criteria will not be appropriate, as we explain below.
34. Plainly, we are most concerned about No 9, since we own it. Currently, the house at No 7 dates to about 1912, the house at No 11 is modern, but to scale. If Nos 7 and 11 were permitted to build to 6-storeys, the effect in relation to No 9 would be that the historic property would be completely overshadowed. Similarly if the houses immediately below the property in Westwood Terrace were to build to 6 storeys the grounds of No 9, facing due north and sunny, would become overawed and shaded.
35. Any developer of No 7 or No 11, in particular, under Plan Change 78 would not only obtain the benefit of the new 6-storey norm but a bonus of looking over only a 2-storey house with large lawn and mature trees. It would be one thing to give up the very large development potential our land at No 9 in order to keep an important historic house, but quite another then to find that one is shaded and dwarfed by neighbours. That would be a very unjust result.
36. The short answer is that the whole of Cameron St warrants the Special Character Area-Qualifying Matter status and should be categorised as such. Alternatively, the Historic Heritage criteria should be applied much more liberally than just the 4 houses that have been so designated in the whole of St Mary's Bay. Even the pair of houses in Dublin St that we understand date from about 1854 have been omitted. It is our submission that Plan Change 82 very inadequately protects the historic heritage of St Mary's Bay.
37. Although, we submit that even under the Council's own criteria, Cameron St should retain Special Character status, we also challenge the approach taken in Plan Change 78 to the application of the special character criteria. If necessary Auckland Council has the power to, and should, modify Resolutions PLA/2021/80 (July 2021) and PLA/2022/31 (March 2022). For ease of reference, the six special character criteria used are: architectural style; period of development; typology; relationship to the street; scale; and the physical integrity of buildings.
38. In our submission:
 - a) the requirement for 75% of houses in a street to meet the special character criteria in order for the street to attain Qualifying status is set too high. This is not a Central Government requirement. Auckland Council has through this decision simply magnified

443.10

443.11

- the damage done by Central Government. The requirement should be set at 51% (and the 66% rule outside SCAs reduced to the same); 443.12
- b) the special character criteria have been applied too rigidly, as explained in the next paragraph. Again, Central Government does not insist on such rigid criteria; and
- c) the requirement that individual properties meet 5/6 of the criteria is set too high, and inflexibly. Again, these are not Central Government requirements. The norm should be 4/6. 443.13
39. One can infer from the Council literature on the special character areas (including its summary for St Mary's Bay in the Preliminary Response), and from the outcome of both the Preliminary Response and Plan Change 78, that undue emphasis has been put by Council personnel on pre-1945 houses being small in scale and conforming in style to one of the select number of standard villa and bungalow pattern-houses. This has meant, in the application of the criteria to Cameron St, far too much emphasis has been placed on the scale of the houses as being too big and on most of them not fitting the pattern-book.
40. The fact is that many of the houses in Cameron St are unique, albeit built before 1945. Take the striking two-storey bungalow-style house at No 6 Cameron St (photo attached; nb it has always been two-storeyed); the large transitional villa at No 8; and the stylish manse at No 10. Undue prejudice, in assessing the streetscape, has, we believe, also been put on houses having high(ish) fences. This is so even though all the houses can be viewed from the street.
41. More expressly, it would be wrong, even irrational, to say that because fences or hedges have lowered the visibility of some special-character-houses from the street, the properties themselves have lost their special character or had it markedly reduced, so that the houses on them may as well be open to destruction or removal. This approach treats something cosmetic on the street, and not intrinsically permanent, as more important than substance, and means any historic house (even one nearly 160 years old) can be destroyed. A developer who wanted to build to 6-storeys would only need to put up a high fence, have the property reassessed, then knock down the existing house.
42. Fences, including stone ones, and hedges are reversible. The visibility of such houses (in the case of Cameron St, houses dating from 75 to 160 years old) can be readily restored. 9 Cameron St, in particular, is behind (environmentally significant) 100-year old cypress trees, but the street façade, including its chimneys and historic slate roof, remains completely unchanged since 1864. As stated, all the houses in Cameron St retain a solid degree of visibility from the street, in any event.
43. In our submission, the arguments just made are also applicable to our submission that the Historic Heritage criteria should have been much more liberally applied by the Council.

Ponsonby Town Centre and Westwood Terrace

44. Under Plan Change 78, the walkable catchment from the city centre stops at St Mary's Road. But the Council has then found its way to make the upper part of St Mary's Bay zoned for 6 storeys on the basis of it being within 400 metres of a so-called Ponsonby Town Centre.
45. In our submission there is no Ponsonby Town Centre. Ponsonby Road is a long road but if it (including the part called "Three Lamps") ever was a town centre that centre ceased to exist some time back. The types of commercial shops on the Road and on Jervois Road are eclectic but apart from the cafés the shops are not attempting to service local residents. In the case

of Ponsonby Road it is surrounded by housing that should remain special character areas. For the reasons given above, the historicity of St Mary's Bay is just as obvious as that on the southern side of Ponsonby. Indeed, there are probably more pre-1875 houses still surviving in St Mary's Bay than in the south side of Ponsonby, and certainly St Mary's Bay comprises a stock of houses that are far older than those in Grey Lynn and Wanganui Avenue in Herne Bay.

46. As we understand it, the NPS-UD does not require intensification, or the degree of intensification that the Council has chosen to impose, ruining our historic area in the process.
47. In our submission, in relation to Westwood Terrace there is no basis for extending inward from the Shelly Beach Road intersection the Terrace House and Apartment Building zone. As soon as one moves eastward from Shelly Beach Road, Westwood Terrace penetrates quite deeply into St Mary's Bay. It should remain a Mixed Housing Suburban zoning.

Houses with Historic Heritage Classification Need Better Protection

48. As an alternative submission to the foregoing, we submit that where a house has been given a Historic Heritage classification it would be most unjust to allow owners of properties directly adjacent to such a house to build to 6 storeys. The owners of the historic properties, having forgone the development potential of their land, would then find themselves completely shaded and hemmed in by monstrosities being built next door. This would be the worst of all worlds, and plainly unfair.
49. We have already submitted that in the case of the streets surrounding Selby Square and for Cameron St the best solution is to retain the Special Character Area zoning for the streets. If that solution is not adopted, then it is submitted that any house that has Historic Heritage classification should be protected in the ways submitted in paragraph 1 of this Submission. That is to say, in relation to any individual house designated as within Historic Heritage that the surrounding area (say up to 50 metres from the perimeter of the property) be restricted to 3 storeys (of standard height), and at a minimum all properties on the immediate north, east and west of such a house be zoned with Two Storey Single Dwelling Residential status.
50. If no such permanent protection as argued for in the above paragraphs is provided for in Plan Change 78, then it is submitted that upon any application for a building or resource consent to build above 2-storeys on an immediately adjacent property, the owner of a house having Historic Heritage status should be conferred under Plan Change 78 (or by other means) the right unilaterally to release the house from that status unless the Council buys the historic house from the owner at the full market value of the underlying land. Otherwise, one is requiring historic buildings to be retained while depriving the owners of the right to the full value of their land when neighbours exploit the value in theirs.

443.14

Trees

51. We submit that Plan Change 78 has also failed adequately to take into account the importance of the existence of mature trees in the city's urban centre, and in St Mary's Bay in particular.
52. Our property at 9 Cameron St has four 100-year old trees that are host to a pair of resident pīwakawaka and to tūī, and which receive occasional visits by kererū and ruru. This birdlife is only sustained because along the former stream bed that ran down from Cameron St to the sea (past the end of what is now Vine St), are mature kahikatea trees, and the odd rimu, pūriri,

kauri, rewarewa, tōtara, as well as pōhutukawa. Without protection this minor ecosystem will be lost in the proposed intensification of the suburb.

53. We therefore submit that in relation to St Mary's Bay, at least, the Council should be required under Plan Change 78 to protect all mature native trees from the effects of intensification.

443.15

Peter Watts and Stephanie Lees
9 Cameron St, St Mary's Bay
peter@peterwattsgc.com
October 2022

Below are photographs of houses especially referred to in the above submissions



House at, 9 Cameron St, St Mary's Bay, above



House at 10 Cameron Street, above



House at 6 Cameron Street, above

Ginny Taare

From: Unitary Plan
Sent: Thursday, 22 September 2022 11:46 am
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Eve Skogstad
Attachments: hatton rd 2_PCS_tree constraints_27 may 2022.pdf

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Eve Skogstad

Organisation name:

Agent's full name:

Email address: eve-nz@windowslive.com

Contact phone number: 0275506466

Postal address:
2 Hatton Rd
Orewa
Auckland 0931

Submission details

This is a submission to:

Plan change number: Plan Change 78

Plan change name: PC 78: Intensification

My submission relates to

Rule or rules:
Qualifying matters:

Scheduled Tree

Flood Plain

Coastal Inundation

Property address: 2 Hatton rd, Orewa

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:

Scheduled tree - We have looked into this with an arborist who has concluded that this is a scheduled tree. However, it is located right in the front corner and wouldn't prevent development on the site. Please see report attached. Therefore, the existing plan controls on the scheduled trees that will remain are sufficient to the point that this need not be listed as a qualifying matter.

456.1

Flood Plain - The flood plain merely clips this site. Surveyor Scott Lamason commented that it shouldn't have any major impact on the site. He would recommend a FFL of at least 4.0 for Orewa as it floods quite often. When its high tide all the stormwater outfalls become inundated and ground water levels are near the surface. If any type of large rainfall coincides with high tide a flood will occur. Typically this floods every 5-10 years, however the flood is typically quite shallow (RL 3.50). Therefore, this qualifying matter should not apply.

456.2

Coastal inundation - We would like to know where the PC78 overlay comes from. The latest information held by engineer Scott Lamason (Director of Engineous Consulting) have for Sea Level Rise (which is backed up by a NIWA report) does not show SLR anywhere near this property. Therefore, again this qualifying matter should not be applied to this property.

456.3

I or we seek the following decision by council: Decline the plan change, but if approved, make the amendments I requested

Details of amendments: Removal of the qualifying matters - Scheduled tree, Flood Plain and Coastal Inundation.

Submission date: 22 September 2022

Supporting documents

hatton rd 2_PCS_tree constraints_27 may 2022.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.

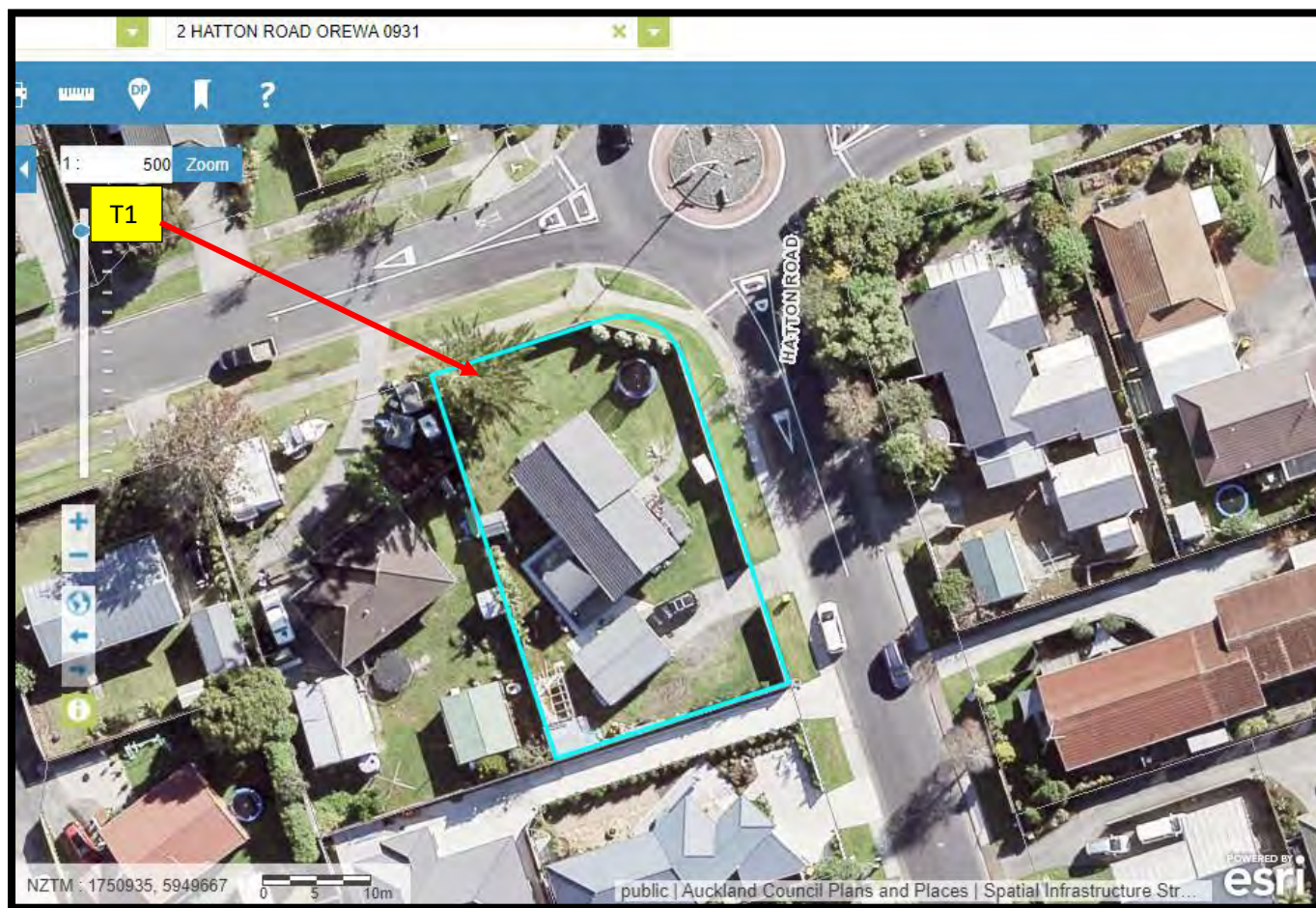


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Preliminary Constraints Summary – works around Notable Tree

- **Location:** 2 Hatton Road, Orewa
- **Date of site inspection:** 20 May 2022
- **Date of PCS:** 27 May 2022

Figure 1 – Aerial image showing tree location (courtesy of Auckland Council GIS viewer).



T1 is a Notable Tree as included within Schedule 10 – Notable Trees of the Auckland Council Unitary Plan (AUP), tree id# 2489.

Table 1 – Tree biometrics.

Species	Height	Dbh	Bd	Dfb	TPZ	SRZ	RCS/PRZ	DME
Norfolk Island Pine (<i>Araucaria heterophylla</i>)	20m	939	1143	3	11.3	3.5	7.5/10	7.7

Explanatory notes

- **Dbh** = diameter at breast height (1.4m above ground level), in mm. Used to calculate TPZ (see below).
- **Bd** = basal diameter, in mm. Used to calculate SRZ.
 - **Note:** Dbh and Bd are calculated from circumference measurements.
- **Dfb** = distance of tree from boundary, in metres.

- **TPZ** = “Tree protection zone: An area set aside for the protection of a tree’s roots and crown to provide for the viability and stability of a tree to be retained where it is potentially subject to damage by development.” This is usually **expressed as a radius in metres** that defines a circle with the trunk/stem at its centre.
- **SRZ** = “Structural root zone: An area around the base of a tree required for the tree’s stability in the ground. Woody root growth and soil cohesion in this area are necessary to hold the tree upright.” This is usually **expressed as a radius in metres** that defines a circle with the trunk/stem at its centre.
- The TPZ and SRZ originate from Australian Standard AS4970 – 2009 *Protection of trees on development sites* (AS4970) and is one industrial standard that is sometimes used by Auckland Council (AC) when assessing impacts on trees.
- **PRZ** = *Protected Root Zone*, as per AC Unitary Plan (AUP) definition – a circle around a tree with a radius equal to the longest lateral spread of the canopy, or with upright specimens such as this tree, a circle with a radius equal to half the height of the tree. This measurement is a radial distance (not a diameter) from the centre of the trunk of the tree. This metric is more likely to be used for assessments by AC personnel than the TPZ.
- **RCS** = longest radial canopy spread, in m.
- **DME** = *Distance for Minor Encroachments*; this relates to the distance from the trunk of a disturbance that results in loss of 10% of the TPZ. In this situation, the tree has a TPZ of 11.3m; ground disturbance located 7.7m from one side of the trunk will affect 10% of the TPZ. Encroachments affecting more than 10% of the TPZ generally require specialist arboricultural input to reduce impacts on root zone areas.

Assessment

1. Figure 2 below shows the tree which is located approximately 3m from the northern site boundary. The canopy appeared to be in good health at the time of inspection. This is a relatively young tree in good health that has potential to survive for many decades if not damaged or otherwise compromised.

Constraints

2. In an ideal world any ground disturbance would be located as far from the tree as possible, definitely beyond the radial canopy spread. In reality site constraints may dictate that encroachments need to be made into viable root zone areas to achieve a desirable development outcome.
3. Any such proposal will be subject to approval by the AC Heritage Arborist, and probably the resource consents arborist too. In order to provide this approval, the AC arborist/s will need to be assured that any root zone disturbance is of a scale that will not generate any kind of significant adverse impact on the health, stability or useful lifespan of the tree.
4. As a starting point any disturbance or activity that may affect the roots or canopy of the tree should be located outside the PRZ. This translates as any disturbance being no closer than 10m from the centre of the trunk (beyond the PRZ) which is 2.3m more than the AS4970 DME figure described above.
5. Under some circumstances it may be supportable to encroach into PRZ or TPZ areas if adequate mitigation can be provided to offset any adverse impacts to the extent that they become insignificant. This may include use of root-friendly support systems, remediation of ground areas with mulch, provision of irrigation during dry spells or minor remedial pruning to modify part/s of the canopy.
6. Activities affecting notable trees are described in Chapter D13 – *Notable Trees Overlay*. The relevant standards that need to be complied with for *permitted activities* are detailed below:

D13.6.1. Tree trimming or alteration

- (1) The maximum branch diameter must not exceed 50mm at severance.
- (2) No more than 10 per cent of live growth of the tree may be removed in any one calendar year.
- (3) The works must meet best arboricultural practice.
- (4) All trimming or alteration must retain the natural shape, form and branch habit of the tree.

D13.6.2. Works within the protected root zone to enable trenchless methods at a depth greater than 1m below ground level

- (1) Excavation must be undertaken by hand-digging, air spade, hydro vac or drilling machine, within the protected root zone at a depth of 1m or greater.
- (2) The surface area of a single excavation must not exceed 1m².
- (3) Works involving root pruning must not be on roots greater than 35mm in diameter at severance.
- (4) Works must not disturb more than 10 per cent of the protected root zone.
- (5) Any machines used must operate on top of paved surfaces and/or ground protection measures.
- (6) Any machines used must be fitted with a straight blade bucket.
- (7) All works must be undertaken under the direction of a qualified arborist.

Figure 2 – Image of T1.



7. Any activities which exceed these standards are considered to be either *controlled*, *restricted* or *discretionary* activities and subject to assessment against the relevant assessment criteria in Chapter D13.

Summary of constraints

8. As a starting point any disturbance or development should be located at least 10m from the base of the tree, based on an estimated height of 20m.
9. Minor encroachments into the protected root zone area **may** be supportable provided they are done in a manner that avoids any adverse impacts on the tree. For example, parking areas or play/living areas may be established within root zone areas provided they are constructed in a manner that avoids or minimises excavation and avoids compaction or any other kind of damage to underlying roots; structures may be suspended on piles or floating slabs providing the above parameters are satisfied i.e. minimal excavation, no compaction or contamination and no other ground damage/disruption.
10. Any such encroachments will need to be as minimal as possible and there will be an expectation from the AC arborist/s that any encroachments are justified (i.e. there are no alternative options available that would avoid impacts on roots) and that adequate mitigation is provided to offset any adverse effects that may arise as a result of said encroachments.
11. There will be an expectation from the AC arborist/s that adequate space is provided for future growth, especially radial extension of the canopy. Any structures that intrude into the existing drip line area will affect limbs firstly by direct physical conflicts arising during construction (e.g. by the use of scaffolding) and secondly by ongoing growth post-development that may in turn generate applications to AC to trim branches to provide reasonable clearance from buildings and living areas. This expectation should be incorporated into any future design around this tree.
12. The edge of the drip line is within the PRZ as per the AUP definition and as such works beyond the canopy spread may technically impact the PRZ and this will need to be acknowledged and accommodated in any future design process.

Please feel free to contact me if you wish to discuss any of the above information.

Andrew Barrell

Consultant Arborist

Director, Tree3 Ltd

27 May 2022

Ginny Taare

From: Unitary Plan
Sent: Thursday, 22 September 2022 11:46 am
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Zhihao Hu

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Zhihao Hu

Organisation name:

Agent's full name:

Email address: huzhihaozh41@gmail.com

Contact phone number: 0212389047

Postal address:
 huzhihaozh41@gmail.com
 Mellons Bay
 Auckland 2014

Submission details**This is a submission to:**

Plan change number: Plan Change 78

Plan change name: PC 78: Intensification

My submission relates to

Rule or rules:

Property address: 15 Charles Dickens Drive

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 the property owner I'm happy with the up zoning but the qualifying matters added in is unseasonable and opposite the purpose of up zoning plan. The council has wasted over 1 year's time for my original plan to build a house for my parents and now seem will even takes longer.

461.1
 461.2
 461.3

I or we seek the following decision by council: Approve the plan change with the amendments I requested

Details of amendments: remove the quality matters

Submission date: 22 September 2022

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? No

Declaration

Could you gain an advantage in trade competition through this submission? Yes

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.



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

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



AUCKLAND COUNCIL

22 SEP 2022

CBD - ALBERT ST

Send your submission to 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)

MR. JOHN GODFREY

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

Address for service of Submitter

87 SUNNYHODGE ROAD FORREST HILL AUCKLAND 0620

Telephone:

(09) 4104025

Fax/Email:

jandrose87@outlook.com

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 78

Plan Change/Variation Name

Intensification

The specific provisions that my submission relates to are:

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

Plan provision(s)

STORM WATER CONSTRAINTS AND FLOOD HAZARD

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: To support Auckland City Council and
endorse additional qualifying matters. Resolution PLA/2022/
84 (f)
REFER ATTACHED SHEETS

(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 ☐

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

Refer attached submission.

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)

19/9/2022
 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 in regard to Plan Change/Variation Number PC78

The reasons for my views are:

I fully support the endorsement of the additional qualifying matters which are additional to those approved by the Planning Committee in resolution PLA/2022/84(f). These matters are specifically related to stormwater constraints and flood hazards.

462.1
462.2

Item iii) Infrastructure – Stormwater Disposal Constraints Control.

Additional qualifying matters

- a) Endorse the following qualifying matters which are additional to those approved by the Planning Committee in resolution PLA/2022/84 (f)
 - i) Infrastructure – Water and/or Wastewater Constraints
 - ii) Infrastructure – Combined Wastewater Network Control
 - iii) Infrastructure – Stormwater Disposal Constraints Control
 - iii) Infrastructure – Beachlands Transport Control
 - iv) Open Space – Community zone
 - v) Māori Cultural Heritage - Pukekiwiriki Pā
 - vi) Māori Cultural Heritage - Pararēkau Island
 - vii) the various qualifying matters identified within Auckland Unitary Plan precincts set out in Attachment B of the agenda report.

Due to the number of stormwater catchments all flowing downstream and culminating in the area. The Sunnynook/Forrest Hill/Totaravale/Wairau Creek catchment area is a significant flood risk, with a number of residential and commercial properties at risk of inundation.

The redevelopment of Sunnynook Park for the reduction of peak flows has not solved the problem. It has been shown that during the last two years that heavy rain events still pose the threat of severe flooding risks. Residents living in Kapati Place were millimeters away from being flooded quite recently. (November 2021)

Sufficient to relate that in the 38 years I have been a resident of Sunnynook my property has had the habitable basement flooded on four occasions and of those, two resulted in the New Zealand Fire Brigade attending. The current infrastructure for stormwater dispersal being incapable of coping with the current heavy rainfall. With the prospect of climate change now affecting all aspects of weather I am concerned the situation will only worsen.

Refer Attachment Item iii) Sunnynook Park flooded.

The destruction of vegetation, loss of pervious ground, will in my opinion, further increase the risk. High Rise buildings by their very nature capture a greater amount of rainfall thus again over stressing the stormwater infrastructure.

Reference: - Attachment ii) Sunnynook flood zone.

H6 Residential – Terrace Housing and Apartment Buildings Zone

H6.6.10. Maximum impervious area

Purpose:

- to manage the amount of stormwater runoff generated by a development, particularly in relation to the capacity of the stormwater network and potential flood risks;
- to support the functioning of riparian yards, lakeside yards and coastal yards and water quality and ecology;
- to reinforce the building coverage and landscaped area standards; and
- to limit paved areas on a site to improve the site's appearance and cumulatively maintain amenity values in a neighbourhood.

(1) The maximum impervious area must not exceed 70 per cent of site area.

(2) The maximum impervious area within a riparian yard, a lakeside yard or a coastal protection yard must not exceed 10 per cent of the riparian yard, the lakeside yard or the coastal protection yard area.

The Sunnynook plan specifically highlights the medium term need to address Wairau Creek catchment flood resilience and to investigate opportunities to improve flood resilience in the Totara Vale area, including Rewi Alley Reserve and Trias Reserve over the next decade.

Reference: - Attachment i) Wairau Creek flood zone.

I seek the following decision by Council:

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

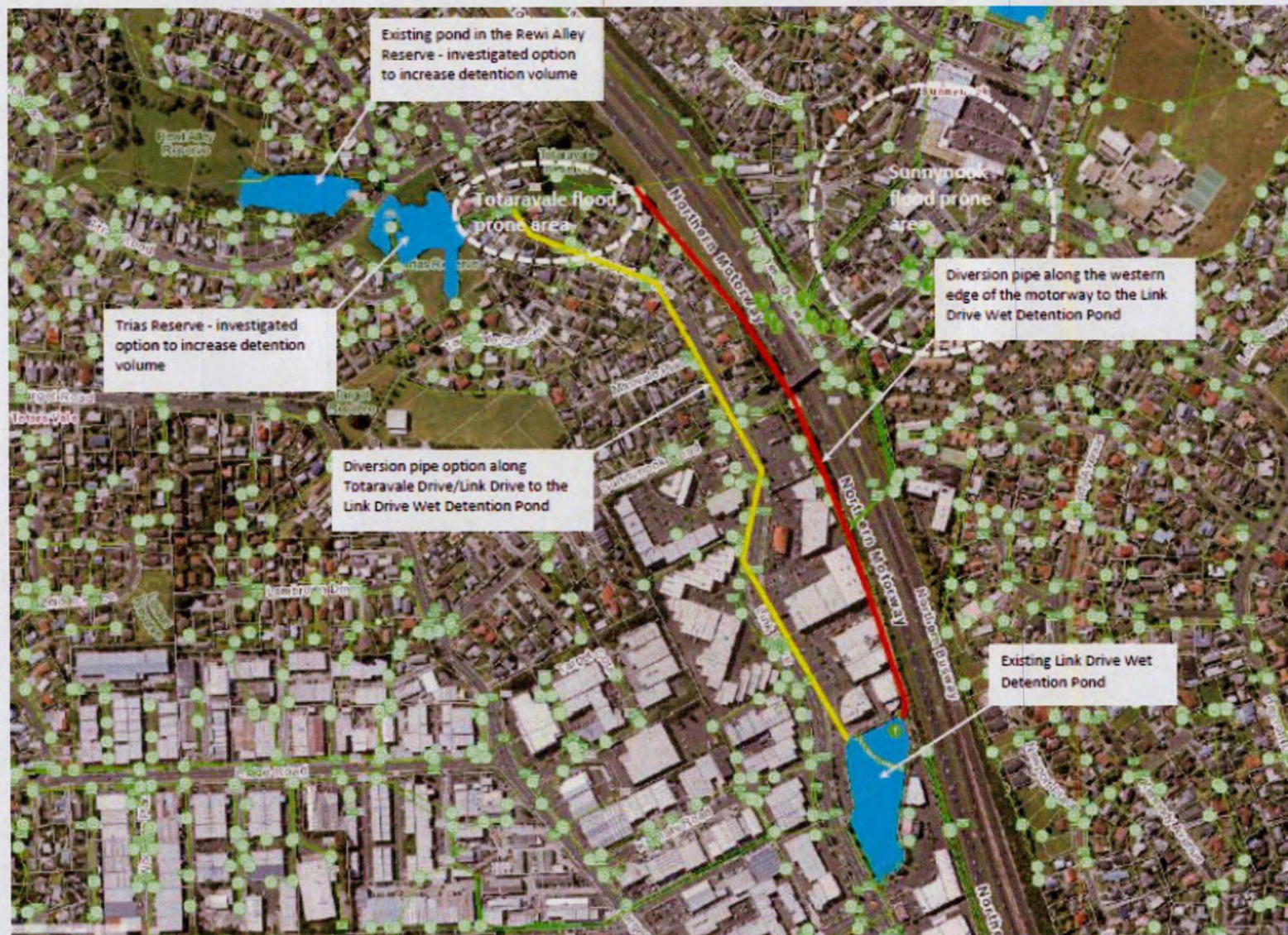
If the proposed plan change / variation is not declined, then amend it as outlined below.

I would not support the NPS-UD until:

Stormwater infrastructure and flood risks are further mitigated through improvements to flood protection in the Sunnynook/Forrest Hill/Totaravale/Wairau Creek area as outlined in the Sunnynook Plan and the issuing of consents or permissions for proposed developments in the Sunnynook area are assessed with respect to long term impacts of stormwater.

462.3

- Attachments:- i) Wairua Creek flood zone.
 ii) Sunnynook flood zone.
 iii) Sunnynook Park flooded.

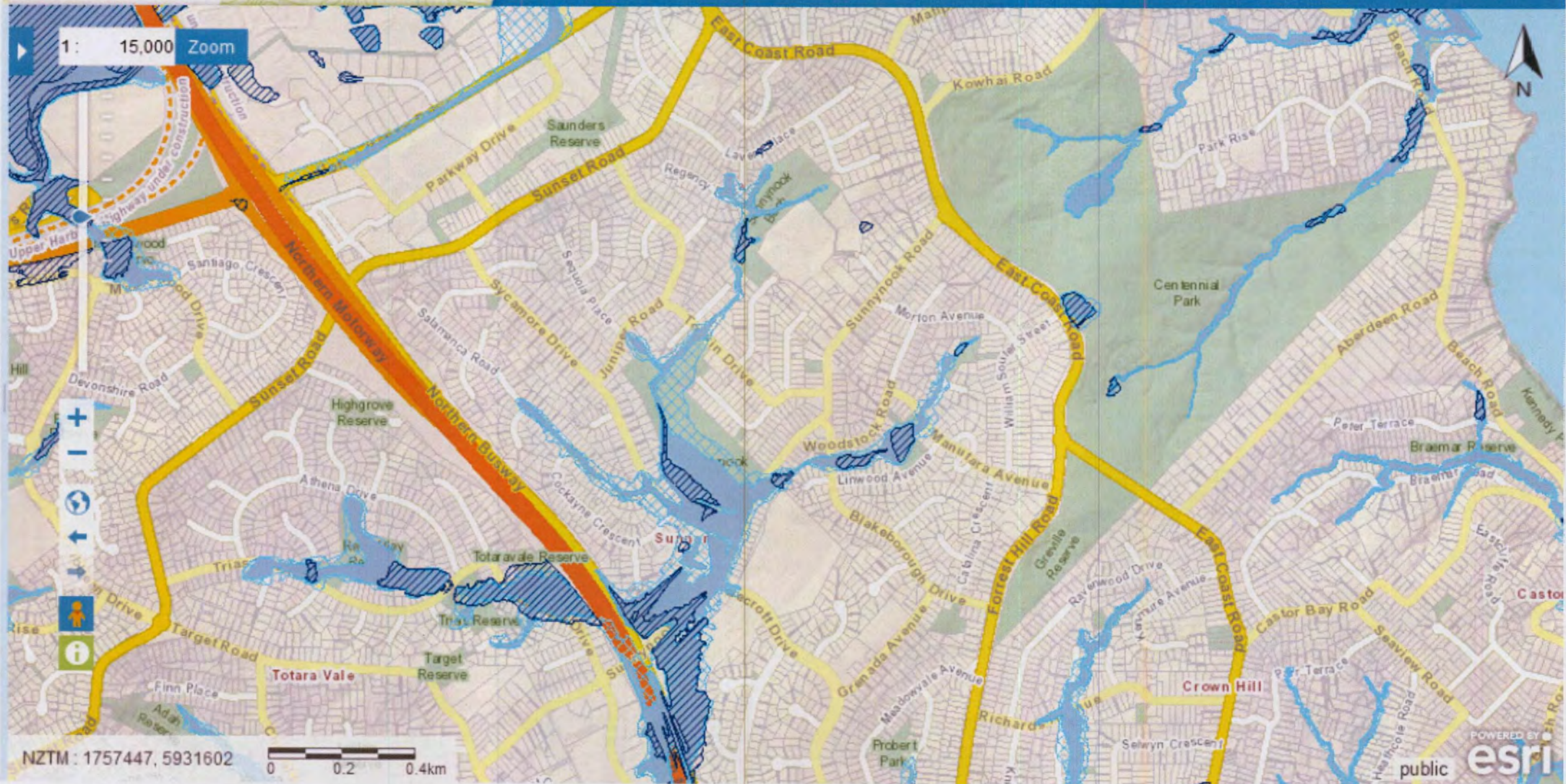




GEOMAPS

Address

Search the map





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 or post to :

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

AUCKLAND COUNCIL

22 SEP 2022

CBD - ALBERT ST

For office use only

Submission No:

Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms (Full Name)

ROBYN ROSEMARY CAMERON

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

Address for service of Submitter

5 TUDOR ST, DEVONPORT, AUCKLAND 0624

Telephone:

021 420163

Fax/Email:

cameronrobyn@gmail.com

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 78

Plan Change/Variation Name

Intensification

The specific provisions that my submission relates to are:

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

Plan provision(s)

Chapter D18 Special Character Overlay Residential as the overlay relates to Devonport

Or

Property Address

your address 5 TUDOR ST, DEVONPORT, AUCKLAND

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: SEE ATTACHED (1)

(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 ☐

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

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)

Date

20/9/22

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.

PLAN CHANGE 78**ATTACHMENT TO SUBMISSION BY ROBYN CAMERON****5 TUDOR STREET, DEVONPORT 0624**

**THIS SUBMISSION RELATES TO CHAPTER D18 SPECIAL CHARACTER OVERLAY
RESIDENTIAL AS IT RELATES TO DEVONPORT.**

**I WISH TO HAVE THE SPECIFIC PROVISIONS IDENTIFIED ABOVE AMENDED. MY REASONS
ARE:**

CHARACTER

Devonport is unique character area in Auckland and New Zealand as a whole. Its location, history, and above all character is a drawcard for the many New Zealanders and overseas tourists who visit Devonport to admire its setting, historic architecture and environment.

Intensive development as proposed will detract significantly from its appeal and runs the risk of being responsible for the degradation of a very appealing area to visit and in which to reside. National and International Tourism generates welcome revenue for Devonport businesses. Not to mention wellbeing for visitors and locals alike.

The years of work done by Devonport Heritage and others and which has significantly advanced protections for our older homes, will potentially be undermined. The unappealing development of high rise 2 or 3 storey blocks, built by developers with eyes on the money and without any building controls could be appalling. I am really shocked that after so many years of building controls and protections, Government and Councils are endeavouring to force local residents who care about Devonport to accept these appalling changes.

INFRASTRUCTURE

The power supply and wastewater for the whole of the Devonport Peninsula is inadequate. Lake Road is already a nightmare and needs upgrading. Most developers have no concern for these issues and will pocket the money and run, leaving Devonport residents and Council to endeavour to sort out the resultant issues.

I SEEK THE FOLLOWING DECISION BY COUNCIL.

ACCEPT THE PROPOSED PLAN CHANGE/VARIATION WITH AMENDMENTS.

- | | | |
|------|---|-------|
| i) | Retain the Special Character Overlay over all of Devonport. | 463.1 |
| ii) | Retain and protect the special character of the Devonport area. | 463.2 |
| iii) | Do not erode or disrupt the cohesive streetscape of the wider special character area. | |
| iv) | Delete the Mixed Housing Urban Zone altogether within the Devonport area, specially in areas adjacent to the historic waterfront of King Edward Parade and the heritage area of Cheltenham Beach. | 463.3 |
| v) | Make the Victoria Road shopping area an Historic Heritage area. | 463.4 |
| vi) | Remove Policy 3d from Residential areas in Devonport. | 463.5 |



Robyn Cameron
Tel 021 420163

(Tudor Street Resident since 1984.)

22 September 2022

PLAN CHANGE 78

ATTACHMENT TO SUBMISSION BY ROBYN CAMERON

5 TUDOR STREET, DEVONPORT 0624

THIS SUBMISSION RELATES TO CHAPTER D18 SPECIAL CHARACTER OVERLAY
RESIDENTIAL AS IT RELATES TO DEVONPORT.

I WISH TO HAVE THE SPECIFIC PROVISIONS IDENTIFIED ABOVE AMENDED. MY REASONS
ARE:

CHARACTER

Devonport is unique character area in Auckland and New Zealand as a whole. Its location, history, and above all character is a drawcard for the many New Zealanders and overseas tourists who visit Devonport to admire its setting, historic architecture and environment.

Intensive development as proposed will detract significantly from its appeal and runs the risk of being responsible for the degradation of a very appealing area to visit and in which to reside. National and International Tourism generates welcome revenue for Devonport businesses. Not to mention wellbeing for visitors and locals alike.

The years of work done by Devonport Heritage and others and which has significantly advanced protections for our older homes, will potentially be undermined. The unappealing development of high rise 2 or 3 storey blocks, built by developers with eyes on the money and without any building controls could be appalling. I am really shocked that after so many years of building controls and protections, Government and Councils are endeavouring to force local residents who care about Devonport to accept these appalling changes.

INFRASTRUCTURE

The power supply and wastewater for the whole of the Devonport Peninsula is inadequate. Lake Road is already a nightmare and needs upgrading. Most developers have no concern for these issues and will pocket the money and run, leaving Devonport residents and Council to endeavour to sort out the resultant issues.

I SEEK THE FOLLOWING DECISION BY COUNCIL.

ACCEPT THE PROPOSED PLAN CHANGE/VARIATION WITH AMENDMENTS.

- i) Retain the Special Character Overlay over all of Devonport.
- ii) Retain and protect the special character of the Devonport area.
- iii) Do not erode or disrupt the cohesive streetscape of the wider special character area.
- iv) Delete the Mixed Housing Urban Zone altogether within the Devonport area, specially in areas adjacent to the historic waterfront of King Edward Parade and the heritage area of Cheltenham Beach.
- v) Make the Victoria Road shopping area an Historic Heritage area.
- vi) Remove Policy 3d from Residential areas in Devonport.



Robyn Cameron
Tel 021 420163

(Tudor Street Resident since 1984.)

22 September 2022

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 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)

Darrell and Rhonda Hargreaves

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

Address for service of Submitter

11 Telephone Road, Birkenhead, Auckland

Telephone:

021 176 3577

Fax/Email:

drp.hargreaves@me.com

Contact Person: (Name and designation, if applicable)

Darrell

Scope of submission

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

Plan Change/Variation Number PC 78

Plan Change/Variation Name Intensification

The specific provisions that my submission relates to are:

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

Plan provision(s)

Dual zoning - Residential - Low Density Residential Zone - Residential - Mixed Housing Urban Zone

Or

Property Address

1 - 25 Telephone Road, Birkenhead, Auckland 0626

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:

The Mixed Housing Urban Zoning for all the properties from 1-25 Telephone Road is inappropriate.

Reasons as follows: water and waste water constraints, access (as it relates to infrastructure), flood plains, water and/or wastewater infrastructure constraints, notable trees, significant ecological areas and character. (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 ☐

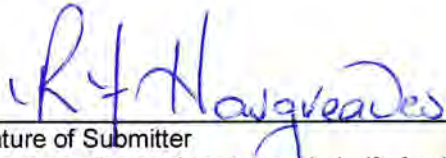
If the proposed plan change / variation is not declined, then amend it as outlined below. ☒

The Residential - Mixed Housing Urban Zone on part of the properties from 1-25 Telephone Road is to be removed and the entire properties is to be zoned Low Density Residential Zone as the Residential - Mixed Housing Urban Zone across part of the properties is inappropriate given the natural hazards on the land. There are also issues that support the Low Density Residential zone including, topography, access, character, coastal erosion, water and/or wastewater constraints. 469.1
469.2
469.3

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)

Date

23rd September, 2022

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.

George Bramer

From: Unitary Plan
Sent: Friday, 23 September 2022 9:45 am
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Barry Wood

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Barry Wood

Organisation name:

Agent's full name:

Email address: barryjewel@hotmail.com

Contact phone number: 0220533193

Postal address:
4/19 Shelly Beach Pde Cockle Bay 2014
Howick
Auckland 2014

Submission details

This is a submission to:

Plan change number: Plan Change 78

Plan change name: PC 78: Intensification

My submission relates to

Rule or rules:
Intensification

Property address: All of Cockle Bay

Map or maps:

Other provisions:
Qualifying Matters

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:
Sewerage , stormwater and insufficient infrastructure must be qualifying matters for Cockle Bay This is to not allow intensification in this area

I or we seek the following decision by council: Approve the plan change with the amendments I requested

Details of amendments: Howick must be kept as a single house zone , no intensification

Submission date: 23 September 2022

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.



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Sarah El Karamany

From: Unitary Plan
Sent: Sunday, 25 September 2022 11:00 am
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Barry Wood

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Barry Wood

Organisation name:

Agent's full name:

Email address: barryjewel@hotmail.com

Contact phone number: 0220533193

Postal address:
19a Shelly Beach Pde Cockle Bay
Howick
Auckland 2014

Submission details

This is a submission to:

Plan change number: Plan Change 78

Plan change name: PC 78: Intensification

My submission relates to

Rule or rules:
Plan change 78

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:
Submission plan change 78

Please add these to my submission

1. I support the proposed changes to date in Plan Change 78 with the following .
2. I request the Independent Hearings Panel introduce long term economic costs as a qualifying matter
3. Because of the growing incidences of heavy rainfall and flooding, I request stormwater to be included as a

qualifying matter, with a wider area-based risk assessment, based on the 100 year flood scenario. Without this, we believe that an increasing risk of flooding, stream erosion and even difficulties obtaining affordable insurance cover will occur. (Cockle Bay is at particular risk because of dependence on streams, soak pits and aged infrastructure).

4. I Include immediately all relevant safeguards set out in the New Zealand Coastal Policy statement 2010. (At the moment there are references only to areas of coastal erosion and inundation. The Enabling Act requires the Coastal Policy to be considered).

5. We must improve transparency and consistency by including specific specifications on all consent requirements. (In cases where we have raised queries, we have been referred to individual planners for explanations.

6. 6. I wish to request wider areas of the city be included as character areas, in order to preserve our heritage for Auckland City.

Barry Wood 19a Shelly Beach Pde Cockle Bay Howick Auckland
Barryjewel@hotmail.com

I or we seek the following decision by council: Approve the plan change with the amendments I requested

Details of amendments: As submitted

Submission date: 25 September 2022

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.



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From: barryjewel@hotmail.com
 Sent: Sun Sep 25 2022 10:30:06 GMT+1300 (New Zealand Daylight Time)
 To: contactus@aucklandcouncil.govt.nz
 Subject: Auckland Council online enquiry - Something else

Enquiry type: Something else

Tell us more about the location of the problem or enquiry:

Submission plan change 78 Please add these to my submission 1. I support the proposed changes to date in Plan Change 78 with the following . 2. I request the Independent Hearings Panel introduce long term economic costs as a qualifying matter 3. Because of the growing incidences of heavy rainfall and flooding, I request stormwater to be included as a qualifying matter, with a wider area-based risk assessment, based on the 100 year flood scenario. Without this, we believe that an increasing risk of flooding, stream erosion and even difficulties obtaining affordable insurance cover will occur. (Cockle Bay is at particular risk because of dependence on streams, soak pits and aged infrastructure). 4. I Include immediately all relevant safeguards set out in the New Zealand Coastal Policy statement 2010. (At the moment there are references only to areas of coastal erosion and inundation. The Enabling Act requires the Coastal Policy to be considered). 5. We must improve transparency and consistency by including specific specifications on all consent requirements. (In cases where we have raised queries, we have been referred to individual planners for explanations. 6. 6. I wish to request wider areas of the city be included as character areas, in order to preserve our heritage for Auckland City. Barry Wood 19a Shelly Beach Pde Cockle Bay Howick Auckland Barryjewel@hotmail.com

Tell us what the problem is and more details about the location.
 Submission plan change 78

Please add these to my submission

1. I support the proposed changes to date in Plan Change 78 with the following .
2. I request the Independent Hearings Panel introduce long term economic costs as a qualifying matter | 471.1
3. Because of the growing incidences of heavy rainfall and flooding, I request stormwater to be included as a qualifying matter, with a wider area-based risk assessment, based on the 100 year flood scenario. Without this, we believe that an increasing risk of flooding, stream erosion and even difficulties obtaining affordable insurance cover will occur. (Cockle Bay is at particular risk because of dependence on streams, soak pits and aged infrastructure). | 471.2

4. I Include immediately all relevant safeguards set out in the New Zealand Coastal Policy statement 2010. (At the moment there are references only to areas of coastal erosion and inundation. The Enabling Act requires the Coastal Policy to be considered). | 471.3
5. We must improve transparency and consistency by including specific specifications on all consent requirements. (In cases where we have raised queries, we have been referred to individual planners for explanations.
6. 6. I wish to request wider areas of the city be included as character areas, in order to preserve our heritage for Auckland City. | 471.4

Barry Wood 19a Shelly Beach Pde Cockle Bay Howick Auckland
Barryjewel@hotmail.com

Contact details

First name Barry

Last name Wood

Contact phone 0220533293

Email address barryjewel@hotmail.com



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Nathaniel Hazelden

From: Unitary Plan
Sent: Thursday, 22 September 2022 5:46 pm
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Barry Neil Watkin

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Barry Neil Watkin

Organisation name: N/A

Agent's full name: N/A

Email address: barrywnz@hotmail.com

Contact phone number: 021 274 8017

Postal address:
1 Sinclair Street
Devonport
Auckland 0624

Submission details

This is a submission to:

Plan change number: Plan Change 78

Plan change name: PC 78: Intensification

My submission relates to

Rule or rules:

Property address:

Map or maps:

Other provisions:
Chapter D18 Special Character Overlay Residential as it relates to Devonport

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:

I have grave concerns that the historic character of Devonport would be irretrievably altered if a series of modern dwellings, as described, were built. This issue is also of great concern in relation to other historic areas, such as Northcote Point and Birkenhead.

In my view, if our early settlements are intensified as planned, the damage done will be near-impossible to rectify. By comparison, imagine if such intensification were permitted in historic villages throughout Europe and Great Britain.

I seek the following points:

* The Devonport shopping village along Victoria Road should be zoned an HISTORIC HERITAGE AREA

475.1

- *Remove Policy 3d which would allow 5 storey buildings anywhere in Devonport
- *Retain the Special Character Overlay for all of Devonport

475.2

475.3

475.4

I or we seek the following decision by council: Decline the plan change

Submission date: 22 September 2022

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.



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Nathaniel Hazelden

From: Unitary Plan
Sent: Thursday, 22 September 2022 9:46 pm
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Michael Richard Adamson

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Michael Richard Adamson

Organisation name:

Agent's full name:

Email address: mike22240@hotmail.com

Contact phone number: 0210657689

Postal address:
49 Vipond Road
Stanmore Bay
Auckland 0932

Submission details

This is a submission to:

Plan change number: Plan Change 78

Plan change name: PC 78: Intensification

My submission relates to

Rule or rules:
Plan Change 78 (PC78)

Property address:

Map or maps:

Other provisions:
Terraced House and Apartment Building Zone (Chapter H Residential Zones), Policy 3(b)
Mixed Housing Urban Zone (Chapter H Residential Zones), Policy 3(b)
Historic Heritage and Special Character (Chapter D Overlays)
Infrastructure (Chapter D Overlays)
City Centre (Chapter I Precincts)
Qualifying Matters, Policy 4
Chapter G – Rural Urban Boundary (RUB) and Walkable Catchments

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 special character and heritage areas are nice but the opportunity cost of restricting denser development in these areas outweighs the benefits of making retaining these areas compulsory.

We should be making density in central areas as easy as possible since this will grant the most benefit to the city as a whole. We should focus on making sure infrastructure is centralised to keep rates low and quality of life high in central areas.

I or we seek the following decision by council: Approve the plan change with the amendments I requested

Details of amendments: Allow mass development in all character areas. If a specific home has heritage value allow the owner to apply for heritage NZ consent but do not arbitrarily assign large area 'special heritage areas'.

482.1

Submission date: 22 September 2022

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.



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Nathaniel Hazelden

From: Unitary Plan
Sent: Thursday, 22 September 2022 9:16 pm
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Stuart Webb
Attachments: Auckland's new intensification rules coastal areas submission.pdf

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Stuart Webb

Organisation name:

Agent's full name:

Email address: aucklandguy2000@yahoo.co.nz

Contact phone number:

Postal address:
149B West Harbour Drive
West Harbour
Auckland 0618

Submission details

This is a submission to:

Plan change number: Plan Change 78

Plan change name: PC 78: Intensification

My submission relates to

Rule or rules:
Zoning of coastal land as Mixed Housing Urban

Property address: Mixed Housing Urban adjacent to the Waitemata Harbour

Map or maps: Mixed Housing Urban adjacent to the Waitemata Harbour

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:
Per attached

I or we seek the following decision by council: Decline the plan change, but if approved, make the amendments I requested

Details of amendments: Zone coastal land as Low density residential

Submission date: 22 September 2022

Supporting documents

Auckland's new intensification rules coastal areas submission.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.



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Auckland's new intensification rules

As areas of special character, I consider that areas adjacent to the Waitemata Harbour that have not already been intensively developed should be the subject of a qualifying matter and placed under the Low Density Residential Zone (or similar) rules.

486.1

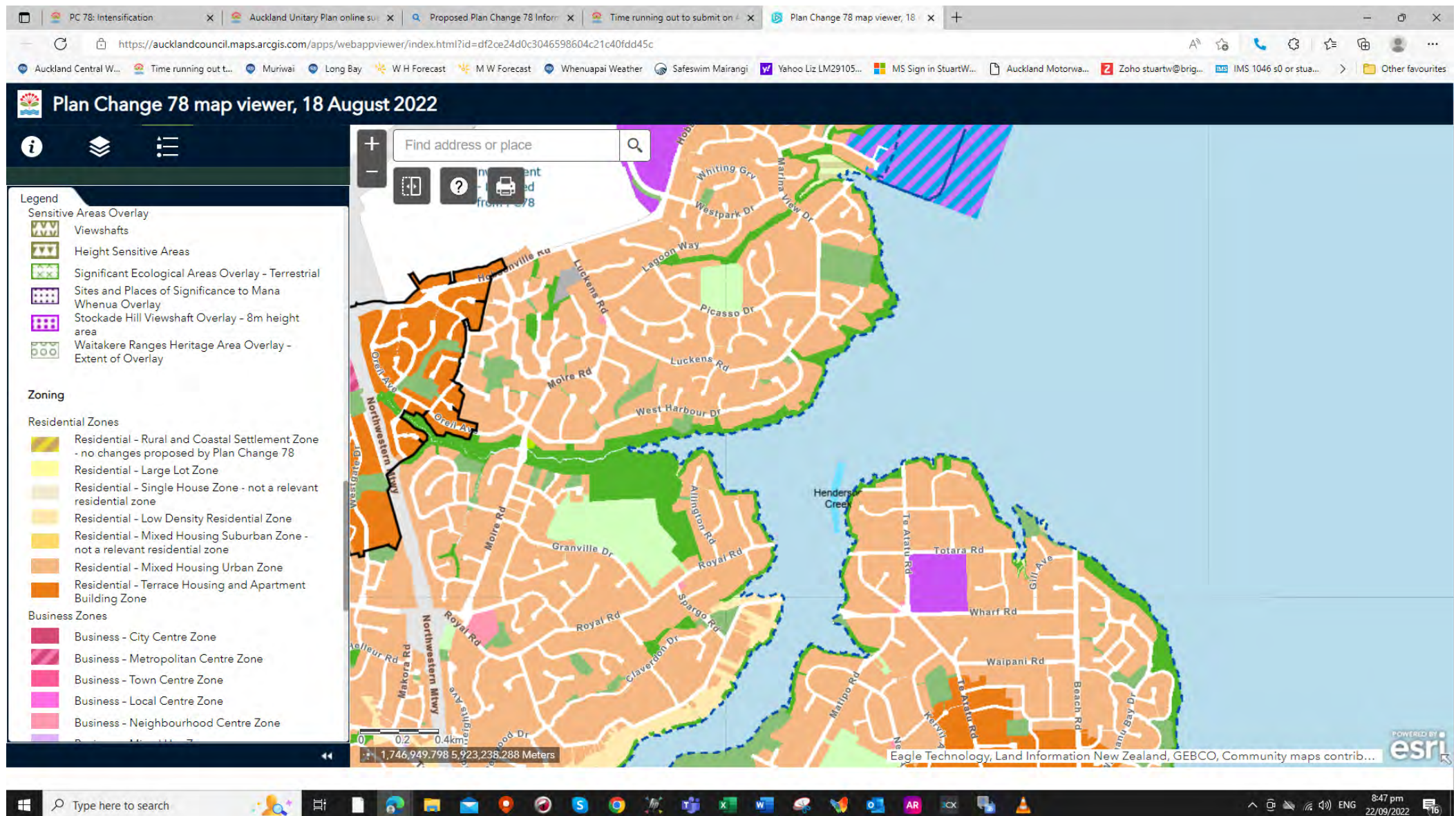
486.2

The strip of council owned coastal margin is often very narrow and therefore its value is significantly impacted by the development adjacent to it. The values of this land will only grow exponentially as the City population expands so consideration needs to be given to the future, not just today.

The reasons for treating these coastal adjacent areas in a special way (with a lower level of development) are:

1. To cater for the recreational needs of a growing and population and increased population density. In the future it is likely that paths all around the Waitemata where there is available Council owned land will be extended and become an extremely valuable amenity.
2. To mitigate the expected effects of climate change and coastal erosion that will result from sea level rise (example this is already happening at Luckens Reserve in West Harbour as evidenced by the ongoing slips that have now closed the beach access)
3. For conservation needs, these areas are or should feature in the ecological links from the Waitakere ranges to and along the harbour and beyond to the Hauraki Gulf Islands (example North-West Wildlink)
4. The coastal margins are outstanding natural features and landscapes with very high natural character in comparison to their hinterland whose value is reduced by intensive development

As just one example of such areas I would offer the one with which I am most familiar – the residential strip adjacent to the green (on the map) conservation zone that runs south from Hobsonville (formerly Westpark) marina to Moire Park



Ginny Taare

From: Rebecca Heap <ra.heap@xtra.co.nz>
Sent: Thursday, 22 September 2022 11:43 am
To: Unitary Plan
Subject: Group Submission Against Plan Change 78 at 254 Glenvar Road
Attachments: Group Submission against Plan Change 78 at 254 Glenvar Road.PDF

Dear Planners,

I would like to submit a Group Submission on behalf of the 11 people named below who are all owners at 254 Glenvar Road.

I have attached a single pdf of our Submission which also includes all the individual Form 5's from each person.

Paul Barron 1/254 Glenvar Road

Veena Soma-Barron 1/254 Glenvar Road

Jean England 2/254 Glenvar Road

Stacey Verner 3/254 Glenvar Road

Anna-Marie Verner 3/254 Glenvar Road

Daniel Foote 5/254 Glenvar Road

Kelly Foote 5/254 Glenvar Road

Philippe Kozuls 6/254 Glenvar Road

Kobi Kozuls 6/254 Glenvar Road

Ken Zhang 7/254 Glenvar Road

Rebecca Heap 8/254 Glenvar Road

Please advise me if this is the correct way of submitting or if you require 11 separate emails.
Many thanks

Rebecca Heap

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 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)

Veena Soma-Barron

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

Address for service of Submitter

1/254 Glenvar Road, Torbay, Auckland

Telephone:

021 337 336

Fax/Email: v33nasoma@gmail.com

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 78

Plan Change/Variation Name

Intensification

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

254 Glenvar Road, Torbay

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:

See 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 ☒

Decline the proposed plan change / variation ☐

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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 ☐

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

Date 20/09/2022

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Group Submission Against Plan Change 78 at 254 Glenvar Road

We are the owners at cross leases 1, 2, 3, 5, 6, 7 and 8/254 Glenvar Road, Torbay.

We are making a group submission and are opposing 254 Glenvar Road being zoned Mixed Housing Urban (MHU). We are writing to request that the zoning of the property at 254 Glenvar Rd (the property in which we all currently live at) be zoned low residential density (LRD).

489.1

We note in the draft submissions of Plan Change 78, 254 Glenvar Road along with all the adjoining properties (238, 240, 248 and 250 Glenvar Road and 19, 25 and 27 Stredwick Drive Torbay) which all adjoin the SEA, were all proposed to be zoned LRD.

In the current submissions of Plan Change 78, *only* 254 Glenvar Road Torbay has been changed to MHU.

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In the case of 254 Glenvar Road, Torbay there is an area of the property directly adjoining the SEA which is currently undeveloped and where development (particularly higher intensity development) could put the SEA at risk. As the owners of cross leases 1-8/254 Glenvar Road we consider that Council should take a holistic approach to the zoning of the sites on which the SEA is located, in order to maintain its integrity and protect it.

489.2

Details of the SEA at 254 Glenvar Road

The SEA is a prime example of an indigenous habitat and ecosystem having been in existence for hundreds of years. The SEA was historically part of one of the original farms in Torbay. It contains many indigenous plants such as Tī Kōuka (Cabbage Tree), Ponga, Rata, Manuka/Kanuka (Tea Tree) and Totara

It also houses and feeds abundant and varied bird life, including native kereru, moreporks, tuis, fantails, black birds and thrushes to name only a few. Without the SEA, these birds would also disappear. This indigenous habitat and ecosystem need to be protected as it also provides amenity to all properties who adjoin the SEA (not just our property at 254 Glenvar Road) and characterizes the Torbay area over the last 50 – 60 years.

Dan Foote from Intrepid Earth looked at the empty plot containing the SEA and made the following comments 'There are a good dozen or so native species in amongst the block. Definitely heaps of seedlings starting to get stronger and widely spreading themselves too which is beautiful to see. Manuka and Kanuka are doing well throughout the top parts of the bush and are doing a great job of retaining the hillside as they do in many scenarios throughout New Zealand forest. These are also very important to the bees who help pollination of all other natives that are flowering close by. Also amongst the native bush are stands of Mapou or Myrsine australis which is a dominant native on the north shore. Kohekohe trees which attract multiple native birds and are a stable mid canopy tree again important in stability in the hillsides of forest areas. Also various tree fern groves of Cyathea dealbata and Cyathea medularis and Dicksonia squarosa which feed invertebrates and birds alike. Medium trees and shrubs of Caprosma repens and Olearia and Hoheria native shrubs

create constant under canopy throughout the majority of the block. Karo trees and a Pohutukawa seedling are starting to thrive too some over 4-5m tall in places. I've seen and heard all the birds and insects in this very special SEA area of native forest and it needs to be looked after not re-zoned for more stormwater runoff and more rubbish and debris from over crowded housing'

We are all owner occupiers and many of us (some who have lived on the property for over 26 years) were drawn to purchase our homes on this property because of the leafy greenness, the abundant bird life and the privacy that the SEA affords us. We note Council is aware that a healthy pine tree over 100 years old and seven other trees were recently removed from the SEA without consent, they visited the property but did not press charges. The intensification of housing at 254 Glenvar would have a major impact on the SEA and would also-affect the hydrology and possibly cause slippage due to the steepness of this part of the site.

As the property is a single block with 8 existing dwellings intensification under the MHU would also greatly detract from the amenity of the area and townhouse style development would not fit the character of the existing site, which is unlikely to be developed to an MHU level due to the number of cross leases already here. It would not fit the character of the neighbourhood in which we live in.

Additional Reasons to Retain LRD at 254 Glenvar Road

Other reasons why the property at 254 Glenvar Rd should not be zoned MHU but rather LRD include:

1. Driveway

The property is cross lease with the plot for development being at the far end of a long, relatively narrow and in part quite steep driveway.

It is only a shared driveway, it is not a road designed for service vehicles.

Being relatively long and narrow with no lighting or space for a footpath, the significant increase in cars using the driveway could be hazardous to the occupants if the property is zoned MHU

2. Glenvar Road Access

At present we can have up to 16 wheely bins on the road on refuse and recycling day. The road outside 254 does not currently have a berm, which already creates a hazard on collection day due to limiting driver sightlines with bins across the driveway and onto the footpath. With more bins it would become impossible to get out of the drive and still maintain pedestrian safety. There is no footpath on the other side of Glenvar Road and we are on the direct route for many students walking to the local schools in Long Bay.

This part of Glenvar Road also has no scope for on street parking due to its width coupled with the open drain on our side and vegetation covering a drop on the other.

Conclusion

As owners living at the property, we believe we should also be able to have a greater say on how the property we live in is zoned. We after all make up the majority of the owners living at 254 Glenvar Road, Torbay. Therefore we are requesting that 254 Glenvar Road retains LDR status.

In the event of our majority submissions not being accepted, if the zoning is to be kept MHU, we would like there to be additional setbacks and controls on development to preserve the SEA and the amenity of those living at 254 Glenvar and the surrounding properties.

Ginny Taare

From: Veena Soma-Barron <v33nasoma@gmail.com>
Sent: Thursday, 22 September 2022 3:21 pm
To: Unitary Plan
Subject: Submission Against PC 78 at 254 Glenvar Road
Attachments: Submission Against PC78 at 254 Glenvar Road – V Soma-Barron.PDF

Dear Sir/Madam,

Please find my submission against PC78 at 254 GLENVAR RD, attached.

Ngā Mihi Nui
Veena Soma-Barron

B.Ed. (Teaching)., Dip Edit.
+64 (0) 21 337 336

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 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) Veena Soma-Barron

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

Address for service of Submitter

1/254 Glenvar Road, Torbay, Auckland

Telephone: 021 337 336 Fax/Email: v33nasoma@gmail.com

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 78

Plan Change/Variation Name Intensification

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 254 Glenvar Road, Torbay

Or

Map

Or

Other (specify)

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Dan Foote from Intrepid Earth looked at the empty plot containing the SEA and made the following comments 'There are a good dozen or so native species in amongst the block. Definitely heaps of seedlings starting to get stronger and widely spreading themselves too which is beautiful to see. Manuka and Kanuka are doing well throughout the top parts of the bush and are doing a great job of retaining the hillside as they do in many scenarios throughout New Zealand forest. These are also very important to the bees who help pollination of all other natives that are flowering close by. Also amongst the native bush are stands of Mapou or Myrsine australis which is a dominant native on the north shore. Kohekohe trees which attract multiple native birds and are a stable mid canopy tree again important in stability in the hillsides of forest areas. Also various tree fern groves of Cyathea dealbata and Cyathea medularis and Dicksonia squarosa which feed invertebrates and birds alike. Medium trees and shrubs of Caprosma repens and Olearia and Hoheria native shrubs

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AUCKLAND COUNCIL

27 SEP 2022

CBD - ALBERT ST

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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 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) Veena Soma-Barron

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

Address for service of Submitter

1/254 Glenvar Road, Torbay, Auckland

Telephone:

021 337 336

Fax/Email:

v33nasoma@gmail.com

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 78

Plan Change/Variation Name

Intensification

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

Plan provision(s)

Or

Property Address

254 Glenvar Road, Torbay

Or

Map

Or

Other (specify)

Submission

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I oppose the specific provisions identified above ☒

I wish to have the provisions identified above amended Yes ☒ No ☐

The reasons for my views are:

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(continue on a separate sheet if necessary)

I seek the following decision by Council:

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

Date

20/09/2022

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Ginny Taare

From: Rebecca Heap <ra.heap@xtra.co.nz>
Sent: Thursday, 22 September 2022 11:43 am
To: Unitary Plan
Subject: Group Submission Against Plan Change 78 at 254 Glenvar Road
Attachments: Group Submission against Plan Change 78 at 254 Glenvar Road.PDF

Dear Planners,

I would like to submit a Group Submission on behalf of the 11 people named below who are all owners at 254 Glenvar Road.

I have attached a single pdf of our Submission which also includes all the individual Form 5's from each person.

Paul Barron 1/254 Glenvar Road

Veena Soma-Barron 1/254 Glenvar Road

Jean England 2/254 Glenvar Road

Stacey Verner 3/254 Glenvar Road

Anna-Marie Verner 3/254 Glenvar Road

Daniel Foote 5/254 Glenvar Road

Kelly Foote 5/254 Glenvar Road

Philippe Kozuls 6/254 Glenvar Road

Kobi Kozuls 6/254 Glenvar Road

Ken Zhang 7/254 Glenvar Road

Rebecca Heap 8/254 Glenvar Road

Please advise me if this is the correct way of submitting or if you require 11 separate emails.
Many thanks

Rebecca Heap

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FORM 5



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Submission No:

Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full
Name)

Paul Barron

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

Address for service of Submitter

1/254 Glenvar Road, Torbay, Auckland

Telephone:

021 337 336

Fax/Email: oilbarron1966@gmail.com

Contact Person: (Name and designation, if applicable)

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We are making a group submission and are opposing 254 Glenvar Road being zoned Mixed Housing Urban (MHU). We are writing to request that the zoning of the property at 254 Glenvar Rd (the property in which we all currently live at) be zoned low residential density (LRD).

490.1

We note in the draft submissions of Plan Change 78, 254 Glenvar Road along with all the adjoining properties (238, 240, 248 and 250 Glenvar Road and 19, 25 and 27 Stredwick Drive Torbay) which all adjoin the SEA, were all proposed to be zoned LRD.

In the current submissions of Plan Change 78, *only* 254 Glenvar Road Torbay has been changed to MHU.

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In the case of 254 Glenvar Road, Torbay there is an area of the property directly adjoining the SEA which is currently undeveloped and where development (particularly higher intensity development) could put the SEA at risk. As the owners of cross leases 1-8/254 Glenvar Road we consider that Council should take a holistic approach to the zoning of the sites on which the SEA is located, in order to maintain its integrity and protect it.

490.2

Details of the SEA at 254 Glenvar Road

The SEA is a prime example of an indigenous habitat and ecosystem having been in existence for hundreds of years. The SEA was historically part of one of the original farms in Torbay. It contains many indigenous plants such as Tī Kōuka (Cabbage Tree), Ponga, Rata, Manuka/Kanuka (Tea Tree) and Totara

It also houses and feeds abundant and varied bird life, including native kereru, moreporks, tuis, fantails, black birds and thrushes to name only a few. Without the SEA, these birds would also disappear. This indigenous habitat and ecosystem need to be protected as it also provides amenity to all properties who adjoin the SEA (not just our property at 254 Glenvar Road) and characterizes the Torbay area over the last 50 – 60 years.

Dan Foote from Intrepid Earth looked at the empty plot containing the SEA and made the following comments 'There are a good dozen or so native species in amongst the block. Definitely heaps of seedlings starting to get stronger and widely spreading themselves too which is beautiful to see. Manuka and Kanuka are doing well throughout the top parts of the bush and are doing a great job of retaining the hillside as they do in many scenarios throughout New Zealand forest. These are also very important to the bees who help pollination of all other natives that are flowering close by. Also amongst the native bush are stands of Mapou or Myrsine australis which is a dominant native on the north shore. Kohekohe trees which attract multiple native birds and are a stable mid canopy tree again important in stability in the hillsides of forest areas. Also various tree fern groves of Cyathea dealbata and Cyathea medularis and Dicksonia squarosa which feed invertebrates and birds alike. Medium trees and shrubs of Caprosma repens and Olearia and Hoheria native shrubs

create constant under canopy throughout the majority of the block. Karo trees and a Pohutukawa seedling are starting to thrive too some over 4-5m tall in places. I've seen and heard all the birds and insects in this very special SEA area of native forest and it needs to be looked after not re-zoned for more stormwater runoff and more rubbish and debris from over crowded housing'

We are all owner occupiers and many of us (some who have lived on the property for over 26 years) were drawn to purchase our homes on this property because of the leafy greenness, the abundant bird life and the privacy that the SEA affords us. We note Council is aware that a healthy pine tree over 100 years old and seven other trees were recently removed from the SEA without consent, they visited the property but did not press charges. The intensification of housing at 254 Glenvar would have a major impact on the SEA and would also-affect the hydrology and possibly cause slippage due to the steepness of this part of the site.

As the property is a single block with 8 existing dwellings intensification under the MHU would also greatly detract from the amenity of the area and townhouse style development would not fit the character of the existing site, which is unlikely to be developed to an MHU level due to the number of cross leases already here. It would not fit the character of the neighbourhood in which we live in.

Additional Reasons to Retain LRD at 254 Glenvar Road

Other reasons why the property at 254 Glenvar Rd should not be zoned MHU but rather LRD include:

1. Driveway

The property is cross lease with the plot for development being at the far end of a long, relatively narrow and in part quite steep driveway.

It is only a shared driveway, it is not a road designed for service vehicles.

Being relatively long and narrow with no lighting or space for a footpath, the significant increase in cars using the driveway could be hazardous to the occupants if the property is zoned MHU

2. Glenvar Road Access

At present we can have up to 16 wheely bins on the road on refuse and recycling day. The road outside 254 does not currently have a berm, which already creates a hazard on collection day due to limiting driver sightlines with bins across the driveway and onto the footpath. With more bins it would become impossible to get out of the drive and still maintain pedestrian safety. There is no footpath on the other side of Glenvar Road and we are on the direct route for many students walking to the local schools in Long Bay.

This part of Glenvar Road also has no scope for on street parking due to its width coupled with the open drain on our side and vegetation covering a drop on the other.

Conclusion

As owners living at the property, we believe we should also be able to have a greater say on how the property we live in is zoned. We after all make up the majority of the owners living at 254 Glenvar Road, Torbay. Therefore we are requesting that 254 Glenvar Road retains LDR status.

In the event of our majority submissions not being accepted, if the zoning is to be kept MHU, we would like there to be additional setbacks and controls on development to preserve the SEA and the amenity of those living at 254 Glenvar and the surrounding properties.

Ginny Taare

From: Paul Barron <oilbarron1966@gmail.com>
Sent: Thursday, 22 September 2022 3:25 pm
To: Unitary Plan
Subject: Submission Against PC78 At 254 Glenvar Road Torbay
Attachments: Submission Against PC78 at 254 Glenvar Road – P Barron.PDF

Dear Sir/Madam,

Please find my submission against PC78 at 254 GLENVAR RD, attached.

Kind Regards,
Paul Barron

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 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)

Paul Barron

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

Address for service of Submitter

1/254 Glenvar Road, Torbay, Auckland

Telephone:

021 337 336

Fax/Email:

oilbarron1966@gmail.com

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 78

Plan Change/Variation Name

Intensification

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

254 Glenvar Road, Torbay

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:

See Attached Submission

(continue on a separate sheet if necessary)

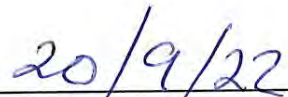
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Accept the proposed plan change / variation with amendments as outlined below	☒
Decline the proposed plan change / variation	☐
If the proposed plan change / variation is not declined, then amend it as outlined below.	☐

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AUCKLAND COUNCIL

27 SEP 2022

CBD - ALBERT ST

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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 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)

Paul Barron

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

Address for service of Submitter

1/254 Glenvar Road, Torbay, Auckland

Telephone:

021 337 336

Fax/Email: oilbarron1966@gmail.com

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 78

Plan Change/Variation Name

Intensification

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

254 Glenvar Road, Torbay

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:

See 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 ☒

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

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

Date

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Ginny Taare

From: Rebecca Heap <ra.heap@xtra.co.nz>
Sent: Thursday, 22 September 2022 11:43 am
To: Unitary Plan
Subject: Group Submission Against Plan Change 78 at 254 Glenvar Road
Attachments: Group Submission against Plan Change 78 at 254 Glenvar Road.PDF

Dear Planners,

I would like to submit a Group Submission on behalf of the 11 people named below who are all owners at 254 Glenvar Road.

I have attached a single pdf of our Submission which also includes all the individual Form 5's from each person.

Paul Barron 1/254 Glenvar Road

Veena Soma-Barron 1/254 Glenvar Road

Jean England 2/254 Glenvar Road

Stacey Verner 3/254 Glenvar Road

Anna-Marie Verner 3/254 Glenvar Road

Daniel Foote 5/254 Glenvar Road

Kelly Foote 5/254 Glenvar Road

Philippe Kozuls 6/254 Glenvar Road

Kobi Kozuls 6/254 Glenvar Road

Ken Zhang 7/254 Glenvar Road

Rebecca Heap 8/254 Glenvar Road

Please advise me if this is the correct way of submitting or if you require 11 separate emails.
Many thanks

Rebecca Heap

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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) JEAN ENGLAND

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

Address for service of Submitter

2/254 Glenvar Road, Torbay, Auckland

Telephone: 021 337 766 Fax/Email: mandy.english@gmail.com

Contact Person: (Name and designation, if applicable)

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It also houses and feeds abundant and varied bird life, including native kereru, moreporks, tuis, fantails, black birds and thrushes to name only a few. Without the SEA, these birds would also disappear. This indigenous habitat and ecosystem need to be protected as it also provides amenity to all properties who adjoin the SEA (not just our property at 254 Glenvar Road) and characterizes the Torbay area over the last 50 – 60 years.

Dan Foote from Intrepid Earth looked at the empty plot containing the SEA and made the following comments 'There are a good dozen or so native species in amongst the block. Definitely heaps of seedlings starting to get stronger and widely spreading themselves too which is beautiful to see. Manuka and Kanuka are doing well throughout the top parts of the bush and are doing a great job of retaining the hillside as they do in many scenarios throughout New Zealand forest. These are also very important to the bees who help pollination of all other natives that are flowering close by. Also amongst the native bush are stands of Mapou or Myrsine australis which is a dominant native on the north shore. Kohekohe trees which attract multiple native birds and are a stable mid canopy tree again important in stability in the hillsides of forest areas. Also various tree fern groves of Cyathea dealbata and Cyathea medularis and Dicksonia squarosa which feed invertebrates and birds alike. Medium trees and shrubs of Caprosma repens and Olearia and Hoheria native shrubs

create constant under canopy throughout the majority of the block. Karo trees and a Pohutukawa seedling are starting to thrive too some over 4-5m tall in places. I've seen and heard all the birds and insects in this very special SEA area of native forest and it needs to be looked after not re-zoned for more stormwater runoff and more rubbish and debris from over crowded housing'

We are all owner occupiers and many of us (some who have lived on the property for over 26 years) were drawn to purchase our homes on this property because of the leafy greenness, the abundant bird life and the privacy that the SEA affords us. We note Council is aware that a healthy pine tree over 100 years old and seven other trees were recently removed from the SEA without consent, they visited the property but did not press charges. The intensification of housing at 254 Glenvar would have a major impact on the SEA and would also-affect the hydrology and possibly cause slippage due to the steepness of this part of the site.

As the property is a single block with 8 existing dwellings intensification under the MHU would also greatly detract from the amenity of the area and townhouse style development would not fit the character of the existing site, which is unlikely to be developed to an MHU level due to the number of cross leases already here. It would not fit the character of the neighbourhood in which we live in.

Additional Reasons to Retain LRD at 254 Glenvar Road

Other reasons why the property at 254 Glenvar Rd should not be zoned MHU but rather LRD include:

1. Driveway

The property is cross lease with the plot for development being at the far end of a long, relatively narrow and in part quite steep driveway.

It is only a shared driveway, it is not a road designed for service vehicles.

Being relatively long and narrow with no lighting or space for a footpath, the significant increase in cars using the driveway could be hazardous to the occupants if the property is zoned MHU

2. Glenvar Road Access

At present we can have up to 16 wheely bins on the road on refuse and recycling day. The road outside 254 does not currently have a berm, which already creates a hazard on collection day due to limiting driver sightlines with bins across the driveway and onto the footpath. With more bins it would become impossible to get out of the drive and still maintain pedestrian safety. There is no footpath on the other side of Glenvar Road and we are on the direct route for many students walking to the local schools in Long Bay.

This part of Glenvar Road also has no scope for on street parking due to its width coupled with the open drain on our side and vegetation covering a drop on the other.

Conclusion

As owners living at the property, we believe we should also be able to have a greater say on how the property we live in is zoned. We after all make up the majority of the owners living at 254 Glenvar Road, Torbay. Therefore we are requesting that 254 Glenvar Road retains LDR status.

In the event of our majority submissions not being accepted, if the zoning is to be kept MHU, we would like there to be additional setbacks and controls on development to preserve the SEA and the amenity of those living at 254 Glenvar and the surrounding properties.

AUCKLAND COUNCIL

27 SEP 2022

CBD - ALBERT ST

Group Submission Against Plan Change 78 at 254 Glenvar Road

We are the owners at cross leases 1, 2, 3, 5, 6, 7 and 8/254 Glenvar Road, Torbay.

We are making a group submission and are opposing 254 Glenvar Road being zoned Mixed Housing Urban (MHU). We are writing to request that the zoning of the property at 254 Glenvar Rd (the property in which we all currently live at) be zoned low residential density (LRD).

We note in the draft submissions of Plan Change 78, 254 Glenvar Road along with all the adjoining properties (238, 240, 248 and 250 Glenvar Road and 19, 25 and 27 Stredwick Drive Torbay) which all adjoin the SEA, were all proposed to be zoned LRD.

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In the case of 254 Glenvar Road, Torbay there is an area of the property directly adjoining the SEA which is currently undeveloped and where development (particularly higher intensity development) could put the SEA at risk. As the owners of cross leases 1-8/254 Glenvar Road we consider that Council should take a holistic approach to the zoning of the sites on which the SEA is located, in order to maintain its integrity and protect it.

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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 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)

JEAN ENGLAND

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

Address for service of Submitter

2/254 Glenvar Road, Torbay, Auckland

Telephone:

021 337 766

Fax/Email:

mandy.england@gmail.com

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 78

Plan Change/Variation Name

Intensification

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

254 Glenvar Road, Torbay

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:

See 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 ☒

Decline the proposed plan change / variation ☐

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

See Attached Submission

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 ☒

X A. J. England
Signature of Submitter
(or person authorised to sign on behalf of submitter)

X 21/9/22
Date

Notes to person making submission:

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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.

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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.

Ginny Taare

From: Rebecca Heap <ra.heap@xtra.co.nz>
Sent: Thursday, 22 September 2022 11:43 am
To: Unitary Plan
Subject: Group Submission Against Plan Change 78 at 254 Glenvar Road
Attachments: Group Submission against Plan Change 78 at 254 Glenvar Road.PDF

Dear Planners,

I would like to submit a Group Submission on behalf of the 11 people named below who are all owners at 254 Glenvar Road.

I have attached a single pdf of our Submission which also includes all the individual Form 5's from each person.

Paul Barron 1/254 Glenvar Road

Veena Soma-Barron 1/254 Glenvar Road

Jean England 2/254 Glenvar Road

Stacey Verner 3/254 Glenvar Road

Anna-Marie Verner 3/254 Glenvar Road

Daniel Foote 5/254 Glenvar Road

Kelly Foote 5/254 Glenvar Road

Philippe Kozuls 6/254 Glenvar Road

Kobi Kozuls 6/254 Glenvar Road

Ken Zhang 7/254 Glenvar Road

Rebecca Heap 8/254 Glenvar Road

Please advise me if this is the correct way of submitting or if you require 11 separate emails.
Many thanks

Rebecca Heap

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 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)

Anna-Marie Verner

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

Address for service of Submitter

3/254 Glenvar Road, Torbay, Auckland

Telephone:

021 298 4390

Fax/Email:

anna@verner.co.nz

Contact Person: (Name and designation, if applicable)

Scope of submission

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PC 78

Plan Change/Variation Name

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Or

Map

Or

Other (specify)

Submission

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I **oppose** the specific provisions identified above ☒

I wish to have the provisions identified above amended Yes ☒ No ☐

The reasons for my views are:

See Attached Submission

(continue on a separate sheet if necessary)

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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)

Date

20/09/2022

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Group Submission Against Plan Change 78 at 254 Glenvar Road

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492.1

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492.1

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Dan Foote from Intrepid Earth looked at the empty plot containing the SEA and made the following comments 'There are a good dozen or so native species in amongst the block. Definitely heaps of seedlings starting to get stronger and widely spreading themselves too which is beautiful to see. Manuka and Kanuka are doing well throughout the top parts of the bush and are doing a great job of retaining the hillside as they do in many scenarios throughout New Zealand forest. These are also very important to the bees who help pollination of all other natives that are flowering close by. Also amongst the native bush are stands of Mapou or Myrsine australis which is a dominant native on the north shore. Kohekohe trees which attract multiple native birds and are a stable mid canopy tree again important in stability in the hillsides of forest areas. Also various tree fern groves of Cyathea dealbata and Cyathea medularis and Dicksonia squarosa which feed invertebrates and birds alike. Medium trees and shrubs of Caprosma repens and Olearia and Hoheria native shrubs

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Ginny Taare

From: Anna-Marie Verner <anna@verner.co.nz>
Sent: Friday, 23 September 2022 8:06 am
To: Unitary Plan
Subject: Submission Against PC 78 at 254 Glenvar Road
Attachments: Submission Against PC78 at 254 Glenvar Road - A Verner .PDF

Hi,

Please find my Submission Against PC 78 at 254 Glenvar Road attached.

Thanks

Anna

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

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



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Auckland Council
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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)

Anna-Marie Verner

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

Address for service of Submitter

3/254 Glenvar Road, Torbay, Auckland

Telephone:

021 298 4390

Fax/Email:

anna@verner.co.nz

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Additional Reasons to Retain LRD at 254 Glenvar Road

Other reasons why the property at 254 Glenvar Rd should not be zoned MHU but rather LRD include:

1. Driveway

The property is cross lease with the plot for development being at the far end of a long, relatively narrow and in part quite steep driveway.

It is only a shared driveway, it is not a road designed for service vehicles.

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At present we can have up to 16 wheely bins on the road on refuse and recycling day. The road outside 254 does not currently have a berm, which already creates a hazard on collection day due to limiting driver sightlines with bins across the driveway and onto the footpath. With more bins it would become impossible to get out of the drive and still maintain pedestrian safety. There is no footpath on the other side of Glenvar Road and we are on the direct route for many students walking to the local schools in Long Bay.

This part of Glenvar Road also has no scope for on street parking due to its width coupled with the open drain on our side and vegetation covering a drop on the other.

Conclusion

As owners living at the property, we believe we should also be able to have a greater say on how the property we live in is zoned. We after all make up the majority of the owners living at 254 Glenvar Road, Torbay. Therefore we are requesting that 254 Glenvar Road retains LDR status.

In the event of our majority submissions not being accepted, if the zoning is to be kept MHU, we would like there to be additional setbacks and controls on development to preserve the SEA and the amenity of those living at 254 Glenvar and the surrounding properties.

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Clause 6 of Schedule 1, Resource Management Act 1991
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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)

Anna-Marie Verner

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

Address for service of Submitter

3/254 Glenvar Road, Torbay, Auckland

Telephone:

021 298 4390

Fax/Email: anna@verner.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 78

Plan Change/Variation Name Intensification

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

254 Glenvar Road, Torbay

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:

See Attached Submission

(continue on a separate sheet if necessary)

I seek the following decision by Council:

Accept the proposed plan change / variation ☐

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Group Submission Against Plan Change 78 at 254 Glenvar Road

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We are making a group submission and are opposing 254 Glenvar Road being zoned Mixed Housing Urban (MHU). We are writing to request that the zoning of the property at 254 Glenvar Rd (the property in which we all currently live at) be zoned low residential density (LRD).

We note in the draft submissions of Plan Change 78, 254 Glenvar Road along with all the adjoining properties (238, 240, 248 and 250 Glenvar Road and 19, 25 and 27 Stredwick Drive Torbay) which all adjoin the SEA, were all proposed to be zoned LRD.

In the current submissions of Plan Change 78, *only* 254 Glenvar Road Torbay has been changed to MHU.

The section 32 report relating to Significant Ecological Areas evaluates three possible qualifying matter options with respect to Terrestrial SEAs and recommends that the LDR zone is applied to Single House zoned properties where there is a 30% threshold site coverage by the SEA. Only further development controls will apply on properties zoned Mixed Housing Urban (pages 3 and 12). However, there is no proper explanation for the use of the 30% threshold for the LDR zone to apply and it appears arbitrary.

In the case of 254 Glenvar Road, Torbay there is an area of the property directly adjoining the SEA which is currently undeveloped and where development (particularly higher intensity development) could put the SEA at risk. As the owners of cross leases 1-8/254 Glenvar Road we consider that Council should take a holistic approach to the zoning of the sites on which the SEA is located, in order to maintain its integrity and protect it.

Details of the SEA at 254 Glenvar Road

The SEA is a prime example of an indigenous habitat and ecosystem having been in existence for hundreds of years. The SEA was historically part of one of the original farms in Torbay. It contains many indigenous plants such as Tī Kōuka (Cabbage Tree), Ponga, Rata, Manuka/Kanuka (Tea Tree) and Totara

It also houses and feeds abundant and varied bird life, including native kereru, moreporks, tuis, fantails, black birds and thrushes to name only a few. Without the SEA, these birds would also disappear. This indigenous habitat and ecosystem need to be protected as it also provides amenity to all properties who adjoin the SEA (not just our property at 254 Glenvar Road) and characterizes the Torbay area over the last 50 – 60 years.

Dan Foote from Intrepid Earth looked at the empty plot containing the SEA and made the following comments 'There are a good dozen or so native species in amongst the block. Definitely heaps of seedlings starting to get stronger and widely spreading themselves too which is beautiful to see. Manuka and Kanuka are doing well throughout the top parts of the bush and are doing a great job of retaining the hillside as they do in many scenarios throughout New Zealand forest. These are also very important to the bees who help pollination of all other natives that are flowering close by. Also amongst the native bush are stands of Mapou or Myrsine australis which is a dominant native on the north shore. Kohekohe trees which attract multiple native birds and are a stable mid canopy tree again important in stability in the hillsides of forest areas. Also various tree fern groves of Cyathea dealbata and Cyathea medularis and Dicksonia squarosa which feed invertebrates and birds alike. Medium trees and shrubs of Caprosma repens and Olearia and Hoheria native shrubs

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AUCKLAND COUNCIL

27 SEP 2022

CBD - ALBERT ST

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



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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)

Anna-Marie Verner

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

Address for service of Submitter

3/254 Glenvar Road, Torbay, Auckland

Telephone:

021 298 4390

Fax/Email:

anna@verner.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 78

Plan Change/Variation Name

Intensification

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

Plan provision(s)

Or

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Or

Map

Or

Other (specify)

Submission

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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:

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(continue on a separate sheet if necessary)

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(or person authorised to sign on behalf of submitter)

Date

20/09/2022

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Ginny Taare

From: Rebecca Heap <ra.heap@xtra.co.nz>
Sent: Thursday, 22 September 2022 11:43 am
To: Unitary Plan
Subject: Group Submission Against Plan Change 78 at 254 Glenvar Road
Attachments: Group Submission against Plan Change 78 at 254 Glenvar Road.PDF

Dear Planners,

I would like to submit a Group Submission on behalf of the 11 people named below who are all owners at 254 Glenvar Road.

I have attached a single pdf of our Submission which also includes all the individual Form 5's from each person.

Paul Barron 1/254 Glenvar Road

Veena Soma-Barron 1/254 Glenvar Road

Jean England 2/254 Glenvar Road

Stacey Verner 3/254 Glenvar Road

Anna-Marie Verner 3/254 Glenvar Road

Daniel Foote 5/254 Glenvar Road

Kelly Foote 5/254 Glenvar Road

Philippe Kozuls 6/254 Glenvar Road

Kobi Kozuls 6/254 Glenvar Road

Ken Zhang 7/254 Glenvar Road

Rebecca Heap 8/254 Glenvar Road

Please advise me if this is the correct way of submitting or if you require 11 separate emails.
Many thanks

Rebecca Heap

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Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full
Name)

STACEY VERNER

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

Address for service of Submitter

3/254 Glenvar Road, Torbay, Auckland

Telephone:

021 074 7965

Fax/Email:

stacey@verner.co.nz

Contact Person: (Name and designation, if applicable)

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Signature of Submitter
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At present we can have up to 16 wheely bins on the road on refuse and recycling day. The road outside 254 does not currently have a berm, which already creates a hazard on collection day due to limiting driver sightlines with bins across the driveway and onto the footpath. With more bins it would become impossible to get out of the drive and still maintain pedestrian safety. There is no footpath on the other side of Glenvar Road and we are on the direct route for many students walking to the local schools in Long Bay.

This part of Glenvar Road also has no scope for on street parking due to its width coupled with the open drain on our side and vegetation covering a drop on the other.

Conclusion

As owners living at the property, we believe we should also be able to have a greater say on how the property we live in is zoned. We after all make up the majority of the owners living at 254 Glenvar Road, Torbay. Therefore we are requesting that 254 Glenvar Road retains LDR status.

In the event of our majority submissions not being accepted, if the zoning is to be kept MHU, we would like there to be additional setbacks and controls on development to preserve the SEA and the amenity of those living at 254 Glenvar and the surrounding properties.

Ginny Taare

From: Stacey Verner <stacey@verner.co.nz>
Sent: Friday, 23 September 2022 8:04 am
To: Unitary Plan
Subject: Submission Against PC 78 at 254 Glenvar Road
Attachments: Submission Against PC78 at 254 Glenvar Road - S Verner .PDF

Hi,

Please find my Submission Against PC 78 at 254 Glenvar Road attached.

Thanks

Stacey

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 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)

STACEY VERNER

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

Address for service of Submitter

3/254 Glenvar Road, Torbay, Auckland

Telephone: 021 074 7965

Fax/Email: stacey@verner.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 78

Plan Change/Variation Name Intensification

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

254 Glenvar Road, Torbay

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:

See 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 ☒

Decline the proposed plan change / variation ☐

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

See Attached Submission

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)

20/09/2022
Date

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(a) adversely affects the environment; and

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Group Submission Against Plan Change 78 at 254 Glenvar Road

We are the owners at cross leases 1, 2, 3, 5, 6, 7 and 8/254 Glenvar Road, Torbay.

We are making a group submission and are opposing 254 Glenvar Road being zoned Mixed Housing Urban (MHU). We are writing to request that the zoning of the property at 254 Glenvar Rd (the property in which we all currently live at) be zoned low residential density (LRD).

We note in the draft submissions of Plan Change 78, 254 Glenvar Road along with all the adjoining properties (238, 240, 248 and 250 Glenvar Road and 19, 25 and 27 Stredwick Drive Torbay) which all adjoin the SEA, were all proposed to be zoned LRD.

In the current submissions of Plan Change 78, *only* 254 Glenvar Road Torbay has been changed to MHU.

The section 32 report relating to Significant Ecological Areas evaluates three possible qualifying matter options with respect to Terrestrial SEAs and recommends that the LDR zone is applied to Single House zoned properties where there is a 30% threshold site coverage by the SEA. Only further development controls will apply on properties zoned Mixed Housing Urban (pages 3 and 12).

However, there is no proper explanation for the use of the 30% threshold for the LDR zone to apply and it appears arbitrary.

In the case of 254 Glenvar Road, Torbay there is an area of the property directly adjoining the SEA which is currently undeveloped and where development (particularly higher intensity development) could put the SEA at risk. As the owners of cross leases 1-8/254 Glenvar Road we consider that Council should take a holistic approach to the zoning of the sites on which the SEA is located, in order to maintain its integrity and protect it.

Details of the SEA at 254 Glenvar Road

The SEA is a prime example of an indigenous habitat and ecosystem having been in existence for hundreds of years. The SEA was historically part of one of the original farms in Torbay. It contains many indigenous plants such as Tī Kōuka (Cabbage Tree), Ponga, Rata, Manuka/Kanuka (Tea Tree) and Totara

It also houses and feeds abundant and varied bird life, including native kereru, moreporks, tuis, fantails, black birds and thrushes to name only a few. Without the SEA, these birds would also disappear. This indigenous habitat and ecosystem need to be protected as it also provides amenity to all properties who adjoin the SEA (not just our property at 254 Glenvar Road) and characterizes the Torbay area over the last 50 – 60 years.

Dan Foote from Intrepid Earth looked at the empty plot containing the SEA and made the following comments 'There are a good dozen or so native species in amongst the block. Definitely heaps of seedlings starting to get stronger and widely spreading themselves too which is beautiful to see. Manuka and Kanuka are doing well throughout the top parts of the bush and are doing a great job of retaining the hillside as they do in many scenarios throughout New Zealand forest. These are also very important to the bees who help pollination of all other natives that are flowering close by. Also amongst the native bush are stands of Mapou or Myrsine australis which is a dominant native on the north shore. Kohekohe trees which attract multiple native birds and are a stable mid canopy tree again important in stability in the hillsides of forest areas. Also various tree fern groves of Cyathea dealbata and Cyathea medularis and Dicksonia squarosa which feed invertebrates and birds alike. Medium trees and shrubs of Caprosma repens and Olearia and Hoheria native shrubs

create constant under canopy throughout the majority of the block. Karo trees and a Pohutukawa seedling are starting to thrive too some over 4-5m tall in places. I've seen and heard all the birds and insects in this very special SEA area of native forest and it needs to be looked after not re-zoned for more stormwater runoff and more rubbish and debris from over crowded housing'

We are all owner occupiers and many of us (some who have lived on the property for over 26 years) were drawn to purchase our homes on this property because of the leafy greenness, the abundant bird life and the privacy that the SEA affords us. We note Council is aware that a healthy pine tree over 100 years old and seven other trees were recently removed from the SEA without consent, they visited the property but did not press charges. The intensification of housing at 254 Glenvar would have a major impact on the SEA and would also-affect the hydrology and possibly cause slippage due to the steepness of this part of the site.

As the property is a single block with 8 existing dwellings intensification under the MHU would also greatly detract from the amenity of the area and townhouse style development would not fit the character of the existing site, which is unlikely to be developed to an MHU level due to the number of cross leases already here. It would not fit the character of the neighbourhood in which we live in.

Additional Reasons to Retain LRD at 254 Glenvar Road

Other reasons why the property at 254 Glenvar Rd should not be zoned MHU but rather LRD include:

1. Driveway

The property is cross lease with the plot for development being at the far end of a long, relatively narrow and in part quite steep driveway.

It is only a shared driveway, it is not a road designed for service vehicles.

Being relatively long and narrow with no lighting or space for a footpath, the significant increase in cars using the driveway could be hazardous to the occupants if the property is zoned MHU

2. Glenvar Road Access

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AUCKLAND COUNCIL

27 SEP 2022

CBD - ALBERT ST

Group Submission Against Plan Change 78 at 254 Glenvar Road

We are the owners at cross leases 1, 2, 3, 5, 6, 7 and 8/254 Glenvar Road, Torbay.

We are making a group submission and are opposing 254 Glenvar Road being zoned Mixed Housing Urban (MHU). We are writing to request that the zoning of the property at 254 Glenvar Rd (the property in which we all currently live at) be zoned low residential density (LRD).

We note in the draft submissions of Plan Change 78, 254 Glenvar Road along with all the adjoining properties (238, 240, 248 and 250 Glenvar Road and 19, 25 and 27 Stredwick Drive Torbay) which all adjoin the SEA, were all proposed to be zoned LRD.

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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 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)

STACEY VERNER

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

Address for service of Submitter

3/254 Glenvar Road, Torbay, Auckland

Telephone:

021 074 7965

Fax/Email:

stacey@verner.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 78

Plan Change/Variation Name

Intensification

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

254 Glenvar Road, Torbay

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:

See 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 ☒

Decline the proposed plan change / variation ☐

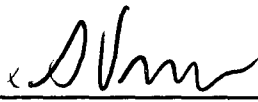
If the proposed plan change / variation is not declined, then amend it as outlined below. ☐

See Attached Submission

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)

20/09/2022
Date

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

Ginny Taare

From: Rebecca Heap <ra.heap@xtra.co.nz>
Sent: Thursday, 22 September 2022 11:43 am
To: Unitary Plan
Subject: Group Submission Against Plan Change 78 at 254 Glenvar Road
Attachments: Group Submission against Plan Change 78 at 254 Glenvar Road.PDF

Dear Planners,

I would like to submit a Group Submission on behalf of the 11 people named below who are all owners at 254 Glenvar Road.

I have attached a single pdf of our Submission which also includes all the individual Form 5's from each person.

Paul Barron 1/254 Glenvar Road

Veena Soma-Barron 1/254 Glenvar Road

Jean England 2/254 Glenvar Road

Stacey Verner 3/254 Glenvar Road

Anna-Marie Verner 3/254 Glenvar Road

Daniel Foote 5/254 Glenvar Road

Kelly Foote 5/254 Glenvar Road

Philippe Kozuls 6/254 Glenvar Road

Kobi Kozuls 6/254 Glenvar Road

Ken Zhang 7/254 Glenvar Road

Rebecca Heap 8/254 Glenvar Road

Please advise me if this is the correct way of submitting or if you require 11 separate emails.
Many thanks

Rebecca Heap

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

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



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Submission No:

Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full
Name)

KELLY FOOTE

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

Address for service of Submitter

5/254 Glenvar Road, Torbay, Auckland

Telephone:

022 0133 632

Fax/Email:

Kelly.Foote@publictrust.co.nz

Contact Person: (Name and designation, if applicable)

Scope of submission

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Plan Change/Variation Number

PC 78

Plan Change/Variation Name

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Property Address

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Or

Map

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I **oppose** the specific provisions identified above ☒

I wish to have the provisions identified above amended Yes ☒ No ☐

The reasons for my views are:

See Attached Submission

(continue on a separate sheet if necessary)

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Accept the proposed plan change / variation ☐

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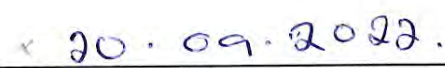
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494.1

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Ginny Taare

From: Kelly Foote <Kelly.Foote@PublicTrust.co.nz>
Sent: Thursday, 22 September 2022 3:29 pm
To: Unitary Plan
Subject: Submission Against PC 78 at 254 Glenvar Road
Attachments: Submission Against PC78 at 254 Glenvar Road - K Foote.PDF

Hi there,

Please find my Submission Against PC 78 at 254 Glenvar Road attached

Thanks,
Kelly

Kelly Foote (she/her)
Talent Experience Consultant



Public Trust

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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 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)

KELLY FOOTE

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

Address for service of Submitter

5/254 Glenvar Road, Torbay, Auckland

Telephone:

0920133632

Fax/Email:

Kelly.Foote@publictrust.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 78

Plan Change/Variation Name

Intensification

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

254 Glenvar Road, Torbay

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:

See 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 ☒

Decline the proposed plan change / variation ☐

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

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I wish to be heard in support of my submission ☒

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Group Submission Against Plan Change 78 at 254 Glenvar Road

We are the owners at cross leases 1, 2, 3, 5, 6, 7 and 8/254 Glenvar Road, Torbay.

We are making a group submission and are opposing 254 Glenvar Road being zoned Mixed Housing Urban (MHU). We are writing to request that the zoning of the property at 254 Glenvar Rd (the property in which we all currently live at) be zoned low residential density (LRD).

We note in the draft submissions of Plan Change 78, 254 Glenvar Road along with all the adjoining properties (238, 240, 248 and 250 Glenvar Road and 19, 25 and 27 Stredwick Drive Torbay) which all adjoin the SEA, were all proposed to be zoned LRD.

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The section 32 report relating to Significant Ecological Areas evaluates three possible qualifying matter options with respect to Terrestrial SEAs and recommends that the LDR zone is applied to Single House zoned properties where there is a 30% threshold site coverage by the SEA. Only further development controls will apply on properties zoned Mixed Housing Urban (pages 3 and 12). However, there is no proper explanation for the use of the 30% threshold for the LDR zone to apply and it appears arbitrary.

In the case of 254 Glenvar Road, Torbay there is an area of the property directly adjoining the SEA which is currently undeveloped and where development (particularly higher intensity development) could put the SEA at risk. As the owners of cross leases 1-8/254 Glenvar Road we consider that Council should take a holistic approach to the zoning of the sites on which the SEA is located, in order to maintain its integrity and protect it.

Details of the SEA at 254 Glenvar Road

The SEA is a prime example of an indigenous habitat and ecosystem having been in existence for hundreds of years. The SEA was historically part of one of the original farms in Torbay. It contains many indigenous plants such as Tī Kōuka (Cabbage Tree), Ponga, Rata, Manuka/Kanuka (Tea Tree) and Totara

It also houses and feeds abundant and varied bird life, including native kereru, moreporks, tuis, fantails, black birds and thrushes to name only a few. Without the SEA, these birds would also disappear. This indigenous habitat and ecosystem need to be protected as it also provides amenity to all properties who adjoin the SEA (not just our property at 254 Glenvar Road) and characterizes the Torbay area over the last 50 – 60 years.

Dan Foote from Intrepid Earth looked at the empty plot containing the SEA and made the following comments 'There are a good dozen or so native species in amongst the block. Definitely heaps of seedlings starting to get stronger and widely spreading themselves too which is beautiful to see. Manuka and Kanuka are doing well throughout the top parts of the bush and are doing a great job of retaining the hillside as they do in many scenarios throughout New Zealand forest. These are also very important to the bees who help pollination of all other natives that are flowering close by. Also amongst the native bush are stands of Mapou or Myrsine australis which is a dominant native on the north shore. Kohekohe trees which attract multiple native birds and are a stable mid canopy tree again important in stability in the hillsides of forest areas. Also various tree fern groves of Cyathea dealbata and Cyathea medularis and Dicksonia squarosa which feed invertebrates and birds alike. Medium trees and shrubs of Caprosma repens and Olearia and Hoheria native shrubs

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We are all owner occupiers and many of us (some who have lived on the property for over 26 years) were drawn to purchase our homes on this property because of the leafy greenness, the abundant bird life and the privacy that the SEA affords us. We note Council is aware that a healthy pine tree over 100 years old and seven other trees were recently removed from the SEA without consent, they visited the property but did not press charges. The intensification of housing at 254 Glenvar would have a major impact on the SEA and would also-affect the hydrology and possibly cause slippage due to the steepness of this part of the site.

As the property is a single block with 8 existing dwellings intensification under the MHU would also greatly detract from the amenity of the area and townhouse style development would not fit the character of the existing site, which is unlikely to be developed to an MHU level due to the number of cross leases already here. It would not fit the character of the neighbourhood in which we live in.

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Being relatively long and narrow with no lighting or space for a footpath, the significant increase in cars using the driveway could be hazardous to the occupants if the property is zoned MHU

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At present we can have up to 16 wheely bins on the road on refuse and recycling day. The road outside 254 does not currently have a berm, which already creates a hazard on collection day due to limiting driver sightlines with bins across the driveway and onto the footpath. With more bins it would become impossible to get out of the drive and still maintain pedestrian safety. There is no footpath on the other side of Glenvar Road and we are on the direct route for many students walking to the local schools in Long Bay.

This part of Glenvar Road also has no scope for on street parking due to its width coupled with the open drain on our side and vegetation covering a drop on the other.

Conclusion

As owners living at the property, we believe we should also be able to have a greater say on how the property we live in is zoned. We after all make up the majority of the owners living at 254 Glenvar Road, Torbay. Therefore we are requesting that 254 Glenvar Road retains LDR status.

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AUCKLAND COUNCIL

27 SEP 2022

CBD - ALBERT ST

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Mr/Mrs/Miss/Ms(Full Name)

KELLY FOOTE

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

Address for service of Submitter

5/254 Glenvar Road, Torbay, Auckland

Telephone:

0920133632

Fax/Email: Kelly.Foote@publictrust.co.nz

Contact Person: (Name and designation, if applicable)

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Plan Change/Variation Number PC 78

Plan Change/Variation Name Intensification

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Plan provision(s)

Or

Property Address

254 Glenvar Road, Torbay

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 ☐

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I wish to have the provisions identified above amended Yes ☒ No ☐

The reasons for my views are:

See Attached Submission

(continue on a separate sheet if necessary)

I seek the following decision by Council:

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Ginny Taare

From: Rebecca Heap <ra.heap@xtra.co.nz>
Sent: Thursday, 22 September 2022 11:43 am
To: Unitary Plan
Subject: Group Submission Against Plan Change 78 at 254 Glenvar Road
Attachments: Group Submission against Plan Change 78 at 254 Glenvar Road.PDF

Dear Planners,

I would like to submit a Group Submission on behalf of the 11 people named below who are all owners at 254 Glenvar Road.

I have attached a single pdf of our Submission which also includes all the individual Form 5's from each person.

Paul Barron 1/254 Glenvar Road

Veena Soma-Barron 1/254 Glenvar Road

Jean England 2/254 Glenvar Road

Stacey Verner 3/254 Glenvar Road

Anna-Marie Verner 3/254 Glenvar Road

Daniel Foote 5/254 Glenvar Road

Kelly Foote 5/254 Glenvar Road

Philippe Kozuls 6/254 Glenvar Road

Kobi Kozuls 6/254 Glenvar Road

Ken Zhang 7/254 Glenvar Road

Rebecca Heap 8/254 Glenvar Road

Please advise me if this is the correct way of submitting or if you require 11 separate emails.
Many thanks

Rebecca Heap

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Mr/Mrs/Miss/Ms(Full Name)

DANIEL FOOTE

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

Address for service of Submitter

5/254 Glenvar Road, Torbay, Auckland

Telephone: 027 9662704

Fax/Email: dan@intrepidearth.co.nz

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It also houses and feeds abundant and varied bird life, including native kereru, moreporks, tuis, fantails, black birds and thrushes to name only a few. Without the SEA, these birds would also disappear. This indigenous habitat and ecosystem need to be protected as it also provides amenity to all properties who adjoin the SEA (not just our property at 254 Glenvar Road) and characterizes the Torbay area over the last 50 – 60 years.

Dan Foote from Intrepid Earth looked at the empty plot containing the SEA and made the following comments 'There are a good dozen or so native species in amongst the block. Definitely heaps of seedlings starting to get stronger and widely spreading themselves too which is beautiful to see. Manuka and Kanuka are doing well throughout the top parts of the bush and are doing a great job of retaining the hillside as they do in many scenarios throughout New Zealand forest. These are also very important to the bees who help pollination of all other natives that are flowering close by. Also amongst the native bush are stands of Mapou or Myrsine australis which is a dominant native on the north shore. Kohekohe trees which attract multiple native birds and are a stable mid canopy tree again important in stability in the hillsides of forest areas. Also various tree fern groves of Cyathea dealbata and Cyathea medularis and Dicksonia squarosa which feed invertebrates and birds alike. Medium trees and shrubs of Caprosma repens and Olearia and Hoheria native shrubs

create constant under canopy throughout the majority of the block. Karo trees and a Pohutukawa seedling are starting to thrive too some over 4-5m tall in places. I've seen and heard all the birds and insects in this very special SEA area of native forest and it needs to be looked after not re-zoned for more stormwater runoff and more rubbish and debris from over crowded housing'

We are all owner occupiers and many of us (some who have lived on the property for over 26 years) were drawn to purchase our homes on this property because of the leafy greenness, the abundant bird life and the privacy that the SEA affords us. We note Council is aware that a healthy pine tree over 100 years old and seven other trees were recently removed from the SEA without consent, they visited the property but did not press charges. The intensification of housing at 254 Glenvar would have a major impact on the SEA and would also affect the hydrology and possibly cause slippage due to the steepness of this part of the site.

As the property is a single block with 8 existing dwellings intensification under the MHU would also greatly detract from the amenity of the area and townhouse style development would not fit the character of the existing site, which is unlikely to be developed to an MHU level due to the number of cross leases already here. It would not fit the character of the neighbourhood in which we live in.

Additional Reasons to Retain LRD at 254 Glenvar Road

Other reasons why the property at 254 Glenvar Rd should not be zoned MHU but rather LRD include:

1. Driveway

The property is cross lease with the plot for development being at the far end of a long, relatively narrow and in part quite steep driveway.

It is only a shared driveway, it is not a road designed for service vehicles.

Being relatively long and narrow with no lighting or space for a footpath, the significant increase in cars using the driveway could be hazardous to the occupants if the property is zoned MHU

2. Glenvar Road Access

At present we can have up to 16 wheely bins on the road on refuse and recycling day. The road outside 254 does not currently have a berm, which already creates a hazard on collection day due to limiting driver sightlines with bins across the driveway and onto the footpath. With more bins it would become impossible to get out of the drive and still maintain pedestrian safety. There is no footpath on the other side of Glenvar Road and we are on the direct route for many students walking to the local schools in Long Bay.

This part of Glenvar Road also has no scope for on street parking due to its width coupled with the open drain on our side and vegetation covering a drop on the other.

Conclusion

As owners living at the property, we believe we should also be able to have a greater say on how the property we live in is zoned. We after all make up the majority of the owners living at 254 Glenvar Road, Torbay. Therefore we are requesting that 254 Glenvar Road retains LDR status.

In the event of our majority submissions not being accepted, if the zoning is to be kept MHU, we would like there to be additional setbacks and controls on development to preserve the SEA and the amenity of those living at 254 Glenvar and the surrounding properties.

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 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)

DANIEL FOOTE

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

Address for service of Submitter

5/254 Glenvar Road, Torbay, Auckland

Telephone:

027 9662704

Fax/Email:

dan@intrepidearth.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 78

Plan Change/Variation Name

Intensification

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

254 Glenvar Road, Torbay

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:

See 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 ☒

Decline the proposed plan change / variation ☐

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See Attached Submission

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)

Date

20/09/2022

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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.

Ginny Taare

From: Rebecca Heap <ra.heap@xtra.co.nz>
Sent: Thursday, 22 September 2022 11:43 am
To: Unitary Plan
Subject: Group Submission Against Plan Change 78 at 254 Glenvar Road
Attachments: Group Submission against Plan Change 78 at 254 Glenvar Road.PDF

Dear Planners,

I would like to submit a Group Submission on behalf of the 11 people named below who are all owners at 254 Glenvar Road.

I have attached a single pdf of our Submission which also includes all the individual Form 5's from each person.

Paul Barron 1/254 Glenvar Road

Veena Soma-Barron 1/254 Glenvar Road

Jean England 2/254 Glenvar Road

Stacey Verner 3/254 Glenvar Road

Anna-Marie Verner 3/254 Glenvar Road

Daniel Foote 5/254 Glenvar Road

Kelly Foote 5/254 Glenvar Road

Philippe Kozuls 6/254 Glenvar Road

Kobi Kozuls 6/254 Glenvar Road

Ken Zhang 7/254 Glenvar Road

Rebecca Heap 8/254 Glenvar Road

Please advise me if this is the correct way of submitting or if you require 11 separate emails.
Many thanks

Rebecca Heap

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Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

KOBI JEAN KOZULS

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

Address for service of Submitter

6/254 Glenvar Road, Torbay, Auckland

Telephone:

02 746 368 71

Fax/Email:

kobigesden@gmail.com

Contact Person: (Name and designation, if applicable)

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I **oppose** the specific provisions identified above ☒

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The reasons for my views are:

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Group Submission Against Plan Change 78 at 254 Glenvar Road

We are the owners at cross leases 1, 2, 3, 5, 6, 7 and 8/254 Glenvar Road, Torbay.

We are making a group submission and are opposing 254 Glenvar Road being zoned Mixed Housing Urban (MHU). We are writing to request that the zoning of the property at 254 Glenvar Rd (the property in which we all currently live at) be zoned low residential density (LRD).

496.1

We note in the draft submissions of Plan Change 78, 254 Glenvar Road along with all the adjoining properties (238, 240, 248 and 250 Glenvar Road and 19, 25 and 27 Stredwick Drive Torbay) which all adjoin the SEA, were all proposed to be zoned LRD.

In the current submissions of Plan Change 78, *only* 254 Glenvar Road Torbay has been changed to MHU.

The section 32 report relating to Significant Ecological Areas evaluates three possible qualifying matter options with respect to Terrestrial SEAs and recommends that the LDR zone is applied to Single House zoned properties where there is a 30% threshold site coverage by the SEA. Only further development controls will apply on properties zoned Mixed Housing Urban (pages 3 and 12). However, there is no proper explanation for the use of the 30% threshold for the LDR zone to apply and it appears arbitrary.

In the case of 254 Glenvar Road, Torbay there is an area of the property directly adjoining the SEA which is currently undeveloped and where development (particularly higher intensity development) could put the SEA at risk. As the owners of cross leases 1-8/254 Glenvar Road we consider that Council should take a holistic approach to the zoning of the sites on which the SEA is located, in order to maintain its integrity and protect it.

496.2

Details of the SEA at 254 Glenvar Road

The SEA is a prime example of an indigenous habitat and ecosystem having been in existence for hundreds of years. The SEA was historically part of one of the original farms in Torbay. It contains many indigenous plants such as Tī Kōuka (Cabbage Tree), Ponga, Rata, Manuka/Kanuka (Tea Tree) and Totara

It also houses and feeds abundant and varied bird life, including native kereru, moreporks, tuis, fantails, black birds and thrushes to name only a few. Without the SEA, these birds would also disappear. This indigenous habitat and ecosystem need to be protected as it also provides amenity to all properties who adjoin the SEA (not just our property at 254 Glenvar Road) and characterizes the Torbay area over the last 50 – 60 years.

Dan Foote from Intrepid Earth looked at the empty plot containing the SEA and made the following comments 'There are a good dozen or so native species in amongst the block. Definitely heaps of seedlings starting to get stronger and widely spreading themselves too which is beautiful to see. Manuka and Kanuka are doing well throughout the top parts of the bush and are doing a great job of retaining the hillside as they do in many scenarios throughout New Zealand forest. These are also very important to the bees who help pollination of all other natives that are flowering close by. Also amongst the native bush are stands of Mapou or Myrsine australis which is a dominant native on the north shore. Kohekohe trees which attract multiple native birds and are a stable mid canopy tree again important in stability in the hillsides of forest areas. Also various tree fern groves of Cyathea dealbata and Cyathea medularis and Dicksonia squarosa which feed invertebrates and birds alike. Medium trees and shrubs of Caprosma repens and Olearia and Hoheria native shrubs

create constant under canopy throughout the majority of the block. Karo trees and a Pohutukawa seedling are starting to thrive too some over 4-5m tall in places. I've seen and heard all the birds and insects in this very special SEA area of native forest and it needs to be looked after not re-zoned for more stormwater runoff and more rubbish and debris from over crowded housing'

We are all owner occupiers and many of us (some who have lived on the property for over 26 years) were drawn to purchase our homes on this property because of the leafy greenness, the abundant bird life and the privacy that the SEA affords us. We note Council is aware that a healthy pine tree over 100 years old and seven other trees were recently removed from the SEA without consent, they visited the property but did not press charges. The intensification of housing at 254 Glenvar would have a major impact on the SEA and would also-affect the hydrology and possibly cause slippage due to the steepness of this part of the site.

As the property is a single block with 8 existing dwellings intensification under the MHU would also greatly detract from the amenity of the area and townhouse style development would not fit the character of the existing site, which is unlikely to be developed to an MHU level due to the number of cross leases already here. It would not fit the character of the neighbourhood in which we live in.

Additional Reasons to Retain LRD at 254 Glenvar Road

Other reasons why the property at 254 Glenvar Rd should not be zoned MHU but rather LRD include:

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At present we can have up to 16 wheely bins on the road on refuse and recycling day. The road outside 254 does not currently have a berm, which already creates a hazard on collection day due to limiting driver sightlines with bins across the driveway and onto the footpath. With more bins it would become impossible to get out of the drive and still maintain pedestrian safety. There is no footpath on the other side of Glenvar Road and we are on the direct route for many students walking to the local schools in Long Bay.

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AUCKLAND COUNCIL

27 SEP 2022

CBD - ALBERT ST

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KOBI JEAN KOZULS

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Telephone:

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Fax/Email:

kobigesden@gmail.com

Contact Person: (Name and designation, if applicable)

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I wish to have the provisions identified above amended Yes ☒ No ☐

The reasons for my views are:

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(continue on a separate sheet if necessary)

I seek the following decision by Council:

Accept the proposed plan change / variation ☐

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I have attached a single pdf of our Submission which also includes all the individual Form 5's from each person.

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Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

Philippe Kozuls

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

Address for service of Submitter

6/254 Glenvar Road, Torbay, Auckland

Telephone:

0211116470

Fax/Email: pkozuls@gmail.com

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Group Submission Against Plan Change 78 at 254 Glenvar Road

We are the owners at cross leases 1, 2, 3, 5, 6, 7 and 8/254 Glenvar Road, Torbay.

We are making a group submission and are opposing 254 Glenvar Road being zoned Mixed Housing Urban (MHU). We are writing to request that the zoning of the property at 254 Glenvar Rd (the property in which we all currently live at) be zoned low residential density (LRD).

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We note in the draft submissions of Plan Change 78, 254 Glenvar Road along with all the adjoining properties (238, 240, 248 and 250 Glenvar Road and 19, 25 and 27 Stredwick Drive Torbay) which all adjoin the SEA, were all proposed to be zoned LRD.

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The section 32 report relating to Significant Ecological Areas evaluates three possible qualifying matter options with respect to Terrestrial SEAs and recommends that the LDR zone is applied to Single House zoned properties where there is a 30% threshold site coverage by the SEA. Only further development controls will apply on properties zoned Mixed Housing Urban (pages 3 and 12). However, there is no proper explanation for the use of the 30% threshold for the LDR zone to apply and it appears arbitrary.

In the case of 254 Glenvar Road, Torbay there is an area of the property directly adjoining the SEA which is currently undeveloped and where development (particularly higher intensity development) could put the SEA at risk. As the owners of cross leases 1-8/254 Glenvar Road we consider that Council should take a holistic approach to the zoning of the sites on which the SEA is located, in order to maintain its integrity and protect it.

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Details of the SEA at 254 Glenvar Road

The SEA is a prime example of an indigenous habitat and ecosystem having been in existence for hundreds of years. The SEA was historically part of one of the original farms in Torbay. It contains many indigenous plants such as Tī Kōuka (Cabbage Tree), Ponga, Rata, Manuka/Kanuka (Tea Tree) and Totara

It also houses and feeds abundant and varied bird life, including native kereru, moreporks, tuis, fantails, black birds and thrushes to name only a few. Without the SEA, these birds would also disappear. This indigenous habitat and ecosystem need to be protected as it also provides amenity to all properties who adjoin the SEA (not just our property at 254 Glenvar Road) and characterizes the Torbay area over the last 50 – 60 years.

Dan Foote from Intrepid Earth looked at the empty plot containing the SEA and made the following comments 'There are a good dozen or so native species in amongst the block. Definitely heaps of seedlings starting to get stronger and widely spreading themselves too which is beautiful to see. Manuka and Kanuka are doing well throughout the top parts of the bush and are doing a great job of retaining the hillside as they do in many scenarios throughout New Zealand forest. These are also very important to the bees who help pollination of all other natives that are flowering close by. Also amongst the native bush are stands of Mapou or Myrsine australis which is a dominant native on the north shore. Kohekohe trees which attract multiple native birds and are a stable mid canopy tree again important in stability in the hillsides of forest areas. Also various tree fern groves of Cyathea dealbata and Cyathea medularis and Dicksonia squarosa which feed invertebrates and birds alike. Medium trees and shrubs of Caprosma repens and Olearia and Hoheria native shrubs

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We are all owner occupiers and many of us (some who have lived on the property for over 26 years) were drawn to purchase our homes on this property because of the leafy greenness, the abundant bird life and the privacy that the SEA affords us. We note Council is aware that a healthy pine tree over 100 years old and seven other trees were recently removed from the SEA without consent, they visited the property but did not press charges. The intensification of housing at 254 Glenvar would have a major impact on the SEA and would also-affect the hydrology and possibly cause slippage due to the steepness of this part of the site.

As the property is a single block with 8 existing dwellings intensification under the MHU would also greatly detract from the amenity of the area and townhouse style development would not fit the character of the existing site, which is unlikely to be developed to an MHU level due to the number of cross leases already here. It would not fit the character of the neighbourhood in which we live in.

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The property is cross lease with the plot for development being at the far end of a long, relatively narrow and in part quite steep driveway.

It is only a shared driveway, it is not a road designed for service vehicles.

Being relatively long and narrow with no lighting or space for a footpath, the significant increase in cars using the driveway could be hazardous to the occupants if the property is zoned MHU

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At present we can have up to 16 wheely bins on the road on refuse and recycling day. The road outside 254 does not currently have a berm, which already creates a hazard on collection day due to limiting driver sightlines with bins across the driveway and onto the footpath. With more bins it would become impossible to get out of the drive and still maintain pedestrian safety. There is no footpath on the other side of Glenvar Road and we are on the direct route for many students walking to the local schools in Long Bay.

This part of Glenvar Road also has no scope for on street parking due to its width coupled with the open drain on our side and vegetation covering a drop on the other.

Conclusion

As owners living at the property, we believe we should also be able to have a greater say on how the property we live in is zoned. We after all make up the majority of the owners living at 254 Glenvar Road, Torbay. Therefore we are requesting that 254 Glenvar Road retains LDR status.

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AUCKLAND COUNCIL

27 SEP 2022

CBD - ALBERT ST

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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 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)

Philippe Kozuls

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

Address for service of Submitter

6/254 Glenvar Road, Torbay, Auckland

Telephone:

0211116470

Fax/Email:

pkozuls@gmail.com

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 78

Plan Change/Variation Name

Intensification

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

254 Glenvar Road, Torbay

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:

See 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 ☒

Decline the proposed plan change / variation ☐

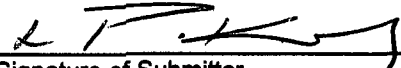
If the proposed plan change / variation is not declined, then amend it as outlined below. ☐

See Attached Submission

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)

20/9/22
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

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Ginny Taare

From: Rebecca Heap <ra.heap@xtra.co.nz>
Sent: Thursday, 22 September 2022 11:43 am
To: Unitary Plan
Subject: Group Submission Against Plan Change 78 at 254 Glenvar Road
Attachments: Group Submission against Plan Change 78 at 254 Glenvar Road.PDF

Dear Planners,

I would like to submit a Group Submission on behalf of the 11 people named below who are all owners at 254 Glenvar Road.

I have attached a single pdf of our Submission which also includes all the individual Form 5's from each person.

Paul Barron 1/254 Glenvar Road

Veena Soma-Barron 1/254 Glenvar Road

Jean England 2/254 Glenvar Road

Stacey Verner 3/254 Glenvar Road

Anna-Marie Verner 3/254 Glenvar Road

Daniel Foote 5/254 Glenvar Road

Kelly Foote 5/254 Glenvar Road

Philippe Kozuls 6/254 Glenvar Road

Kobi Kozuls 6/254 Glenvar Road

Ken Zhang 7/254 Glenvar Road

Rebecca Heap 8/254 Glenvar Road

Please advise me if this is the correct way of submitting or if you require 11 separate emails.
Many thanks

Rebecca Heap

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FORM 5



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Auckland Council
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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)

Ken Zhang

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

Address for service of Submitter

7/254 Glenvar Road, Torbay, Auckland

Telephone: 021 230 1135

Fax/Email: zhangkan111@hotmail.com

Contact Person: (Name and designation, if applicable)

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Plan Change/Variation Name Intensification

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See Attached Submission

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on behalf of K Zhong - Allego
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At present we can have up to 16 wheely bins on the road on refuse and recycling day. The road outside 254 does not currently have a berm, which already creates a hazard on collection day due to limiting driver sightlines with bins across the driveway and onto the footpath. With more bins it would become impossible to get out of the drive and still maintain pedestrian safety. There is no footpath on the other side of Glenvar Road and we are on the direct route for many students walking to the local schools in Long Bay.

This part of Glenvar Road also has no scope for on street parking due to its width coupled with the open drain on our side and vegetation covering a drop on the other.

Conclusion

As owners living at the property, we believe we should also be able to have a greater say on how the property we live in is zoned. We after all make up the majority of the owners living at 254 Glenvar Road, Torbay. Therefore we are requesting that 254 Glenvar Road retains LDR status.

In the event of our majority submissions not being accepted, if the zoning is to be kept MHU, we would like there to be additional setbacks and controls on development to preserve the SEA and the amenity of those living at 254 Glenvar and the surrounding properties.

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 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)

Ken Zhang

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

Address for service of Submitter

7/254 Glenvar Road, Torbay, Auckland

Telephone:

021 230 1135

Fax/Email:

zhangkan111@hotmail.com

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 78

Plan Change/Variation Name

Intensification

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

254 Glenvar Road, Torbay

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:

See 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 ☒

Decline the proposed plan change / variation ☐

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

See Attached Submission

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 ☒

on behalf of K Zhang - Alleg.
Signature of Submitter
(or person authorised to sign on behalf of submitter)

20/9/22
Date

Notes to person making submission:

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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.

Ginny Taare

From: Rebecca Heap <ra.heap@xtra.co.nz>
Sent: Thursday, 22 September 2022 11:43 am
To: Unitary Plan
Subject: Group Submission Against Plan Change 78 at 254 Glenvar Road
Attachments: Group Submission against Plan Change 78 at 254 Glenvar Road.PDF

Dear Planners,

I would like to submit a Group Submission on behalf of the 11 people named below who are all owners at 254 Glenvar Road.

I have attached a single pdf of our Submission which also includes all the individual Form 5's from each person.

Paul Barron 1/254 Glenvar Road

Veena Soma-Barron 1/254 Glenvar Road

Jean England 2/254 Glenvar Road

Stacey Verner 3/254 Glenvar Road

Anna-Marie Verner 3/254 Glenvar Road

Daniel Foote 5/254 Glenvar Road

Kelly Foote 5/254 Glenvar Road

Philippe Kozuls 6/254 Glenvar Road

Kobi Kozuls 6/254 Glenvar Road

Ken Zhang 7/254 Glenvar Road

Rebecca Heap 8/254 Glenvar Road

Please advise me if this is the correct way of submitting or if you require 11 separate emails.
Many thanks

Rebecca Heap

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Submission No:

Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name) Rebecca Heap

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

Address for service of Submitter

8/254 Glenvar Road, Torbay, Auckland

Telephone: 021 1702882 Fax/Email: ra.heap@xtra.co.nz

Contact Person: (Name and designation, if applicable)

Scope of submission

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Plan provision(s)

Or

Property Address 254 Glenvar Road, Torbay

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:

See Attached Submission

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I seek the following decision by Council:

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(or person authorised to sign on behalf of submitter)

20/9/22
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Group Submission Against Plan Change 78 at 254 Glenvar Road

We are the owners at cross leases 1, 2, 3, 5, 6, 7 and 8/254 Glenvar Road, Torbay.

We are making a group submission and are opposing 254 Glenvar Road being zoned Mixed Housing Urban (MHU). We are writing to request that the zoning of the property at 254 Glenvar Rd (the property in which we all currently live at) be zoned low residential density (LRD).

499.1

We note in the draft submissions of Plan Change 78, 254 Glenvar Road along with all the adjoining properties (238, 240, 248 and 250 Glenvar Road and 19, 25 and 27 Stredwick Drive Torbay) which all adjoin the SEA, were all proposed to be zoned LRD.

In the current submissions of Plan Change 78, *only* 254 Glenvar Road Torbay has been changed to MHU.

The section 32 report relating to Significant Ecological Areas evaluates three possible qualifying matter options with respect to Terrestrial SEAs and recommends that the LDR zone is applied to Single House zoned properties where there is a 30% threshold site coverage by the SEA. Only further development controls will apply on properties zoned Mixed Housing Urban (pages 3 and 12). However, there is no proper explanation for the use of the 30% threshold for the LDR zone to apply and it appears arbitrary.

In the case of 254 Glenvar Road, Torbay there is an area of the property directly adjoining the SEA which is currently undeveloped and where development (particularly higher intensity development) could put the SEA at risk. As the owners of cross leases 1-8/254 Glenvar Road we consider that Council should take a holistic approach to the zoning of the sites on which the SEA is located, in order to maintain its integrity and protect it.

499.2

Details of the SEA at 254 Glenvar Road

The SEA is a prime example of an indigenous habitat and ecosystem having been in existence for hundreds of years. The SEA was historically part of one of the original farms in Torbay. It contains many indigenous plants such as Tī Kōuka (Cabbage Tree), Ponga, Rata, Manuka/Kanuka (Tea Tree) and Totara

It also houses and feeds abundant and varied bird life, including native kereru, moreporks, tuis, fantails, black birds and thrushes to name only a few. Without the SEA, these birds would also disappear. This indigenous habitat and ecosystem need to be protected as it also provides amenity to all properties who adjoin the SEA (not just our property at 254 Glenvar Road) and characterizes the Torbay area over the last 50 – 60 years.

Dan Foote from Intrepid Earth looked at the empty plot containing the SEA and made the following comments 'There are a good dozen or so native species in amongst the block. Definitely heaps of seedlings starting to get stronger and widely spreading themselves too which is beautiful to see. Manuka and Kanuka are doing well throughout the top parts of the bush and are doing a great job of retaining the hillside as they do in many scenarios throughout New Zealand forest. These are also very important to the bees who help pollination of all other natives that are flowering close by. Also amongst the native bush are stands of Mapou or Myrsine australis which is a dominant native on the north shore. Kohekohe trees which attract multiple native birds and are a stable mid canopy tree again important in stability in the hillsides of forest areas. Also various tree fern groves of Cyathea dealbata and Cyathea medularis and Dicksonia squarosa which feed invertebrates and birds alike. Medium trees and shrubs of Caprosma repens and Olearia and Hoheria native shrubs

create constant under canopy throughout the majority of the block. Karo trees and a Pohutukawa seedling are starting to thrive too some over 4-5m tall in places. I've seen and heard all the birds and insects in this very special SEA area of native forest and it needs to be looked after not re-zoned for more stormwater runoff and more rubbish and debris from over crowded housing'

We are all owner occupiers and many of us (some who have lived on the property for over 26 years) were drawn to purchase our homes on this property because of the leafy greenness, the abundant bird life and the privacy that the SEA affords us. We note Council is aware that a healthy pine tree over 100 years old and seven other trees were recently removed from the SEA without consent, they visited the property but did not press charges. The intensification of housing at 254 Glenvar would have a major impact on the SEA and would also-affect the hydrology and possibly cause slippage due to the steepness of this part of the site.

As the property is a single block with 8 existing dwellings intensification under the MHU would also greatly detract from the amenity of the area and townhouse style development would not fit the character of the existing site, which is unlikely to be developed to an MHU level due to the number of cross leases already here. It would not fit the character of the neighbourhood in which we live in.

Additional Reasons to Retain LRD at 254 Glenvar Road

Other reasons why the property at 254 Glenvar Rd should not be zoned MHU but rather LRD include:

1. Driveway

The property is cross lease with the plot for development being at the far end of a long, relatively narrow and in part quite steep driveway.

It is only a shared driveway, it is not a road designed for service vehicles.

Being relatively long and narrow with no lighting or space for a footpath, the significant increase in cars using the driveway could be hazardous to the occupants if the property is zoned MHU

2. Glenvar Road Access

At present we can have up to 16 wheely bins on the road on refuse and recycling day. The road outside 254 does not currently have a berm, which already creates a hazard on collection day due to limiting driver sightlines with bins across the driveway and onto the footpath. With more bins it would become impossible to get out of the drive and still maintain pedestrian safety. There is no footpath on the other side of Glenvar Road and we are on the direct route for many students walking to the local schools in Long Bay.

This part of Glenvar Road also has no scope for on street parking due to its width coupled with the open drain on our side and vegetation covering a drop on the other.

Conclusion

As owners living at the property, we believe we should also be able to have a greater say on how the property we live in is zoned. We after all make up the majority of the owners living at 254 Glenvar Road, Torbay. Therefore we are requesting that 254 Glenvar Road retains LDR status.

In the event of our majority submissions not being accepted, if the zoning is to be kept MHU, we would like there to be additional setbacks and controls on development to preserve the SEA and the amenity of those living at 254 Glenvar and the surrounding properties.

Ginny Taare

From: Rebecca Heap <ra.heap@xtra.co.nz>
Sent: Thursday, 22 September 2022 2:43 pm
To: Unitary Plan
Subject: Submission Against PC 78 at 254 Glenvar Road
Attachments: Submission Against PC78 at 254 Glenvar Road - R Heap .PDF

Dear Planner,

Please find my individual Submission Against PC 78 at 254 Glenvar Road attached.

Kind regards

Rebecca Heap

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

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



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Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

Rebecca Heap

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

Address for service of Submitter

8/254 Glenvar Road, Torbay, Auckland

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Fax/Email:

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Contact Person: (Name and designation, if applicable)

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Property Address

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Map

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Other (specify)

Submission

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AUCKLAND COUNCIL

27 SEP 2022

CBD - ALBERT ST

Group Submission Against Plan Change 78 at 254 Glenvar Road

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Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

Rebecca Heap

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

Address for service of Submitter

8/254 Glenvar Road, Torbay, Auckland

Telephone:

021 1702882

Fax/Email:

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Contact Person: (Name and designation, if applicable)

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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

254 Glenvar Road, Torbay

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:

See 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 ☒

Decline the proposed plan change / variation ☐

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

See Attached Submission

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)

20/9/22
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.